

**Gazette**  
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**DU Québec**

Part

**2**

**No. 29**

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**Laws and Regulations**

Volume 149

**Summary**

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- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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## Regulations and other Acts

Gouvernement du Québec

### O.C. 676-2017, 28 June 2017

An Act respecting roads  
(chapter V-9)

CONCERNING the management and ownership of a part of Autoroute 10, also designated as Autoroute des Cantons-de-l'Est, located in the territory of Ville de Bromont

WHEREAS Autoroute 10, also designated as Autoroute des Cantons-de-l'Est, located in the territory of Ville de Bromont, is State property in accordance with the paragraph (1) of section 7 of the Act respecting roads (chapter V-9), having been acquired and constructed by the Office des autoroutes du Québec;

WHEREAS the Government, under the first paragraph of section 2 of the Act respecting roads, determined by Order in Council 29293 of March 3, 1993, which was amended, in particular, by Order in Council 5992014 of June 18, 2014, Autoroute 10, located in the territory of Ville de Bromont, is under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification;

WHEREAS lots 4 803 976, 4 803 979, 4 803 980 and 4 803 983 of the Québec cadastre, in the registration division of Shefford, located in the right of way of Autoroute 10 in the territory of Ville de Bromont, are no longer required for this autoroute and it is appropriate to abandon their management;

WHEREAS it is also appropriate to remove the character of autoroute from these lots, so that the Minister of Transport, Sustainable Mobility and Transport Electrification can dispose of them in accordance with the Act;

IT IS ORDERED accordingly, on the recommendation of the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT the management of a part of Autoroute 10, designated as lots 4 803 976, 4 803 979, 4 803 980 and 4 803 983 of the Québec cadastre, in the registration division of Shefford, located in the territory of Ville de Bromont,

shown on the plan prepared by Mr. Jacques Bonneau, land surveyor, on September 13, 2011, under number 15253 of his minutes and stored in the archives of the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports under number AA8608154040794, be abandoned;

THAT the character of autoroute be removed from lots 4 803 976, 4 803 979, 4 803 980 and 4 803 983 of the Québec cadastre, in the registration division of Shefford, so that the Minister of Transport, Sustainable Mobility and Transport Electrification can dispose of them in accordance with the Act;

THAT the schedule to Order in Council 292-93 of March 3, 1993 be amended accordingly;

THAT this Order in Council take effect on the date of its publication in the *Gazette officielle du Québec*.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

103041

Gouvernement du Québec

### O.C. 691-2017, 4 July 2017

An Act respecting the Régie du logement  
(chapter R-8.1)

**Régie du logement**  
— **Remuneration and other conditions of office of commissioners**  
— **Amendment**

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement

WHEREAS, under section 7.14 of the Act respecting the Régie du logement (chapter R-8.1), the Government is to make regulations determining, in particular, the mode of remuneration of commissioners of the Régie du logement and the applicable standards and scales as well as other conditions of office applicable to those commissioners;

WHEREAS, under section 7.15 of the Act, the Government is to fix, in accordance with the regulation, the remuneration, social benefits and other conditions of office of the commissioners;

WHEREAS the Government made the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (chapter R-8.1, r. 5.1);

WHEREAS it is expedient to amend the Regulation to revoke the provisions concerning the lump sum provided for in the third paragraph of section 9 of the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Land Occupancy:

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

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### **Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement**

Act respecting the Régie du logement  
(chapter R-8.1, s. 7.14)

**1.** The Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (chapter R-8.1, r. 5.1) is amended in section 9 by striking out the third paragraph.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103044

Gouvernement du Québec

### **O.C. 692-2017, 4 July 2017**

An Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector  
(chapter R-8.3)

#### **Remuneration of members of a dispute settlement board and disputes arbitrators in the municipal sector**

Regulation respecting the remuneration of members of a dispute settlement board and disputes arbitrators in the municipal sector

WHEREAS, under section 34 of the Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector (chapter R-8.3), the costs of a dispute settlement board, including the fees of its members, are determined by government regulation;

WHEREAS section 47 of the Act provides that section 34, among others, applies to arbitration conducted under Division IV of the Act, with the necessary modifications;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the remuneration of members of a dispute settlement board and disputes arbitrators in the municipal sector was published in Part 2 of the *Gazette officielle du Québec* of 7 April 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Land Occupancy:

THAT the Regulation respecting the remuneration of members of a dispute settlement board and disputes arbitrators in the municipal sector, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

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## Regulation respecting the remuneration of members of a dispute settlement board and disputes arbitrators in the municipal sector

An Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector  
(chapter R-8.3, ss. 34 and 47)

**1.** This Regulation applies to members of a dispute settlement board and to disputes arbitrators appointed under sections 10 and 45 of the Act respecting the process of negotiation of collective agreements and the settlement of disputes in the municipal sector (chapter R 8.3).

**2.** Each member, other than the member acting as chair, of a dispute settlement board or a disputes arbitrator is entitled to fees of \$180 for each hour of arbitration hearing. The hourly rate to which the chair of a dispute settlement board is entitled is \$205.

Each member of a dispute settlement board or a disputes arbitrator is entitled, for each arbitration hearing, to a minimum of 3 hours of fees at the rates set in the first paragraph.

**3.** For the deliberations and the drafting of the decision, each member of a dispute settlement board or a disputes arbitrator is entitled to fees at the rates set in section 2 to a maximum of

- (1) 14 hours if no arbitration hearing is held;
- (2) 14 hours for 1 arbitration hearing;
- (3) 22 hours for 2 arbitration hearings;
- (4) 27 hours for 3 arbitration hearings; and

(5) 27 hours for the first 3 hearings and 3 hours for each subsequent hearing where there are 4 arbitration hearings or more.

However, the total number of hours allowed for the drafting of the decision of a dispute settlement board must be allocated among the 3 members of the board, as they specify.

**4.** Where dispute arbitration requires prior disposal of issues on elements other than work and remuneration conditions that are the subject of the dispute, the chair of a dispute settlement board or a disputes arbitrator is entitled to an additional maximum number of 15 hours at the rates set in section 2.

**5.** For all expenses related to arbitration, namely fees for opening files, telephone calls, correspondence and the drafting and filing of duplicates or copies of the arbitration award, a disputes arbitrator is entitled to 1.5 hours of fees at the rate set in section 2 and the chair of a dispute settlement board is entitled to 3 hours of fees at the rate set in section 2.

**6.** The transportation costs and meal and accommodation expenses, and other travel costs of a member of a dispute settlement board or a disputes arbitrator are reimbursed according to the Directive concernant les frais de déplacement des personnes engagées à honoraires par des organismes publics (C.T. 212379, 2013-03-26 amended by C.T. 214163, 2014-09-30).

**7.** A member of a dispute settlement board or a disputes arbitrator is entitled to a travel allowance when performing duties outside an 80-kilometre radius from the office.

The amount of the allowance corresponds to the amount obtained by multiplying the rate of \$115 by the number of hours required for a round trip using the fastest means of transportation.

**8.** When a case is fully settled or postponed at the request of a party, each member of a dispute settlement board or a disputes arbitrator is entitled, at the rates set in section 2, to the following number of hours of fees:

(1) 1 hour, if the settlement or postponement occurs between the sixty-first and thirtieth days preceding the day set for the arbitration hearing;

(2) 3 hours, if the settlement or postponement occurs between the thirty-first and eighth days preceding the date set for the arbitration hearing;

(3) 5 hours, if the settlement or postponement occurs before the ninth day preceding the day set for the arbitration hearing.

**9.** The chair of a dispute settlement board or a disputes arbitrator is entitled to reimbursement of the actual costs incurred in renting a room for an arbitration hearing.

**10.** A member of a dispute settlement board or a disputes arbitrator may not claim any fees, expenses, allowances and indemnities other than those set by this Regulation.

**11.** The parties assume jointly and equally payment of the fees, expenses, allowances and indemnities of a member of a dispute settlement board or a disputes arbitrator.

**12.** A member of a dispute settlement board or a disputes arbitrator must submit a detailed account of fees, making it possible to verify the validity of the fees, expenses, allowances or indemnities claimed per day.

Those accounts are sent to the parties by the disputes arbitrator or the chair of the board in the case of a dispute settlement board.

**13.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103045

Gouvernement du Québec

### **O.C. 710-2017, 4 July 2017**

An Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5)

#### **Regulation**

Regulation respecting the application of the Act respecting transparency measures in the mining, oil and gas industries

WHEREAS, under the third paragraph of section 6 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5), the Government determines, by regulation, the form of the statement required under the first paragraph of that section, including the manner in which the payments must be presented or broken down, for instance by project, and the procedure for sending the statement;

WHEREAS, under section 9 of the Act, a statement filed in accordance with the requirements of another competent authority may be substituted for the statement required under the first paragraph of section 6 of the Act if the Government has determined by regulation that the requirements of that authority are an acceptable substitute because they achieve the same purposes as those of the Act;

WHEREAS, under section 9 of the Act, the Government determines by regulation the conditions under which such a substitution can be made;

WHEREAS, under paragraph 2 of section 18 of the Act, the Government may, by regulation, determine the applicable rate of exchange for the conversion of payments into Canadian dollars;

WHEREAS, under section 19 of the Act, any regulation made under the Act is on the recommendation of the Minister of Energy and Natural Resources and the Minister of Finance;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the application of the Act respecting transparency measures in the mining, oil and gas industries was published in Part 2 of the *Gazette officielle du Québec* of 24 August 2016 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Energy and Natural Resources and the Minister of Finance:

THAT the Regulation respecting the application of the Act respecting transparency measures in the mining, oil and gas industries, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the application of the Act respecting transparency measures in the mining, oil and gas industries**

An Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5, ss. 6, 9 and 18)

#### **DIVISION I**

##### **FORM AND SENDING OF THE STATEMENT**

**1.** The statement required under the first paragraph of section 6 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5) must comply with the form provided for in Schedule 1 to this Regulation.



**2.** Entities must use the Canadian currency or the currency with which they carry on their activities to complete the statement. The currency must be used for all of the statement.

The payments indicated in the statement must be broken down by payee and, where a payment made may be attributed to a project, by project.

The payments must also be rounded to the nearest ten thousand, regardless of the currency used.

**3.** The statement and, as the case may be, the certificate or the independent auditor's report accompanying it, and any other document that, according to the entity, is required for the purposes of the statement are provided to the Autorité des marchés financiers in electronic format using the System for Electronic Document Analysis and Retrieval (SEDAR) provided for in Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) (chapter V-1.1, r. 2).

Sections 2.4 to 2.8, 4.1, paragraphs 1 and 2 of section 4.3, sections 4.5, 4.9 and 5.1 of Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) (chapter V-1.1, r. 2) apply, with the necessary modifications.

## **DIVISION II** RATE OF EXCHANGE

**4.** Entities that made payments in a currency other than the Canadian currency must, to determine if the total value of the payments is at least \$100,000, use one of the methods provided for in section 5 of this Regulation.

**5.** Entities that made payments in a currency other than the Canadian currency must, if they wish to convert the value of the payments in Canadian currency in their statement, use one of the following methods:

(1) the rate of exchange on the date on which the payment is made;

(2) the average rate of exchange for the period, not exceeding 12 months;

(3) the rate of exchange in force at the end of the entity's fiscal year;

(4) the method provided for in the entity's financial statements.

Entities must include a note in their statement indicating the method and rate of exchange used to convert the currency.

## **DIVISION III** SUBSTITUTION

**6.** A statement filed in accordance with the requirements of a competent authority mentioned in Schedule 2 to this Regulation may be substituted for the statement required under the first paragraph of section 6 of the Act.

The substitution may be made on the condition that the statement and, as the case may be, the certificate referred to in Schedule 1 to this Regulation or the independent auditor's report, are provided in accordance with section 3 of this Regulation and, where applicable, that the entity has informed the Autorité des marchés financiers, not later than the 150th day following the end of the entity's fiscal year, that the entity intends to file the statement within the period prescribed according to the requirements of the other competent authority, where they allow the filing of the statement beyond the 150th day.

An independent auditor's report provided in the context of a substitution must be prepared according to the auditing standards generally accepted in Canada and must express an unmodified opinion according to which the entity complies with all the significant aspects of the provisions of the Act, or according to the requirements of the competent authority in which the statement was filed.

## **DIVISION IV** TRANSITIONAL AND FINAL

**7.** Despite any provision to the contrary, a statement required under the first paragraph of section 6 of the Act for the fiscal year beginning between 22 October 2015 and 31 July 2016 must be provided not later than 31 December 2017.

**8.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

**SCHEDULE 1 STATEMENT UNDER THE ACT RESPECTING  
TRANSPARENCY MEASURES IN THE MINING, OIL AND GAS  
INDUSTRIES**

(s.1)

Fiscal year covered by the statement: from \_\_\_\_\_ to \_\_\_\_\_

Name of the entity filing the statement: \_\_\_\_\_

Name(s) of the subsidiary or subsidiaries for which the entity files the statement,  
where applicable: \_\_\_\_\_

**Certificate**

I certify that I have examined the information contained in the statement of [*name of the entity and name(s) of any subsidiary or subsidiaries*] for the fiscal year that began on \_\_\_\_ and ended on \_\_\_\_\_. To my knowledge and having exercised due diligence, the information contained in the statement is, in all material respects for the purposes of the Act, true, accurate and complete.

Full name of the officer or director:

Title of position:

Date:

\_\_\_\_\_  
[Signature]

**Certificate to be used within the context of the substitution of a statement of a  
corporation that is not an entity**

I certify that I have examined the information concerning [*name of the entity and name(s) of any subsidiary or subsidiaries*] contained in the statement of [*name of the parent company*] for the fiscal year that began on \_\_\_\_ and ended on \_\_\_\_\_. To my knowledge and having exercised due diligence, the information contained in the statement is, in all material respects for the purposes of the Act, true, accurate and complete.

Full name of the officer or director:

Title of position:

Date:

\_\_\_\_\_  
[Signature]

**Payments by payee (in thousands)**

Name of country	Payee	Taxes and income tax	Royalties	Fees	Production entitlements	Dividends	Bonuses	Contributions for infrastructure construction or improvement	TOTAL	Notes

103046

**Payments per project (in thousands)**

Name of country	Project	Taxes and income tax	Royalties	Fees	Production entitlements	Dividends	Bonuses	Contributions for infrastructure construction or improvement	TOTAL	Notes

**SCHEDULE 2 LIST OF COMPETENT AUTHORITIES WHOSE REQUIREMENTS ARE DESIGNATED AS AN ACCEPTABLE SUBSTITUTE (s. 6)**

The requirements of the following competent authorities are designated as an acceptable substitute within the meaning of section 9 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5):

- Germany;
- Austria;
- Belgium;
- Bulgaria;
- Canada;
- Cyprus;
- Croatia;
- Denmark;
- Spain;
- Estonia;
- Finland;
- France;
- Greece;
- Hungary;
- Iceland;
- Italy;
- Latvia;
- Liechtenstein;
- Lithuania;
- Luxembourg;
- Malta;
- Norway;
- Netherlands;
- Poland;
- Portugal;
- Czech Republic;
- Romania;
- United Kingdom;
- Slovakia;
- Slovenia;
- Sweden.

Gouvernement du Québec

**O.C. 722-2017, 4 July 2017**

An Act respecting administrative justice  
(chapter J-3)

**Administrative Tribunal of Québec  
— Remuneration and other conditions of office  
of members  
— Amendment**

Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

WHEREAS, under section 56 of the Act respecting administrative justice (chapter J-3), the Government is to make regulations determining, in particular, the mode of remuneration of the members of the Administrative Tribunal of Québec and the applicable standards and scales as well as other conditions of office applicable to those members;

WHEREAS, under section 57 of the Act, the Government is to fix, in accordance with the regulation, the remuneration, social benefits and other conditions of office of the members;

WHEREAS the Government made the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec (chapter J-3, r. 3.1);

WHEREAS it is expedient to amend the Regulation to revoke the provisions concerning the lump sum provided for in the third paragraph of section 9 of the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

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**Regulation to amend the Regulation  
respecting the remuneration and other  
conditions of office of members of the  
Administrative Tribunal of Québec**

An Act respecting administrative justice  
(chapter J-3, s. 56)

**1.** The Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec (chapter J-3, r. 3.1) is amended in section 9 by striking out the third paragraph.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103047

Gouvernement du Québec

**O.C. 735-2017, 4 July 2017**

An Act respecting the civil aspects of international  
and interprovincial child abduction  
(chapter A-23.01)

Taking of effect of the Act respecting the civil aspects of international and interprovincial child abduction with respect to Morocco

WHEREAS the first paragraph of section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (chapter A-23.01) provides that the Government, upon recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Relations, is to designate by order any State, province or territory in which the Government considers that Québec residents may benefit from measures similar to those set out in the Act;

WHEREAS the second paragraph of section 41 of the Act provides that the order is to indicate, in particular, the date of the taking of effect of the Act for each State, province or territory designated in it and that it is to be published in the *Gazette officielle du Québec*;

WHEREAS, by Order in Council 944-2016 dated 26 October 2016, the Government accepted the accession of Morocco to the Convention on the Civil Aspects of International Child Abduction and designated that State as a State to which the Act respecting the civil aspects of international and interprovincial child abduction applies;

WHEREAS that Order in Council provides that the Act takes effect, with respect to that State, at a later date to be set by the Government;

WHEREAS it is expedient to set 1 July 2017 as the date of taking of effect of the Act with respect to that State;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and the Minister of International Relations and La Francophonie:

THAT the Act respecting the civil aspects of international and interprovincial child abduction (chapter A-23.01) take effect on 1 July 2017 with respect to Morocco.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

103048

Gouvernement du Québec

## O.C. 752-2017, 4 July 2017

Highway Safety Code  
(chapter C-24.2)

### Low-speed vehicles

Regulation respecting low-speed vehicles

WHEREAS, under section 214.0.2 of the Highway Safety Code (chapter C-24.2), the Government may prescribe by regulation any special rules that low-speed vehicles must meet to be driven on public highways;

WHEREAS, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 140 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (2016, chapter 8), a draft Regulation respecting low-speed vehicles was published in Part 2 of the *Gazette officielle du Québec* of 15 June 2016 with a notice that it could be made by the Government on the expiry of 20 days following that publication;

WHEREAS section 140 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area provides, in particular, that the first regulation made under section 214.0.2 of the Highway Safety Code comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date set in the regulation, despite section 17 of the Regulations Act;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT the Regulation respecting low-speed vehicles, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation respecting low-speed vehicles

Highway Safety Code  
(chapter C-24.2, s. 214.0.2)

### DIVISION I PURPOSE AND SCOPE

**1.** The purpose of this Regulation is to determine the special rules that must be met by low-speed vehicles in order to be authorized to travel on public roads.

**2.** This Regulation applies to low-speed vehicles within the meaning of section 4 of the Highway Safety Code (chapter C-24.2), as amended by section 51 of the Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area (2016, chapter 8).

### DIVISION II SPECIAL RULES

#### §1. *Lighting devices and warning lights*

**3.** Lights, lamps and reflectors with which every low-speed vehicle must be equipped in accordance with section 215 of the Highway Safety Code (chapter C-24.2) must be installed

(1) at least 560 mm and not more than 1,370 mm from the ground in the case of the headlights referred to in subparagraph 1 of the first paragraph of that section;

(2) at least 380 mm and not more than 1,370 mm from the ground in the case of lights, lamps and reflectors referred to in subparagraphs 2 to 8 of the first paragraph of that section.

All the lights, lamps and reflectors referred to in this section must bear the marking recommended by SAE International in J759, Lighting Identification Code (February 2012).

**4.** Turn-signal lights of a low-speed vehicle must be connected with one another so as to come on together and intermittently, as hazard warning lights, where the hazard light control is activated.

**5.** In addition to activating the headlights, the headlight control of a low-speed vehicle must turn on the parking lights simultaneously, together with the lighting device for the registration plate and that in the dashboard.

**6.** The lighting device in the dashboard of a low-speed vehicle must come on only when the headlight control is activated.

**7.** The headlight receptacle of a low-speed vehicle must allow to adjust the light beam on the vertical and horizontal axes.

**8.** A low-speed vehicle that meets the requirements applicable to Category M vehicles (vehicle carrying passengers) and Category N vehicles (vehicle carrying goods), as the case may be, respecting performance and installation of lighting devices and warning lights provided for in Regulation No. 48 of the United Nations Economic Commission for Europe (UNECE) entitled “Uniform provisions concerning the approval of vehicles with regard to the installation of lighting and light-signalling devices” is deemed to meet the requirements of this subdivision.

### *§2. Electrical circuit*

**9.** The electrical circuit of a low-speed vehicle must be such that the lighting devices and warning lights must not be rendered inoperative in case of failure of the powertrain battery.

### *§3. Controls, warning lights and indicators*

**10.** Every low-speed vehicle must be equipped with the following controls, warning lights and indicators:

(1) a key-operated control to start the vehicle including at least the following 3 positions: “stop”, “accessories” and “motor”, the latter position allowing the concomitant supply of the accessories; the “accessories” position may be absent if a mechanical locking device for the drivetrain prevents any movement of the vehicle by the accelerator when accessories or the motor are powered;

(2) a control to put the vehicle in drive, neutral or reverse and an indicator showing the control position;

(3) a single control for the headlights, parking lights, the lighting device for the registration plate and that in the dashboard;

(4) a control for the turn-signal lights and a warning light showing when they are in use;

(5) a control for the hazard lights and a warning light showing when they are in use;

(6) a control for the windshield wiper and washer system;

(7) a control for the windshield defrosting and defogging system;

(8) a warning light for the motor operation;

(9) a warning light for high beams where the vehicle is equipped with high beams;

(10) a warning light in case of pressure loss in the brake fluid or a decrease in the fluid level;

(11) a warning light showing when the parking brake is activated;

(12) a warning light or buzzer showing when seat belts are not fastened;

(13) an indicator for the charge level of the powertrain battery;

(14) a speed indicator showing the vehicle’s speed in kilometres per hour, with a margin of error of less than 10%;

(15) a horn of an intensity ranging from 82 to 102 dB at a distance of 15 m; and

(16) a proximity and reverse warning system that

(a) turns on manually and emits an intermittent sound to signal the presence of the vehicle in motion in the vicinity of a pedestrian or cyclist;

(b) turns on automatically and emits an intermittent sound when the vehicle is in reverse;

has a sound intensity lower than that referred to in paragraph 15, but is audible at 15 m in normal urban driving conditions.

**11.** Each control, warning light and indicator mentioned in section 10 must be identified by a symbol recognized internationally, if any.

**12.** The controls mentioned in section 10 must be located so that the driver may operate them easily while seated in the normal driving position and held by the seat belt.



**13.** The warning lights and indicators mentioned in section 10, as well as their means of identification, must be located so the driver can see them under the conditions described in section 12.

**14.** The lighting device in the dashboard of a low-speed vehicle must provide sufficient light for the controls, warning lights, indicators and their means of identification.

#### §4. *Braking and stopping systems*

**15.** Every low-speed vehicle must be equipped with a service brake system composed of at least 2 subsystems activated by a single control and designed so that the failure of a subsystem, other than the rupture of a sleeve common to a number of subsystems, cannot hamper the good working order of another subsystem.

A non-slip pedal must be used to activate the service brake system.

**16.** Every low-speed vehicle must be equipped with a friction parking brake system with a solely mechanical means to keep it in braking position.

The control for that braking system must be independent from the control for the service brake system.

An anti-slip pedal or lever must be used to activate the parking brake system.

**17.** Every low-speed vehicle not equipped with a device to immobilize the powertrain must be equipped with a warning sound and a warning light that are automatically activated when the key-operated control to start the vehicle is put in the “stop” position while the parking brake is not applied.

**18.** Every low-speed vehicle must meet all the requirements in sections 20 and 21 and, if applicable, those in section 22, regarding the efficiency of its service brake system and parking brake system when tested in accordance with the methods prescribed by those sections and in the conditions provided for in section 19, without any rupture, severance or warping of one of their components and without brake fluid leakage.

**19.** All the tests are carried out in the following conditions:

- (1) they take place on a straight bitumen or concrete roadway that is dry, clean and without oil or grease;
- (2) the vehicle weighs its gross vehicle weight rating;
- (3) the tires are inflated at the pressure determined by the manufacturer.

In the following provisions relating to those tests, the letter “V” refers to the maximum speed of the vehicle in kilometres per hour. The calculation is made without taking into account units of measure and the result obtained corresponds to a braking distance in metres.

**20.** Tests are carried out in cold and hot conditions to check the efficiency of the service brakes of the vehicle. For each of the situations described in the third and fourth paragraphs, a series of 3 tests, at least one of which must meet the requirements provided for in those paragraphs, must be carried out.

The cold and hot testing of the service brake system are carried out according to the following method:

- (1) they take place on a flat surface;
- (2) the vehicle is driven at its top speed;
- (3) the force applied to the pedal does not exceed 500 N;
- (4) before the tests, the friction components in the brake system have been broken in following 100 brakings from the vehicle’s top speed to a deceleration that does not cause the friction components to overheat.

The following cold testing of the service brake system are carried out when the system is at ambient temperature:

- (1) a first series of tests is carried out without rendering any subsystem inoperative. In that situation, the braking distance must not be greater than  $0.1 V + 0.006 V^2$ ;
- (2) a second series of tests is carried out with a subsystem rendered inoperative. In that situation, the braking distance must not be greater than  $0.1 V + 0.0158 V^2$ ;
- (3) in the case of a vehicle equipped with a braking assistance system, a third series of tests is carried out with that system rendered inoperative. In that situation, the braking distance must not be greater than  $0.1 V + 0.0158 V^2$ ;
- (4) in the case of a vehicle equipped with a regenerative braking system, a fourth series of tests is carried out with that system rendered inoperative. In that situation, the braking distance must not be greater than  $0.1 V + 0.0158 V^2$ .

Only one series of hot tests of the service brake system is carried out within the minute that follows the warming up of the system by means of successive decelerations from the vehicle’s top speed down to half that speed. That series of tests is carried out from the vehicle’s top speed to its complete stop. In that situation, the braking distance must not be greater than  $1.4 \times (0.1 V + 0.006 V^2)$ .

In addition, for all the tests prescribed by this section, the vehicle must not skid by more than 15° in relation to the longitudinal axis of the roadway when stopping and, if the wheels block, the rear wheels must not block before the front wheels.

**21.** Two tests are carried out to check the efficiency of the parking brake system of the vehicle. Those tests are carried out according to the following method:

- (1) they take place on a 30% slope;
- (2) the device to immobilize the powertrain, if any, is disengaged;
- (3) the force applied on the parking brake control does not exceed 400 N for a hand control and 500 N for a foot control.

The first test consists in keeping the vehicle still in the slope, in one direction, for 5 minutes or more. The second test is to the same effect, but in the opposite direction.

**22.** Where a low-speed vehicle is designed for towing, tests identical to those provided for in section 20 are carried out again with the vehicle and the trailer bearing the maximum capacity certified by the manufacturer. The vehicle must meet all the requirements provided for in sections 18 and 20, except regarding the braking distance provided for in subparagraph 1 of the third paragraph of section 20, which must not be greater than  $0.1 V + 0.0158 V^2$ , and the braking distance provided for in the fourth paragraph of that section, which must not be greater than  $1.4 \times (0.1 V + 0.0158 V^2)$ .

For the purposes of the first paragraph, it is allowed to equip the trailer with independent brakes to satisfy the requirements provided for therein.

#### §5. *Steering column*

**23.** Where the angle between the steering column of a low-speed vehicle and a horizontal plane is less than 60 degrees, the steering column must be capable of retracting by at least 100 mm in order to minimize the recoil of the steering wheel in case of frontal impact. That length may be shorter if other devices are installed in the vehicle to limit the risks of upper body injury in case of frontal impact, for example the installation of an air bag, and a frontal fixed barrier impact test at 40 km/h so demonstrates.

#### §6. *Doors*

**24.** Every low-speed vehicle must be equipped with rigid side doors or tube doors that extend at least 300 mm above the base of the seats. Doors or tube doors that may be removed without using tools are permitted if a frontal fixed barrier impact test at 40 km/h demonstrates that the doors or tube doors do not detach from the vehicle.

Where a vehicle is driven on a public road, the doors or tube doors must be attached and closed.

#### §7. *Fenders*

**25.** Every low-speed vehicle must be equipped with fenders to protect other road users from the projection, caused by the tread of the tires, of objects or matters that may be on the roadway.

#### §8. *Driver's seat and headrest*

**26.** The driver's seat or pedals of a low-speed vehicle must be adjustable lengthways without tools.

Once they are adjusted, the seat or the pedals, as the case may be, must remain in the chosen position.

**27.** The front seats in a low-speed vehicle must be equipped with a cushioned headrest that can reach a minimum height of 770 mm measured along the backrest, from the base of the seat to the top of the headrest. If the inside height of the vehicle makes it physically impossible for the headrest to reach the prescribed minimum height, the distance between the top of the headrest and the roof must not exceed 25 mm.

The front seats' headrests may also be fastened to the side wall of the passenger compartment. In such case, they must be fastened right above the back of the seat and meet the conditions provided for in the first paragraph. They must also be adjustable lengthways.

Where a headrest is adjustable, it must be designed so as to remain in the chosen position, even in case of impact.

#### §9. *Windows*

**28.** The windows of a low-speed vehicle must comply with the requirements applicable to vehicles with the same configuration provided by SAE International standard ANSI/SAE Z26.1, Safety Glazing Materials for Glazing Motor Vehicles and Motor Vehicle Equipment Operating on Land Highways (1996).



**29.** A low-speed vehicle that meets the requirements applicable to Category M vehicles (vehicle carrying passengers) and Category N vehicles (vehicle carrying goods), as the case may be, respecting composition and installation of windows provided for in Regulation No. 43 of the United Nations Economic Commission for Europe (UNECE) entitled “Uniform provisions concerning the approval of safety glazing materials and their installation on vehicles” is deemed to meet the requirements of this subdivision.

**§10. Rearview mirrors**

**30.** Rearview mirrors with which every low-speed vehicle must be equipped in accordance with section 262 of the Highway Safety Code (chapter C-24.2) must

(1) be flat and have a reflective surface of at least 80 cm<sup>2</sup>, except for the rearview mirror placed outside on the right side of the vehicle which may be convex, in which case it must have a reflective surface of at least 64 cm<sup>2</sup>;

(2) reflect at least 35% of the incident light; and

(3) be adjustable from inside the vehicle on the vertical and horizontal axes and remain in the chosen position.

**§11. Sun visor**

**31.** Every low-speed vehicle must be equipped with

(1) an adjustable sun visor on the driver’s side and that remains in the chosen position; or

(2) a tinted film applied to the top part of the windshield.

**§12. Windshield wiper and washer system**

**32.** Every low-speed vehicle must be equipped with a front windshield wiper and washer system.

The wiper blades must make even contact with the windshield and sweep the area necessary for driving the vehicle.

The stroke frequency of the wiper system, or at least 1 speed if the system has more than 1, must range from 20 to 45 strokes per minute.

**§13. Heating system**

**33.** Every low-speed vehicle with a closed passenger compartment must be equipped with a heating system for the passenger compartment.

**§14. Windshield defrosting and defogging system**

**34.** Every low-speed vehicle must be equipped with a windshield defrosting and defogging system with sufficient power to remove the frost or fog that may appear on the windshield over the area covered by the windshield wipers.

**§15. Batteries**

**35.** The batteries likely to emit gas that are installed in a low-speed vehicle must be installed in leakproof compartments ventilated by air from outside the passenger compartment.

**§16. Seat belts and anchorages**

**36.** Every low-speed vehicle must be equipped, for each seating position, with a seat belt that

(1) includes a pelvic restraint and an upper torso restraint that may not be detached from one another;

(2) is adjustable by means of an emergency-locking retractor; and

(3) may not be detached from the anchorages that attach it to the vehicle in accordance with section 37.

**37.** Anchorages that attach the seat belts to the low-speed vehicles must be installed for each seating position.

The anchorages must be able to withstand

(1) a force of 10,000 N applied simultaneously to the pelvic restraint and the upper torso restraint during a test carried out following the method provided for in section 210 of Schedule IV to the Motor Vehicle Safety Regulations (C.R.C., c. 1038); or

(2) a head-on collision at 40 km/h into a fixed barrier.

In both cases, the anchorages must not separate completely from the vehicle structure or seat structure. However, a deformation of the vehicle at the anchorage points is allowed during the test if the test shows that no part of the vehicle would have come into contact with the occupant of the seat seating in normal position (medium).

**§17. Tires and rims**

**38.** Every low-speed vehicle must be equipped with tires complying with the requirements applicable to passenger vehicles provided for in section 110 of Schedule IV to the Motor Vehicle Safety Regulations (C.R.C., c. 1038).

The requirements provided for in that section regarding the maximum load on the vehicle's tires and the information that must appear in the vehicle also apply.

**39.** Every low-speed vehicle must be equipped with rims of the dimension and capacity determined by the manufacturer of the tires fitted on the vehicle.

*§18. Information notice and label*

**40.** Every low-speed vehicle must be equipped with a 13 cm x 18 cm information notice complying with Schedule A to this Regulation, which must be installed inside the vehicle so it is visible to its occupants.

**41.** Every low-speed vehicle must be equipped with a label that includes the message provided for in Schedule B to this Regulation, which warns the first responders of the presence of high electrical voltage in the vehicle, which must be installed in the lower left corner of the windshield.

*§19. Compliance of a low-speed vehicle*

**42.** The manufacturer or importer of a low-speed vehicle must provide the Société de l'assurance automobile du Québec, before the vehicle is authorized to travel on public roads, with a complete record, including the testing reports on braking systems and seat belt anchorages, proving that the low-speed vehicle complies with the special rules regarding equipment provided for in this Regulation.

**43.** The identification number of a low-speed vehicle must contain a character, chosen by the manufacturer, indicating that the vehicle complies with the special rules regarding equipment provided for in this Regulation. The vehicle's manufacturer or importer must inform the Société de l'assurance automobile du Québec of the character chosen.

Despite the first paragraph, the vehicle's manufacturer or importer may propose, to the satisfaction of the Société, another means of indicating that the vehicle complies with the special rules.

**DIVISION III**  
**TRANSITIONAL AND FINAL**

**44.** Sections 3 to 8, paragraphs 1, 3 to 10, 12, 13 and subparagraph *b* of paragraph 16 of section 10, sections 11 to 14, 23, 26 and 29 of this Regulation do not apply to low-speed vehicles registered for the first time under the Highway Safety Code (chapter C-24.2) before the end of the second year following 19 July 2017.

**45.** This Regulation comes into force on 19 July 2017.

SCHEDULE A  
(s. 40)

**AVERTISSEMENT**  
Véhicule à circulation restreinte

- Ce véhicule ne respecte pas toutes les exigences de sécurité des véhicules de promenade.
- Ce véhicule est soumis à des règles particulières de circulation.

<b>Chemins interdits</b>	
<b>Règles</b>	<b>Chemins obligatoires</b>
<p style="text-align: center;">Classe 5    Phares allumés    Klaxon de proximité    À l'arrière</p>	
<p>Interdiction de croiser un chemin de plus de 50 km/h, sauf à une intersection où il est régi par :</p>	<p>Voie de droite, sauf pour virage à gauche, ou si voie réservée, obstruée ou fermée</p>
Interdiction d'enlever ou d'altérer cette vignette	

SCHEDULE B  
(s. 41)



Gouvernement du Québec

## O.C. 755-2017, 4 July 2017

An Act respecting occupational health and safety  
(chapter S-2.1)

### Occupational health and safety in mines — Amendment

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7, 9 and 19 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 28 September 2016 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines without amendment at its sitting of 15 December 2016;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting occupational health and safety in mines

An Act respecting occupational health and safety  
(chapter S-2.1, s. 223, 1st par., subpars. 7, 9 and 19,  
and 2nd par.)

**1.** The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 2 by inserting “11.1, 11.2,” after “7”;

**2.** The following is inserted after section 11.1:

“**11.2.** As of 1 January 2018, every person underground must wear Class 3 apparel that meets CSA Standard Z96-09, High-Visibility Safety Apparel, or apparel whose juxtaposed fluorescent and retroreflective stripes or bands having a total width of not less than 100 mm are compliant with the stripes and bands provided for in that standard for Class 3 apparel.

As of 1 January 2018, every person on the surface of an underground mine must wear Class 2 or 3 apparel meeting CSA Standard Z96-09, High-Visibility Safety Apparel, or apparel whose juxtaposed fluorescent and retroreflective stripes or bands having a total width of not less than 100 mm are compliant with the stripes and bands provided for in that standard for Class 2 or 3 apparel.

The wearing of high-visibility safety apparel is not required in a lunchroom, a cab, an office or a refuge station, or to move at the surface of a mine in a lane reserved for pedestrians for access or regress from the work site at the beginning or the end of a work shift.”

**3.** The following is inserted after section 27.3:

“**27.4.** To become a hoistman, a person must

(1) complete at least 160 hours of practical training with a hoistman;

(2) undergo training in occupational health and safety in accordance with modules 11 and 12 of the modular course for miners published by the Commission scolaire de l'Or-et-des-Bois; and

(3) hold an attestation to that effect issued by the Commission scolaire de l'Or-et-des-Bois.

The conditions prescribed by subparagraphs 2 and 3 of the first paragraph must have been met within 6 months of the beginning of the practical training.

Within 12 months after 3 August 2017, a hoistman must have met the conditions prescribed by subparagraphs 2 and 3 of the first paragraph.

A hoistman must receive, every 5 years, refresher training in module 12 offered by the Commission scolaire de l'Or-et-des-Bois.”.

**4.** Section 85 is replaced by the following:

“**85.** Before resuming work in an underground mine that has been abandoned or part of an underground mine located outside a ventilation circuit, rescuers must monitor the air quality to determine if it meets the standards provided for in sections 40 and 41 of the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) and its Schedule I.

Rescuers carrying out the monitoring must

(1) have received the training provided for in section 19 and work in teams of not fewer than 3 rescuers;

(2) wear a self-contained breathing apparatus having an autonomy of not less than 4 hours; and

(3) have measurement instruments for detecting the concentration of oxygen and any contaminant likely to be found in the mine or part of the mine.”.

**5.** Section 108.2 is amended

(1) by adding “in compliance with the manufacturer’s recommendations” after “developed” in the first paragraph;

(2) by replacing “tests” in the second paragraph by “inspections”.

**6.** Section 343 is revoked.

**7.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103050

Gouvernement du Québec

**O.C. 757-2017, 4 July 2017**

An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

**Administrative Labour Tribunal  
— Remuneration and other conditions  
of employment of the members  
— Amendment**

Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal

WHEREAS, under section 61 of the Act to establish the Administrative Labour Tribunal (chapter T-15.1), the Government makes regulations determining, in particular, the mode of remuneration of the members of the Administrative Labour Tribunal and the applicable standards and scales as well as other conditions of employment applicable to those members;

WHEREAS, under section 62 of the Act, the Government determines the members’ remuneration, employee benefits and other conditions of employment in accordance with the regulation;

WHEREAS the Government made the Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2);

WHEREAS it is expedient to amend the Regulation to revoke the provisions concerning the lump sum provided for in the third paragraph of section 9 of the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Labour:

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting the remuneration and other  
conditions of employment of the members  
of the Administrative Labour Tribunal**

An Act to establish the Administrative Labour Tribunal  
(chapter T-15.1, s. 61)

**1.** The Regulation respecting the remuneration and other conditions of employment of the members of the Administrative Labour Tribunal (chapter T-15.1, r. 2) is amended in section 9 by striking out the third paragraph.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103051

## Draft Regulations

### Draft regulation

An Act respecting prescription drug insurance  
(chapter A-29.01)

#### Basic prescription drug insurance plan — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, the text of which appears hereafter, may be made by the government on the expiry of the 45-day period following this publication.

This draft regulation aims to determine, in addition to the information specified in section 8.1.1 of the Act respecting prescription drug insurance (chapter A-29.01), all other information that has to be indicated on the detailed invoices that the pharmacist must hand to persons paying for pharmaceutical services, medications or supplies covered by the basic prescription drug insurance plan.

The measures proposed by this draft regulation will not have any effects on enterprises and, in particular, on small or medium-sized enterprises, except where essential for the implementation of the adjustments proposed by the Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services (2016, chapter 28), sanctioned on 7 December 2016, which consist notably in updating billing software.

Further information may be obtained by contacting Michel Poulin at the Direction générale de l'assurance médicaments, Régie de l'assurance maladie du Québec, 1125, Grande Allée Ouest, Québec (Québec) G1S 1E7 by phone at 418 682-5122 or by email at michel.poulin@ramq.gouv.qc.ca

Persons wishing to comment on this draft regulation may write, before the expiry of the above-mentioned 45-day period, to the undersigned, the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

### Regulation to amend the Regulation respecting the basic prescription drug insurance plan

An Act respecting prescription drug insurance  
(chapter A-29.01, s. 78, 1st par., subpar. 2.1)

An Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services (2016, chapter 28, s. 39 and 47)

**1.** Section 14 of the Regulation respecting the basic prescription drug insurance plan (chapter A-29.01, r. 4) is replaced with the following:

“**14.** In addition to the information specified in section 8.1.1 of the Act respecting prescription drug insurance (chapter A-29.01), the detailed invoice that the pharmacist remits to the person must indicate the following:

(1) with respect to the cost:

(a) the amount insured by the Board, by a group insurance plan or by an employee benefit plan, which amount corresponds to the sum of the pharmacist's professional fees for each service rendered and, if applicable, to the cost of each medication or supply as well as the manufacturer's mark-up;

(b) the amount representing the difference between the cost of a medication and the maximum payment amount covered by the basic plan, where applicable;

(c) the cost of the prescription, which corresponds to the sum of the amounts referred to in subparagraphs *a* and *b* of subparagraph 1;

(2) with respect to the contribution required from a person when paying for the cost of pharmaceutical services, medications or supplies:

(a) the deductible amount;

(b) the coinsurance amount;

(c) the total contribution amount, which corresponds to the sum of the amounts referred to in subparagraphs *a* and *b* of subparagraph 2;



(3) the amount paid by the Board, by a group insurance plan or by an employee benefit plan;

(4) the total amount required of the person from whom is claimed the payment of pharmaceutical services, medications or supplies provided to him or her;

(5) with respect to the total amount of the maximum contribution per reference period assumed by a person, beyond which the cost of pharmaceutical services, medications and supplies is fully assumed by the Board, by a group insurance plan or by an employee benefit plan, as the case may be:

(a) the amount of the contributions paid to date;

(b) the remaining amount of the maximum contribution that this person must pay;

(6) the reference number assigned by the Board, by a group insurance plan or by an employee benefit plan.

In the case of information from a group insurance plan or an employee benefit plan, mention of the information indicated in subparagraphs 2, 3, 5 and 6 of the first paragraph is required in as much as the pharmacist has this information.”.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103052

## Draft Regulation

An Act respecting elections and referendums in municipalities (chapter E-2.2)

### Tariff of remuneration payable for municipal elections and referendums

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums, appearing below, may be made by the Minister of Municipal Affairs and Land Occupancy on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the tariff of remuneration payable for municipal elections and referendums to increase the remuneration payable to the election and referendum officers for the duties they carry out during an election and a referendum. Except the

remuneration payable to the returning officer, the election clerk and the assistant to the returning officer or the remuneration payable to the clerk or secretary-treasurer for a referendum, the work performed would be paid an hourly rate based on the minimum wage increased by a percentage for other election officers.

Further information may be obtained by contacting Philippe Navarro, Direction générale des politiques, Ministère des Affaires municipales et de l'Occupation du territoire, 10, rue Pierre-Olivier-Chauveau, 3<sup>e</sup> étage, Québec (Québec) G1R 4J3; telephone: 418 691-2039; email: philippe.navarro@mamot.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Municipal Affairs and Land Occupancy, 10, rue Pierre-Olivier-Chauveau, 4<sup>e</sup> étage, Québec (Québec) G1R 4J3.

MARTIN COITEUX,  
*Minister of Municipal Affairs  
and Land Occupancy*

## Regulation to amend the Regulation respecting the tariff of remuneration payable for municipal elections and referendums

An Act respecting elections and referendums in municipalities (chapter E-2.2, s. 580)

**1.** The Regulation respecting the tariff of remuneration payable for municipal elections and referendums (chapter E-2.2, r. 2) is amended by inserting the following before “**DIVISION I**”:

### “**DIVISION 0.1** DEFINITION

**0.1.** In this Regulation, unless the context indicates otherwise, “minimum wage” means the minimum wage provided for in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3).”.

**2.** Section 1 is amended by replacing “\$357” by “\$536”.

**3.** Section 2 is amended

(1) by replacing “\$238” in the first paragraph by “\$357”;

(2) by replacing “\$475” in the second paragraph by “\$713”.



**4.** Section 3 is amended

- (1) by replacing “\$357” in paragraph 1 by “\$536”;
- (2) by replacing “\$212” in paragraphs 2 and 3 by “\$318”;
- (3) by replacing “\$73” in paragraph 4 by “\$110”.

**5.** The heading of subdivision 4 of Division I is replaced by the following:

“*Other election officers*”.

**6.** Section 7 is replaced by the following:

“7. The secretary and every member of a board of revisors of the list of electors are entitled to receive remuneration equal to the minimum wage, increased by a factor of 1.4, for each hour during which they carry out their duties.

**7.1.** Every deputy returning officer and every officer in charge of information and order are entitled to receive remuneration equal to the minimum wage, increased by a factor of 1.25, for each hour during which they carry out their duties.

**7.2.** The poll clerk and every revising officer to a board of revisors of the list of electors are entitled to receive remuneration equal to the minimum wage, increased by a factor of 1.2, for each hour during which they carry out their duties.

**7.3.** The chair and every member of an identity verification panel are entitled to receive remuneration equal to the minimum wage for each hour during which they carry out their duties.”.

**7.** Sections 8 to 10 are revoked.**8.** Subdivisions 5, 6 and 9 to 13 of Division I, comprising sections 11 to 16 and 20 to 22.4, are revoked.**9.** Section 23 is amended by replacing “\$357” by “\$536”.**10.** Section 24 is amended

- (1) by replacing “\$238” in the first paragraph by “\$357”;
- (2) by replacing “\$475” in the second paragraph by “\$713”.

**11.** Section 25 is amended

- (1) by replacing “\$357” in paragraph 1 by “\$536”;
- (2) by replacing “\$212” in paragraphs 2 and 3 by “\$318”;
- (3) by replacing “\$73” in paragraph 4 by “\$110”.

**12.** Section 28 is amended

- (1) by replacing “of \$10” by “equal to the minimum wage, increased by a factor of 1.2,”;
- (2) by striking out the second paragraph.

**13.** Section 29 is amended by replacing “to 22” in the first paragraph by “to 7.3”.**14.** Section 30 is amended

- (1) by inserting “plus 1% of the election expenses declared in the return” after “candidate” in paragraph 1;
- (2) by inserting “plus 1% of the election expenses declared in the return” after “election” in paragraph 2;
- (3) by adding the following paragraph at the end:

“The remuneration of the treasurer must not exceed \$10,000.”.

**15.** Section 32 is amended

- (1) by striking out “of \$13”;
- (2) by adding the following sentence at the end: “The remuneration is equal to the remuneration provided for in any of sections 7 to 7.3, as the case may be, for each hour of training.”.

**16.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103059

## Draft Regulation

An Act respecting financial assistance  
for education expenses  
(chapter A-13.3)

### Financial assistance for education expenses — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting financial assistance for education expenses, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation adjusts certain amounts allocated as exemptions or expenses allowable for the purpose of computing the financial assistance for education expenses and the maximum amount of a loan that may be granted for a year of allocation.

It also improves certain parameters to take into account the increase in the compensation received from the federal government for monthly living expenses, the threshold to be eligible for the loans program for part-time studies, air transportation expenses and the income considered to determine whether a borrower is in a precarious financial situation.

The draft Regulation makes it impossible for a student to simultaneously benefit from another program of financial assistance for education expenses, specifies the number of months of eligibility for college-level studies, the criteria to apply certain allowable expenses and supplements and the nature of the earnings used to compute the income, and provides a minimum amount for a bursary.

Lastly, the draft Regulation specifies the criteria to be met to be recognized as a resident of Québec or to be deemed to reside in Québec and sets a time limit for sending an application for financial assistance for education expenses and the documents required.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Simon Boucher-Doddridge, acting director, Direction de la planification et des programmes et bureau des recours de l'aide financière aux études, Ministère de l'Éducation et de l'Enseignement supérieur, 1035, rue De La Chevrotière, 20<sup>e</sup> étage, Québec (Québec) G1R 5A5; tel. 418 643-6276, extension 6085; email: simon.boucher-doddridge@education.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister responsible for Higher Education, 1035, rue De La Chevrotière, 16<sup>e</sup> étage, Québec (Québec) G1R 5A5.

HÉLÈNE DAVID,  
*Minister responsible for  
Higher Education*

## Regulation to amend the Regulation respecting financial assistance for education expenses

An Act respecting financial assistance  
for education expenses  
(chapter A-13.3, s. 57)

**1.** The Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended in section 2 by replacing “\$1,134” in the second paragraph by “\$1,142”.

**2.** Section 9 is amended by replacing “\$1,134” in subparagraph 2 by “\$1,142”.

**3.** Section 17 is amended

(1) by replacing “\$3,020” in paragraph 1 by “\$3,042”;

(2) by replacing “\$2,563” in paragraph 2 by “\$2,582”.

**4.** Section 18 is amended by replacing “\$2,563” by “\$2,582”.

**5.** Section 26 is amended

(1) by inserting the following after subparagraph 1:

“(1.1) receives financial assistance granted under a program of financial assistance for education expenses offered by a government department or body;”;

(2) by replacing “\$188” in the second paragraph by “\$278”.

**6.** Section 29 is amended by replacing the amounts in subparagraphs 1 to 6 of the third paragraph by the following amounts:

(1) “\$189”;

(2) “\$189”;

- (3) “\$214”;
- (4) “\$409”;
- (5) “\$467”;
- (6) “\$214”.

**7.** Section 32 is amended

(1) by replacing “\$392” and “\$837” in the first paragraph by “\$424” and “\$906”;

(2) by replacing “\$175”, “\$217”, “\$620” and “\$217” in the second paragraph by “\$190”, “\$234”, “\$672” and “\$234”.

**8.** Section 33 is amended

(1) by replacing “\$68” in the first paragraph by “\$172”;

(2) by replacing “\$189” in the second paragraph by “\$475”.

**9.** Section 34 is amended by replacing “\$277” and “\$1,287” in the first paragraph by “\$279” and “\$1,297”.

**10.** Section 35 is amended by replacing “\$95” in the second paragraph by “\$96”.

**11.** Section 36 is amended by replacing “1 return trip” in the second paragraph by “2 return trips”.

**12.** Section 37 is amended by replacing “\$252” in the fifth paragraph by “\$254”.

**13.** Section 40 is amended

(1) by replacing “\$73” and “\$584” in the first paragraph by “\$74” and “\$592”;

(2) by adding “who attends an educational institution in Québec” in the second paragraph after “to the student”.

**14.** Section 41 is amended by replacing “\$187” by “\$188”.

**15.** Section 45 is amended by adding “and the student was eligible for financial assistance in the form of a bursary during the preceding year of allocation” at the end of the first paragraph.

**16.** Section 46 is amended by striking out “until the child, if he or she is pursuing studies, has reached the age of 21”.

**17.** Section 50 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph by the following amounts, respectively:

- (1) “\$14,719”;
- (2) “\$14,719”;
- (3) “\$17,746”;

(2) by replacing the amounts in subparagraphs 1 to 3 of the third paragraph by the following amounts, respectively:

- (1) “\$3,966”;
- (2) “\$5,020”;
- (3) “\$6,079”.

**18.** Section 51 is amended

(1) by replacing the amounts in subparagraphs 1 to 5 of the first paragraph by the following amounts, respectively:

- (1) “\$206”;
- (2) “\$226”;
- (3) “\$313”;
- (4) “\$416”;
- (5) “\$416”;

(2) by replacing “\$321 in the third paragraph by “\$323”.

**19.** Section 52 is amended by replacing “\$970” by “\$977”.

**20.** Section 54 is amended by adding the following paragraph at the end:

“Despite the foregoing, where the amount of bursary computed in accordance with the first paragraph is less than \$25, assistance is paid in the form of a loan only.”.

**21.** Section 56 is amended by replacing the third paragraph by the following:

“In addition, the student may not receive financial assistance in the form of a loan for more than 63 months if the student pursues studies at the college level, for more than 88 months if the student pursues studies at the university level and for more than 8 months in each cycle if the student is not enrolled in a university course of study.”.

**22.** Section 74 is amended

(1) by replacing “income referred to in Schedules I and II is less, on a monthly basis, than the amount obtained by multiplying the minimum wage set out in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3)” in the first paragraph by “monthly income is less than the amount obtained by adding \$1.75 to the minimum wage set out in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3) and by multiplying that sum”;

(2) by replacing “\$252” and “\$125” in the second paragraph by “\$254” and “\$126”.

**23.** Section 74.1 is amended by striking out “referred to in Schedules I and II” in the introductory part of the second paragraph, in subparagraph 1 of the second paragraph and in the third paragraph.

**24.** The following is added after section 74.1:

“**74.2.** For the purposes of sections 74 and 74.1, the borrower’s monthly income is established by adding up the borrower’s income referred to in Schedules I and II and all the amounts received as bursaries from a public or private organization, except for education savings plans.”.

**25.** Section 82 is amended by replacing “\$35,000”, “\$50,000”, “\$3,020” and “\$2,261” in the second paragraph by “\$43,575”, “\$62,250”, “\$3,042” and “\$2,278”.

**26.** Section 86 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph by the following amounts, respectively:

- (1) “\$2.25”;
- (2) “\$3.36”;
- (3) “\$118.11”;

(2) by replacing “\$11.18” in the second paragraph by “\$11.26”.

**27.** Section 87.1 is amended by replacing “\$382” by “\$385”.

**28.** Section 93 is amended

(1) by striking out “full-time” in subparagraph 5;

(2) by replacing “any of the preceding paragraphs” in paragraph 9 by “paragraph 1, 5, 6, 7 or 8”.

**29.** Section 94 is replaced by the following:

“**94.** A student who has been outside Québec for less than 3 years and who, at the time of departure, had been residing in Québec for at least 2 years and was in one of the situations set out in paragraph 1, 2, 3, 5, 6, 7, 8, or 9 of section 93 is deemed to reside in Québec.

Moreover, the student must be pursuing studies outside Québec and be in one of the following situations:

(1) the student’s parents or sponsor have their residence in Québec;

(2) the student’s parents or sponsor had their residence in Québec before their departure from Québec, if they have been outside Québec for less than 3 years;

(3) the student has not interrupted full-time studies for more than 12 consecutive months since the date of the student’s departure.”.

**30.** Section 95 is replaced by the following:

“**95.** No application for financial assistance is accepted more than 30 days after the last month in the year of allocation during which the student is pursuing studies according to the applicable program of financial assistance.”.

**31.** The following is added after section 95:

“**95.1.** All documents required as part of an application for financial assistance for education expenses must be received not later than 29 December following the end of the year of allocation.”.

**32.** Schedule II is amended by adding the following at the end of paragraph 5: “, as a child assistance payment under the Taxation Act (chapter I-3) or as a Canada child benefit under the Income Tax Act (R.S.C. 1985, c. 1 (5th Supp.));”.

**33.** This Regulation applies as of the 2017-2018 year of allocation, except for paragraph 2 of section 13, sections 28, 29, 30 and 31, which apply as of the 2018-2019 year of allocation.

**34.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103056

## Draft Regulation

An Act respecting health services and social services (chapter S-4.2)

### Provincial Committee on the dispensing of health and social services in the English language — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Firstly, the draft Regulation amends the composition of the Provincial Committee on the dispensing of health and social services in the English language so that it represents all of the English-speaking population of Québec. The amendment is made further to changes in the health and social services network resulting from the adoption of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2), which, in particular given the numerous mergers between institutions made by that Act, has led to certain changes in the access to English-language services and given the Provincial Committee additional responsibilities.

The draft Regulation provides for eligibility criteria for persons who may be appointed to the Provincial Committee. It also provides for the establishment by the Minister of a selection committee tasked in particular with making recommendations to the Minister concerning appointees to the Provincial Committee. Finally, the draft Regulation also makes certain changes to the Provincial Committee's mode of operation and rules of internal management.

The draft Regulation has no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Iannick Martin, Coordinator, Secrétariat à l'accès aux services en langue anglaise, Direction générale de la coordination réseau et ministérielle, Ministère de la Santé et des Services sociaux, 2021, avenue Union, 12<sup>e</sup> étage, bureau 12.24, Montréal (Québec) H3A 2S9; telephone: 514 873-2292; email: iannick.martin@msss.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

## Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language

An Act respecting health services and social services (chapter S-4.2, s. 509)

**1.** The Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language (chapter S-4.2, r. 4) is amended by replacing section 1 by the following:

“1. Pursuant to section 509 of the Act respecting health services and social services (chapter S-4.2), the Provincial Committee on the dispensing of health and social services in the English language is hereby formed.

The Committee shall be composed of 11 members appointed by the Minister of Health and Social Services to represent all of the English-speaking population, as follows:

(1) four members residing within the Montréal or Laval health region, including at least 3 who reside in the territory of the Montréal health region;

(2) one member residing within the Montérégie health region;

(3) six members residing within the other health regions of Québec.

All the members must also correspond to one of the following profiles, in the proportion indicated:

(1) at least one and not more than two must be physicians, or be professionals or management officers employed by or having previously been employed by a public health and social services institution;

(2) at least one must be or have been a health services or social services user;

(3) at least one must be from a community organization promoting the interests of the English-speaking population and working in the field of health and social services.

In addition, at least three of the members must have been chosen from lists containing ten candidates provided by provincial organizations promoting the interests of the English-speaking population and working in the field of health and social services.

**1.1.** No person may be a member of the Committee who

- (1) is not resident in Québec;
- (2) is a minor;
- (3) is under tutorship or curatorship;
- (4) within the preceding three years, forfeited his office or was removed from his duties as a member of the board of directors of a health and social services institution or a health and social services agency;
- (5) within the preceding three years, was convicted of an offence against the Act respecting health services and social services (chapter S-4.2) or a regulation under the Act;
- (6) holds a position as president and executive director, assistant president and executive director, senior administrator or senior management officer of a health and social services institution;
- (7) is a member of the board of directors of a health and social services institution;
- (8) is a member of the board of directors of the Régie de l'assurance maladie du Québec;
- (9) is a member of the board of directors of a foundation of a health and social services institution;
- (10) is employed by the Ministère de la Santé et des Services sociaux or the Régie de l'assurance maladie du Québec;
- (11) is a member of a regional committee for programs of access to health services and social services in the English language formed pursuant to section 510 of the Act respecting health services and social services (chapter S-4.2)."

**2.** Section 2 is replaced by the following:

"**2.** In order to appoint the members of the Committee, the Minister shall establish a selection committee tasked with making recommendations to him, particularly in respect of the candidates to be considered and the match between their profile and the profiles referred to in the third paragraph of section 1.

The selection committee is composed of the secretary of the Committee and three members appointed by the Minister. Two of those members are chosen from the lists of names provided by the provincial organizations that promote the interests of English speakers. The other is either the president and executive director or assistant president and executive director of one of the integrated health and social services centres recognized under section 29.1 of the Charter of the French language (chapter C-11) for the English language, or senior administrators from each of those institutions.

The members of the selection committee may not be members, employees, volunteers, officers or members of the board of directors of regional or provincial organizations that promote the interests of English speakers who are active in the field of health and social services.

When making its recommendations, the selection committee must take into account the demonstrated comprehension, knowledge and experience of the candidates regarding the cultural, historic and linguistic issues of the English-speaking community of Québec, as well as the issues faced by that community concerning the provision of health services and social services, the organization of the health and social services network and its governance.

The candidate selection process must include a general call for candidacies.

**2.1.** Where it is impossible for the Minister to obtain a list that meets the requirements of the fourth paragraph of section 1, he is not bound to comply with the rules set forth therein and may appoint members of his own choosing."

**3.** Section 3 is amended by replacing the second and third paragraphs by the following:

"Upon the expiry of his term of office, a member shall remain in office until he is reappointed or replaced. However, the period during which he remains in office without being reappointed may not exceed one year.

A member may not serve more than two consecutive terms."



**4.** Section 4 is replaced by the following:

“4. A member’s office becomes vacant upon the member’s death, if he is absent from more than three regular meetings of the Committee over a period of one year or if he submits his resignation in writing to the Minister and a copy of it to the chairman of the Committee.”

**5.** Section 6 is amended by replacing the second paragraph by the following:

“The Minister designates, to act as secretary of the Committee, a member of the staff of the Ministère de la Santé et des Services sociaux who has a special knowledge of the legal and administrative framework governing the provision of health and social services in the English language.

The secretary shall participate in the meetings of the Committee as if the secretary were a member of it, but the secretary shall have no right to vote.”

**6.** Section 7 is replaced by the following:

“7. Any vacancy occurring before the expiry of a term of office must be filled by the Minister within the following 180 days, for the unexpired portion of the term. The appointment must comply with the rules provided for in the second and third paragraphs of section 1.

The fourth paragraph of section 1 and section 2 do not apply when the Minister fills a vacancy.”

**7.** Section 9 is revoked.

**8.** Section 11 of the Regulation is amended by replacing “at its head office or at any other” par “at any”.

**9.** Section 12 is replaced by the following:

“12. The Committee must hold at least five meetings a year.

The meetings may be held using means which allow all of the participants to communicate directly with each other, but at least three of them must be held in person.”

**10.** Section 13 is amended by replacing “not fewer than 8” by “the majority of the” in the second paragraph.

**11.** Section 14 is replaced by the following:

“14. The meetings of the Committee shall be convened by means of a notice transmitted to each member.

In an emergency, the Committee may proceed without the formal calling of a meeting if the chairman so decides.”

**12.** Section 15 is amended by replacing “Six” by “A majority of the”.

**13.** The Regulation is amended by replacing “committee” by “Committee” everywhere it occurs.

**14.** Section 18 is replaced by the following:

“18. To carry out the mandate entrusted to it by section 509 of the Act respecting health services and social services (chapter S-4.2), the Committee may

(1) submit observations or give its opinion on any administrative document produced by the Minister to guide institutions in the preparation of programs of access to health services and social services in the English language to English speakers;

(2) give its opinion on the approval, assessment and modification by the Government of each program of access;

(3) monitor the application of the programs of access in the various regions of Québec;

(4) give its opinion on any proposed legislative amendment likely to affect the provision of health services and social services in the English language and on any other matter affecting the provision of services.

For the purpose of performing its functions, the Committee may also maintain relations with the English-speaking communities of Québec, hold consultations as required, solicit opinions and receive and hear requests and suggestions by persons, organizations or associations. It may also create subcommittees.”

**15.** The following is inserted after section 18:

“18.1. The Committee shall submit to the Minister, not later than 1 March of each year, a work plan for the following year, accompanied by a proposed operating budget.”

**16.** The term of office of the members of the Provincial Committee on the dispensing of health and social services in the English language who hold office on (*insert the date of the day preceding the coming into force of this Regulation*) shall end on (*insert the date occurring 3 months after the date of coming into force of this Regulation*).

**17.** Despite the first paragraph of section 3 of the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language (chapter S-4.2, r. 4), for the first appointment of the members of the Committee following the coming into force of this Regulation, the Minister may appoint one member among those referred to in subparagraph 1 of the second paragraph of section 1 and four members among those referred to in subparagraphs 2 or 3 of the second paragraph of that section for a term of four years.

**18.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103053

## Draft Regulation

An Act respecting immigration to Québec  
(chapter I-0.2)

### Selection of foreign nationals — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the selection of foreign nationals, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation harmonizes the definition of “dependent child” in the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) with the definition in the Immigration and Refugee Protection Regulations (SOR/2002-227). In the Regulations Amending the Immigration and Refugee Protection Regulations, published in Part II of the Canada *Gazette* of 3 May 2017 and whose coming into force is set on 24 October 2017, the federal government will increase the age of a dependent child, which is currently less than 19 years of age, to less than 22 years of age.

The draft Regulation will entail no administrative or financial burden for enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Nasra Tariqui, Service des parcours d’immigration, ministère de l’Immigration, de la Diversité et de l’Inclusion, 360, rue McGill, 3<sup>e</sup> étage, Montréal (Québec) H2Y 2E9; telephone: 514 873-5914, extension 20330; fax: 514 873-1613.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Irvine Henry, Service Head, Service des parcours d’immigration, ministère de l’Immigration, de la Diversité et de l’Inclusion, 360, rue McGill, 3<sup>e</sup> étage, Montréal (Québec) H2Y 2E9.

KATHLEEN WEIL,  
*Minister of Immigration,  
Diversity and Inclusiveness*

## Regulation to amend the Regulation respecting the selection of foreign nationals

An Act respecting immigration to Québec  
(chapter I-0.2, s. 3.3, 1st par., subpars. *b*, *c* and *c.3*)

**1.** The Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) is amended in paragraph *d.1* of section 1

(1) by replacing “19” in subparagraph *i*. by “22”;

(2) by replacing “19” wherever it appears in subparagraph *iii*. by “22”.

**2.** Section 23 is amended in subparagraph *a* of the first paragraph:

(1) by replacing “13” in subparagraph *ii*. by “16”;

(2) by replacing “22” by “25” and “13” by “16” in subparagraph *iii*.

**3.** Schedule A is amended by replacing “18” in Criterion 8.2 of Factor 8 by “21”.

**4.** This Regulation applies to applications filed as of the coming into force of this Regulation.

**5.** This Regulation comes into force on 24 October 2017.

103058



## Draft Regulations

Pesticides Act  
(chapter P-9.3)

### Permits and certificates for the sale and use of pesticides Management of pesticides —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Pesticides Management Code and the Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation to amend the Pesticides Management Code prohibits the application, for agricultural purposes, of high-risk pesticides, namely, atrazine, chlorpyrifos and three neonicotinoids (clothianidin, imidacloprid and thiamethoxam), and the putting into ground of neonicotinoids coating the seeds of certain crops, except if they have been justified in advance by an agrologist. The draft Regulation provides that that requirement comes into force over a two-year period depending on the pesticide concerned. It proposes that those pesticides be applied in compliance with the conditions in the agronomic justification and provides for safe distances when putting into ground neonicotinoids coating the seeds of certain crops. It adds the obligation for farmers to update and keep a register of their use of pesticides. It also proposes to prohibit the sale to consumers of neonicotinoids intended to be applied on grass and commercial users will not be allowed to apply neonicotinoids on grass.

The draft Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides groups neonicotinoids coating the seeds of certain crops in a new class of pesticides and subjects it to the permits and certificates regime. The draft Regulation proposes adjustments to the various classes of permits and certificates and the requirement that retail sellers of the pesticides covered by an agronomic justification sell only to persons providing them with a prescription resulting from that justification and signed by an agrologist, and declare annually the sales of pesticides covered by an agronomic justification. The draft Regulation allows the free sale to consumers of biopesticides, lower-risk pesticides. The draft Regulation sets the date of coming into force of the new class of pesticide 6 months after the coming into force of the Regulation. Lastly, it provides for a gradual coming into force of the provisions relating to the obligation to provide an agronomic prescription.

The measures proposed will result in significant costs for all the farmers who wish to apply the pesticides covered by an agronomic justification and for pesticide sellers given the new administration requirements imposed.

Further information on the draft Regulations may be obtained by contacting Sylvain Dion, Director, Direction des matières dangereuses et des pesticides, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 9<sup>e</sup> étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 4373; fax: 418 644-3386; email: sylvain.dion@mddelcc.gouv.qc.ca

Any person wishing to comment on the draft Regulations is requested to submit written comments within the 45-day period to Sylvain Dion, at the above-mentioned contact information.

DAVID HEURTEL,  
*Minister of Sustainable Development,  
the Environment and the  
Fight Against Climate Change*

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## Regulation to amend the Pesticides Management Code

Pesticides Act  
(chapter P-9.3, ss. 101, 105, 106, 107 and 109, pars. 8,  
12 and 13)

**1.** The Pesticides Management Code (chapter P-9.3, r. 1) is amended in section 1 by adding the following paragraph at the end:

“The expression “apply a pesticide” includes, for the purposes of this Code, the action of putting in the ground a pesticide coating a seed.”

**2.** Section 21 is amended

(1) by replacing “Centre Anti-Poison du Québec” in subparagraph 1 of the first paragraph by “Centre antipoison du Québec”;

(2) by replacing “the Canadian Transport Emergency Centre” in subparagraph 5 of the first paragraph by “Transport Canada’s Canadian Transport Emergency Centre”.

**3.** Section 26 is amended by replacing the second paragraph by the following:

“It is also prohibited to sell or offer for sale Class 4 or Class 5 pesticides in a package containing more than one pesticide container, except if the pesticide is used as

- (1) insect attractant or repellent;
- (2) insecticide for the treatment of domestic animals;
- (3) insect or rodent bait trap;
- (4) repellent; or
- (5) larvicide controlling biting insects.

Packages must consist of containers all bearing the same pesticide registration number assigned under the Pest Control Products Act (S.C. 2002, c. 28) and the total volume or weight of all the containers must not exceed 1 L or 1 kg.”.

**4.** Section 27 is amended by inserting “Class 3A pesticides or” after “except in the case of”.

**5.** Section 32 is replaced by the following:

“**32.** Only biopesticides or pesticides containing any of the active ingredients listed in Schedule II may be applied inside or outside the following establishments:

- (1) childcare centres, day care centres and home childcare residences governed by the Educational Childcare Act (chapter S-4.1.1);
- (2) preschools, primary or secondary schools governed by the Education Act (chapter I-13.3), the Education Act for Cree, Inuit and Naskapi Native persons (chapter I-14) or the Act respecting private education (chapter E-9.1).

**32.1.** Despite section 32, a pesticide containing any of the following active ingredients may, on the conditions set hereafter, be applied inside or outside an establishment referred to in that section:

- (1) cyfluthrin to control or destroy flying insects, crawling insects, food insects or wood insects if the pesticide application
  - i. is carried out by the holder of a Subclass C5 permit; and
  - ii. is preceded by the application of a biopesticide or a pesticide containing an active ingredient listed in Schedule II, carried out at least 7 days before the application of a pesticide containing that active ingredient, in the case of crawling insects or wood insects;

(2) D-phenothrin or tetramethrin to destroy wasps’, hornets’ or bees’ nests if the pesticide application is carried out by the holder of a Subclass C5 permit;

(3) bromadiolone in combination with denatonium benzoate or bromethalin in combination with denatonium benzoate to control or destroy rodents if

- i. the pesticide is used in solid form in traps, stations or containers that prevent any contact with human beings and that are locked; and
- ii. the pesticide application is carried out by the holder of a Subclass C5 permit.

A pesticide to control the emerald ash borer may also be injected in the trees on the grounds of an establishment referred to in section 32 if

(1) the injection is carried out by the holder of a Subclass C4 permit and the holder of the permit takes the measures required to prevent any person from coming into contact with the injector; and

(2) the injection holes are sealed after the application.

The holder of a permit referred to in this section must, at least 24 hours before the application of a pesticide referred to in the first or the second paragraph, notify the administrator of the establishment in writing. The holder of the permit must state in the notice the name of the pesticide to be applied and the name of the active ingredients, the registration number assigned under the Pest Control Products Act (S.C. 2002, c. 28), the reasons justifying the application of the pesticide and the proposed date and time of the application.”.

**6.** Section 33 is replaced by the following:

“**33.** The application of a biopesticide or a pesticide referred to in section 32 or in subparagraph 1 or 2 of the first paragraph of section 32.1 must be carried out outside the establishment’s period of activities that take place inside or outside an establishment referred to in section 32.

The same applies for the injection of a pesticide referred to in the second paragraph of section 32.1 whose application period corresponds to the period during which the injector is in the tree.

Where the application of a biopesticide or a pesticide referred to in the first paragraph is carried out inside an establishment, the application must be followed by a period of at least 8 hours before the services or activities resume in the treated premises. If the pesticide applied contains cyfluthrin, that period must be at least 12 hours.”.

**7.** Section 34 is amended by striking out “and to a farmer or forest manager within the meaning of section 33 of that Act who uses Class 3 pesticides”.

**8.** Section 38 is amended by inserting “Class 1 to Class 3, Class 4 or Class 5” after “prepares or loads” in the first paragraph.

**9.** Section 49 is amended by replacing “50 to 74” by “50 to 74.3”.

**10.** Section 57 is amended by replacing “Centre Anti-Poison du Québec” in subparagraph viii of subparagraph 3 of the second paragraph by “Centre antipoison du Québec”.

**11.** Section 66 is revoked.

**12.** The following is inserted after section 74:

**“6. Agricultural purposes**

**74.1.** It is prohibited to apply, for agricultural purposes, Class 3A pesticides or Class 1 to Class 3 pesticides containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam unless an agronomic justification containing the following information has been obtained:

- (1) the number of the document;
- (2) the name, address, telephone number and, where applicable, email address of the farmer who intends to apply the pesticide;
- (3) where applicable, the name, address and telephone number of the owner of the parcel;
- (4) the name, address of the professional domicile and, where applicable, email address of the mandated agrologist and the agrologist’s member number in the Ordre des agronomes du Québec;
- (5) in the case of Class 1 to Class 3 pesticides, the crop to be treated;
- (6) the identification of the parcel in which the work is to be performed;
- (7) an evaluation of the phytosanitary problem;
- (8) the identification of the enemy of the crop involved;
- (9) an analysis of the various possible phytosanitary interventions, including alternative pest control available;
- (10) the treatment required;

(11) the reasons justifying the choice of the treatment;

(12) in the case of Class 1 to Class 3 pesticides, the name of the pesticide and the name of the active ingredients it contains, and in the case of Class 3A pesticides, the name of the active ingredients;

(13) the quantity of pesticide required or, in the case of Class 3A pesticides, the quantity of seeds required and the plant species concerned;

(14) the validity period of the justification;

(15) the signature of the agrologist and the date.

**74.2.** The pesticides referred to in section 74.1 must be applied in compliance with the conditions listed in the agronomic justification.

The justification is valid only for the period indicated in the justification, which must not exceed 1 year, and must not concern more than one harvest.

In addition, the farmer must keep the agronomic justification for a period of 5 years following the date of its signature by the agrologist. The farmer must send a copy to every person authorized by the Minister who so requests.

**74.3.** The farmer who carries out, for agricultural purposes, work involving the application of Class 1 to Class 3A pesticides must keep a register containing

- (1) the name, address, telephone number and, where applicable, email address of the farmer and those of the owner of the premises, if applicable;
- (2) the date on which the work was performed;
- (3) the reasons justifying the work;
- (4) the name of the certificate holder who carried out or supervised the work and the certificate number;
- (5) the identification of the parcel or the building where the work was carried out;
- (6) the crop and area treated, in hectare or square meters;
- (7) the name and class of pesticides used and, in the case of Class 3A pesticides, the name of their active ingredients;
- (8) the quantity of pesticide used or, in the case of Class 3A pesticides, the quantity of seeds and the plant species concerned;

(9) in the case of Class 1 to Class 3 pesticides, the registration number assigned to the pesticides under the Pest Control Products Act (S.C. 2002, c. 28); and

(10) if the pesticide used is referred to in section 74.1, the number of the agronomic justification obtained, the name of the agrologist who signed it and the agrologist's member number in the Ordre des agronomes du Québec.

The farmer must keep the register referred to in the first paragraph for a period of 5 years following the date of the last entry.”.

**13.** Section 86 is amended

(1) by replacing the words “or protected immovable” wherever they appear in the first paragraph by “, protected immovable or bicycle path”;

(2) by inserting “or bicycle path” after “protected immovable” in the third paragraph.

**14.** The following is added after section 86:

“**86.1.** It is prohibited to apply, for agricultural purposes, Class 1 to Class 3 pesticides containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam unless an agronomic justification containing the information provided for in paragraphs 1 to 15 of section 74.1 has been obtained.

In those cases, sections 74.2 and 74.3 apply, with the necessary modifications.”.

**15.** Section 87 is replaced by the following:

“**87.** Every person who commits an offence under sections 5, 6, 8 to 33, 35 to 40, 42 to 48, 50 to 53, 55 to 74.3, 76 to 78 and 80 to 86.1 is liable to the penalties prescribed by section 118 of the Pesticides Act (chapter P-9.3).”.

**16.** Schedule I is amended by inserting “Clothianidin” after “Carbaryl” and “Imidacloprid” after “Dicofol” under “**Insecticides**”.

**17.** This Regulation comes into force on *(insert the fifteenth day following the date of its publication in the Gazette officielle du Québec)*, except

(1) section 16, which comes into force on *(insert the date occurring 1 year after the date of coming into force of this Regulation)*;

(2) the provisions relating to the agronomic justification comprised in sections 74.1 to 74.3, introduced by section 12 of this Regulation, which come into force, depending on the pesticide concerned, on the following dates:

Date	Pesticides
<i>(insert the date of coming into force of this Regulation)</i>	Class 1 to Class 3 pesticides containing atrazine
1 September 2018	Class 3A pesticides
1 April 2019	Class 1 to Class 3 pesticides containing chlorpyrifos, clothianidin, imidacloprid or thiamethoxam.

## Regulation to amend the Regulation respecting permits and certificates for the sale and use of pesticides

Pesticides Act  
(chapter P-9.3, ss. 32, 101 and 109, pars. 1, 3, 4, 8, 10, 11, 12 and 13)

**1.** The Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2) is amended by inserting the following after section 1:

“**1.1.** For the purposes of this Regulation, the putting in the ground of a pesticide is considered to be the application of a pesticide.”.

**2.** The following is inserted after section 5:

“**5.1.** Every pesticide that coats a seed of oats, wheat, canola, grain corn, forage corn, sweet corn, barley or soybean and that is constituted of a mixture that contains one or more of the following active ingredients is included in Class 3A:

- (1) clothianidin;
- (2) imidacloprid;
- (3) thiamethoxam.”.

**3.** Section 7 is amended

(1) by adding the following at the end of subparagraph 2 of the first paragraph:

“(z) metofluthrin;

(aa) imiprothrin;

(bb) prallethrin;

(cc) cyfluthrin;

(dd) momfluorothrin;

(ee) biopesticides;”;

(2) by adding the following at the end of subparagraph 3 of the first paragraph:

“(d) biopesticides.”;

(3) by replacing the second paragraph by the following:

“Despite subparagraphs *o*, *p* and *ee* of subparagraph 2 of the first paragraph, a mixture requiring no preparation or dilution containing exclusively diatomaceous earth, soap or biopesticides may be marketed in a volume or weight greater than 1 litre or 1 kg.”.

**4.** Sections 12 and 13 are replaced by the following:

**12.** A Class A “Wholesale Permit” covers the sales activities for the purposes of resale of Class 1 to Class 5 pesticides.

**13.** A Class B “Retail Permit” covers sales activities for the purposes of use of Class 1 to Class 4 pesticides included in the following subclasses:

(1) Subclass B1 “Retail Sale of Class 1 to Class 3A Pesticides” covers sales activities involving Class 1 to Class 3A pesticides;

(2) Subclass B2 “Retail Sale of Class 4 Pesticides” covers sales activities involving Class 4 pesticides.”.

**5.** Section 14 is amended

(1) by replacing “Class 1 to Class 4” in subparagraphs 1 to 5, 7, 9 and 10 of the first paragraph by “Class 1 to Class 3 and Class 4”;

(2) by inserting “sulfuryl fluoride,” after “carbon dioxide” in subparagraph 6 of the first paragraph;

(3) by replacing “C8 «Application sur les terres cultivées» vise l’application d’un pesticide des classes 1 à 4, par un mode d’application autre qu’un aéronef, sur des terres cultivées” in subparagraph 8 of the first paragraph of the French text by “C8 «Application en terres cultivées» vise l’application d’un pesticide des classes 1 à 4, par un mode d’application autre qu’un aéronef, en terres cultivées”.

**6.** Section 15 is amended

(1) by replacing “D10” in the portion before paragraph 1 by “D11”;

(2) by inserting “sulfuryl fluoride,” after “carbon dioxide,” in paragraph 6.

**7.** Section 17 is amended

(1) by adding “and, where applicable, email address” at the end of subparagraph 1 of the second paragraph;

(2) by adding the following paragraph at the end:

“A request for a duplicate of a permit must be made on the form provided by the Minister and must include the information provided for in subparagraphs 1 to 3 of the second paragraph and the reason for the request.”.

**8.** Sections 34 and 34.1 are replaced by the following:

**34.** A Class A “Certificate for the Wholesale of Pesticides” covers

(1) sales activities for the purposes of resale of Class 1 to Class 5 pesticides; and

(2) the supervision of those activities at the places where they are performed.

**34.1.** A Class B “Certificate for the Retail Sale of Pesticides” covers sales activities for the purposes of use of Class 1 to Class 4 pesticides included in the following subclasses:

(1) Subclass B1 “Retail Sale of Class 1 to Class 3A Pesticides” covers the sales activities involving Class 1 to Class 3A pesticides and the supervision of those activities at the places where they are performed;

(2) Subclass B2 “Retail Sale of Class 4 Pesticides” covers the sales activities involving Class 4 pesticides and the supervision of those activities at the places where they are performed.”.



**9.** Section 35 is amended

(1) by replacing “Class 1 to Class 4” in paragraphs 1 to 5, 7, 9 and 10 by “Class 1 to Class 3 and Class 4”;

(2) by replacing “sur les terres cultivées” in paragraph 8 of the French text by “en terres cultivées”;

(3) by striking out “, in respect of a Class 1 to Class 4 pesticide,” and “, in respect of a Class 1 to Class 3 pesticide,” in paragraph 11.

**10.** Section 36 is amended

(1) by replacing “Class 1 to Class 3” in the portion preceding paragraph 1 by “Class 1 to Class 3A”;

(2) by replacing “Class 1 or Class 2” in subparagraph *a* of paragraph 1 by “Class 1 to Class 3A”;

(3) by striking out paragraph 1.1;

(4) by replacing “Class 1 to Class 3” in subparagraph *a* of paragraph 2 by “Class 1 to Class 3A”;

(5) by inserting “sulfuryl fluoride” after “carbon dioxide” in paragraph 5.

**11.** Section 38 is amended

(1) by adding “and, where applicable, email address” at the end of subparagraph 1 of the second paragraph;

(2) by striking out “E1.1,” in the fourth paragraph;

(3) by adding the following paragraph at the end:

“A request for a duplicate of a certificate must be made on the form provided by the Minister and must include the information provided for in subparagraph 1 of the second paragraph and the reason for the request.”.

**12.** The heading of Division V is replaced by “CONDITIONS FOR PERFORMING ACTIVITIES AUTHORIZED UNDER PERMITS AND CERTIFICATES”.

**13.** The following is inserted after the heading of Division V:

“§1. *Restrictions on the sale of certain pesticides*”.

**14.** Sections 43 to 46 are replaced by the following:

“**43.** The holder of a permit or certificate for wholesale may offer to sell, sell or cause to be sold

(1) a Class 1 to Class 3A pesticide only to a person holding a Subclass B1 wholesale or retail sale permit;

(2) a Class 4 pesticide only to a person holding a Subclass B2 wholesale or retail sale permit;

(3) a Class 5 pesticide only to a person holding a wholesale or retail sale permit or to a person who sells retail such a pesticide; and

(4) a pesticide that is a topical medication intended for animals to a person who sells retail such a pesticide.

**44.** The holder of a Subclass B1 retail sale permit or certificate may offer to sell, sell or cause to be sold

(1) a Class 1 pesticide only to a person holding a certificate of authorization issued under section 22 of the Environment Quality Act (chapter Q-2);

(2) a pesticide constituted in whole or in part of methyl bromide, carbon dioxide, sulfuryl fluoride, ethylene oxide, phosphine, aluminum phosphide or magnesium phosphide only to a person holding a Subclass C6 or D6 permit or a Subclass E5 certificate;

(3) a Class 3A pesticide only to a person who meets either of the following conditions and who provides an agronomic prescription that meets the requirements of section 45:

(a) the person holds a Subclass C8 permit;

(b) the person is exempt, under section 35 of the Pesticides Act (chapter P-9.3), from the requirement to hold such a permit, but the person is the holder of a Subclass E1 or E2 certificate authorizing the person to apply the pesticide or the person employs a person holding such a certificate; and

(4) a pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam only to a person who meets either of the following conditions and who provides an agronomic prescription that meets the requirements of section 45:

(a) the person holds a Subclass C1, C8 or D1 permit;

(b) the person is exempt, under section 35 of the Pesticides Act (chapter P-9.3), from the requirement to hold such a permit, but holds a Subclass E1 or E2 certificate authorizing the person to apply the pesticide or the person employs a person holding such a certificate;

(5) a pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam only to a person who meets either of the following conditions:

(a) the person holds a permit authorizing the person to cause to be performed work involving the use of such a pesticide other than a Subclass C1, C8 or D1 permit;

(b) the person is exempt, under section 35 of the Pesticides Act (chapter P-9.3), from the requirement to hold such a permit, but holds a Subclass E3 or E5 or a Class F certificate authorizing the person to apply the pesticide or the person employs a person holding such a certificate; and

(6) Class 2 to Class 3 pesticides other than those listed in paragraphs 2 and 4 only to a person who meets any of the following conditions:

(a) the person holds a permit authorizing the person to cause to be performed the work involving the use of such a pesticide;

(b) the person is exempt, under section 35 of the Pesticides Act (chapter P-9.3), from the requirement to hold such a permit, but the person is the holder of a Class E or F certificate authorizing the person to apply the pesticide or the person employs a person holding such a certificate.

**45.** The agronomic prescription referred to in paragraphs 3 and 4 of section 44 must be signed by the agrologist who prepares the agronomic justification referred to in sections 74.1 and 86.1 of the Pesticides Management Code (chapter P-9.3, r. 1).

In addition, the prescription must be dated and must indicate the following information contained in the agronomic justification:

(1) the number and validity period of the agronomic justification;

(2) the name, address and telephone number of the farmer;

(3) the name and address of the professional domicile of the agrologist who signed it and the agrologist's member number in the Ordre des agronomes du Québec;

(4) in the case of a Class 1 to Class 3 pesticide, the name of the pesticide and the name of its active ingredients and, in the case of a Class 3A pesticide, the name of its active ingredients;

(5) the quantity of pesticide required or, in the case of a Class 3A pesticide, the quantity of seeds required and the plant species concerned.

**46.** The holder of a Subclass B2 retail sale permit or certificate may offer for sale, sell or cause to be sold a Class 4 pesticide only to a legal person or a natural person 16 years of age or over.”

**15.** Division VI is replaced by the following subdivision:

“§2. *Registers*”.

**16.** Sections 47 to 55 are replaced by the following:

“**47.** A holder of a Class A permit must keep a register of purchases, as well as a register of sales.

The registers must indicate the name, address, telephone number and permit number of the holder and, where applicable, email address and the name and address of the establishment involved. For each purchase or sale of pesticide, the registers must also indicate

(1) the date of the purchase or sale, as the case may be;

(2) in the case of a purchase, the name and address of the supplier and, where applicable, the permit number of the supplier;

(3) in the case of a sale, the name, address and, where applicable, the permit number of the customer;

(4) the name and class of the pesticide purchased or sold and, in the case of a Class 3A pesticide, the name and concentration of its active ingredients;

(5) in the case of a Class 1 to Class 3, a Class 4 and a Class 5 pesticide, the concentration of the active ingredients expressed in weight per unit of volume or in percentage by weight, where the label does not indicate the concentration of active ingredients in one of those expressions;

(6) in the case of a Class 1 to Class 3, a Class 4 and a Class 5 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28); and

(7) the quantity of pesticide purchased or sold or, in the case of a Class 3A pesticide, the quantity of seeds purchased or sold and the plant species concerned.

**48.** A holder of a Subclass B1 permit must keep a register of purchases and a register of sales.

The registers must indicate the name, address, telephone number and permit number of the holder, and, where applicable, email address and the name and address of the establishment involved. For each purchase or sale of pesticide, the registers must also indicate

- (1) the date of purchase or sale, as the case may be;
- (2) in the case of a purchase, the name and address of the supplier and, where applicable, the supplier's permit number;
- (3) in the case of a sale, the name and address of the customer and
  - (a) the permit number if the customer is a permit holder;
  - (b) the certificate number if the customer is a certificate holder; or
  - (c) if, under section 35 of the Pesticides Act (chapter P-9.3), the customer is exempt from the requirement to hold a permit and does not hold a certificate, the certificate number of the customer's employee;

(4) the name and class of pesticide purchased or sold and, in the case of a Class 3A pesticide, the name and concentration of its active ingredients;

(5) in the case of a Class 1 to Class 3 pesticide, the concentration of the active ingredients expressed in weight per unit of volume or in percentage by weight, where the label does not indicate the concentration of active ingredients in one of those expressions;

(6) in the case of a Class 1 to Class 3 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28);

(7) the quantity of pesticide purchased or sold or, in the case of a Class 3A pesticide, the quantity of seeds purchased or sold and the plant species concerned;

(8) in the case of the sale of a Class 1 pesticide, the number of the certificate of authorization issued under section 22 of the Environment Quality Act (chapter Q 2);

(9) in the case of the sale of a Class 3A pesticide, the number of the agronomic justification indicated in the agronomic prescription provided by the customer, the name of the agrologist who signed the prescription and the agrologist's member number in the Ordre des agronomes du Québec; and

(10) in the case of the sale of a pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam made under paragraph 4 of section 44, the number of the agronomic justification indicated in the agronomic prescription provided by the customer, the name of the agrologist who signed the prescription and the agrologist's member number in the Ordre des agronomes du Québec.

**49.** A holder of a Class C or Class D permit must keep a register of purchases.

The register must indicate the name, address, telephone number and permit number of the holder and, where applicable, email address and the name and address of the establishment involved. For each purchase, it must also indicate

- (1) the date of purchase;
- (2) the name, address and permit number of the supplier;
- (3) the name and class of the pesticide purchased and, in the case of a Class 3A pesticide, the name of its active ingredients;

(4) the quantity of pesticide purchased or, in the case of a Class 3A pesticide, the quantity of seeds purchased and the plant species concerned;

(5) in the case of a Class 1 to Class 3 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28); and

(6) in the case of a Class 1 pesticide, the number of the certificate of authorization issued under section 22 of the Environment Quality Act (chapter Q 2).

**50.** A holder of a Class C permit must keep a pesticide use register.



The register must indicate the name, address, telephone number and permit number of the holder and, where applicable, email address and the name and address of the establishment involved. For each activity involving the use of a pesticide, the register must also indicate

- (1) the date on which the work was performed;
- (2) the name, address and telephone number of the customer;
- (3) the reasons justifying the work;
- (4) the name of the certificate holder who performed or supervised the work and the certificate number;
- (5) the nature of the work performed;
- (6) the place where the work was performed and, where applicable, the area, volume or quantity of the material treated;
- (7) in the case of an application by aircraft, the wind direction, the name of the pilot and the type and registration number of each aircraft used;
- (8) in the case of an application by fumigation by the holder of a Subclass C6 or D6 permit, the date and time of each gas content measurement taken during the ventilation period of the place fumigated and the concentration of gas then observed;
- (9) the name and class of the pesticide used and, in the case of a Class 3A pesticide, the name of its active ingredients;
- (10) in the case of a Class 1 to Class 3 and a Class 4 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28);
- (11) the quantity of pesticide used or, in the case of a Class 3A pesticide, the quantity of seeds used and the plant species concerned; and
- (12) in the case of a Class 3A pesticide and, where applicable, a pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam, the number of the agronomic justification indicated in the agronomic prescription provided by the customer, the name of the agrologist who signed the prescription and the agrologist's member number in the Ordre des agronomes du Québec.

Each entry of work in the register must be signed by the certificate holder who performed or supervised the work.

**51.** A holder of a Class D permit must keep a pesticide use register.

The register must indicate the name, address, telephone number and permit number of the holder and, where applicable, email address. For each activity involving the use of a pesticide, the register must also indicate the information referred to in subparagraphs 1 and 3 to 12 of the second paragraph of section 50.

**52.** A register referred to in sections 47 to 51 must be kept for a period of 5 years as of the date of the last entry.

Vouchers related to each entry in the register must be kept for the same period as of the date mentioned therein.

**53.** A holder of a Subclass C1 or D1 permit must, for the work performed, delimit on a map the locations treated and the take-off sites of the aircraft used.

Each map must be kept for a period of 5 years as of the date on which the work is performed.

### §3. *Declarations*

**54.** A holder of a Class A permit must, not later than 31 January of each year, declare to the Minister the sales of pesticide, except a pesticide purchased from the holder of a Class A permit, made in the preceding year.

The declaration must indicate

- (1) the name, address, telephone number and permit number of the holder and, where applicable, email address; and
- (2) the name and telephone number of the person who completed the declaration.

The declaration must also indicate

- (1) the name and class of each pesticide sold and, in the case of a Class 3A pesticide, the name and concentration of its active ingredients;
- (2) in the case of a Class 1 to Class 3, a Class 4 and a Class 5 pesticide, the concentration of the active ingredients expressed in weight per unit of volume or in percentage by weight, where the label does not indicate the concentration of active ingredients in one of those expressions;
- (3) in the case of a Class 1 to 3, a Class 4 and a Class 5 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28); and

(4) the quantity of pesticide sold or, in the case of a Class 3A pesticide, the quantity of seeds sold and the plant species concerned.

The declaration must be sent to the Minister.

This section applies where no pesticide has been sold, except subparagraphs 1 to 3 of the third paragraph.

The permit holder must certify the accuracy of the information contained in the declaration.

**55.** A holder of a Class B1 permit must, not later than 31 January of each year, declare to the Minister purchases of pesticide, except a pesticide purchased from a holder of a Class A permit, made in the preceding year.

The declaration must indicate

(1) the name, address, telephone number and permit number of the holder and, where applicable, email address; and

(2) the name and telephone number of the person who completed the declaration.

The declaration must also indicate

(1) the name and class of each pesticide purchased and, in the case of a Class 3A pesticide, the name and concentration of its active ingredients;

(2) in the case of a Class 1 to Class 3 pesticide, the concentration of the active ingredients expressed in weight per unit of volume or in percentage by weight, where the label does not indicate the concentration of active ingredients in one of those expressions;

(3) in the case of a Class 1 to Class 3 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28); and

(4) the quantity of pesticide purchased or, in the case of a Class 3A pesticide, the quantity of seeds purchased and the plant species concerned.

The declaration must be sent to the Minister.

This section applies where no pesticide has been purchased, except subparagraphs 1 to 3 of the third paragraph.

The permit holder must certify the accuracy of the information contained in the declaration.

**55.1.** A holder of a Class B1 permit must, not later than 31 January of each year, declare to the Minister the sales of Class 3A pesticide or of pesticide containing atrazine, chlorpyrifos, clothianidin, imidacloprid or thiamethoxam made in the preceding year under paragraphs 3 and 4 of section 44.

The declaration must indicate

(1) the name, address, telephone number and permit number of the holder and, where applicable, email address; and

(2) the name and telephone number of the person who completed the declaration.

For each sale, the declaration must also indicate

(1) the name and class of the pesticide sold or, in the case of a Class 3A pesticide, the name and concentration of its active ingredients;

(2) in the case of a Class 1 to 3 pesticide, the concentration of the active ingredients expressed in weight per unit of volume or in percentage by weight, where the label does not indicate the concentration of active ingredients in one of those expressions;

(3) in the case of a Class 1 to Class 3 pesticide, the registration number assigned to the pesticide under the Pest Control Products Act (S.C. 2002, c. 28);

(4) the quantity of pesticide sold and, in the case of a Class 3A pesticide, the quantity of seeds sold and the plant species concerned; and

(5) the name of the agrologist who signed the agronomic prescription and the number of the agronomic justification indicated in the agronomic prescription and the agrologist's member number in the Ordre des agronomes du Québec.

The declaration must be sent to the Minister.

This section applies where no pesticide has been sold, except subparagraphs 1 to 3 and 5 of the third paragraph.

The permit holder must certify the accuracy of the information contained in the declaration.”

**17.** Division VII is replaced by “DIVISION VI OFFENCES”.

**18.** Section 56 is replaced by the following:

“**56.** Any contravention of sections 43 to 55.1 constitutes an offence.”

**19.** Class A, Subclass B1 and Subclass C8 permits and Class A, Subclass B1, Subclass CD8, Subclass E1 and Subclass E2 certificates become exigible for a Class 3A pesticide on (*insert the date occurring 6 months after the date of coming into force of this Regulation*).

**20.** A Class A permit and Class A and Subclass E2 certificates issued before (*insert the date occurring 6 months after the date of coming into force of this Regulation*) include the Class 3A pesticide as of that date, with no further formality.

**21.** Subclass B1 and Subclass C8 permits and Subclass B1, Subclass CD8 and Subclass E1 certificates issued between (*insert the date of coming into force of this Regulation*) and (*insert the date occurring 6 months after the date of coming into force of this Regulation*) include the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**22.** A Subclass B1 “Retail Sale of Class 1 to Class 3 Pesticides” permit issued before (*insert the date of coming into force of this Regulation*) corresponds as of that date to a Subclass B1 “Retail Sale of Class 1 to Class 3A Pesticides” permit and includes the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**23.** A Subclass C6 permit and a Subclass D6 permit issued before (*insert the date of coming into force of this Regulation*) include sulfuric fluoride as of that date, with no further formality.

**24.** A Subclass C8 “Application on Cultivated Land” permit issued before (*insert the date of coming into force of this Regulation*) corresponds as of that date to the Subclass C8 “Application on Cultivated Land” permit and includes the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**25.** A Subclass B1 “Certificate for the Retail Sale of Class 1 to Class 3 Pesticides” issued before (*insert the date of coming into force of this Regulation*) corresponds as of that date to the Subclass B1 “Retail Sale of Class 1 to Class 3A Pesticides” certificate and includes the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**26.** A Subclass CD8 “Certificate for Application on Cultivated Land” issued before (*insert the date of coming into force of this Regulation*) corresponds as of that date to the Subclass CD8 “Certificate for Application on Cultivated Land” and includes the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**27.** A Subclass E1 certificate issued before (*insert the date of coming into force of this Regulation*) includes as of that date the Class 3 pesticide and the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**28.** A Subclass E1.1 “Farm Producer’s Certificate for the Application of Class 3 Pesticides” issued before (*insert the date of coming into force of this Regulation*) corresponds as of that date to the Subclass E1 “Farm Producer’s Certificate” and includes the Class 1 and Class 2 pesticides as of (*insert the date of coming into force of this Regulation*) and the Class 3A pesticide as of (*insert the date occurring 6 months after the date of coming into force of this Regulation*), with no further formality.

**29.** A Subclass E5 certificate issued before (*insert the date of coming into force of this Regulation*) includes sulfuric fluoride as of that date, with no further formality.

**30.** This Regulation comes into force on (*insert the fifteenth day following the date of its publication in the Gazette officielle du Québec*), except

(1) section 2 of this Regulation, which comes into force on (*insert the date occurring 6 months after the date of coming into force of this Regulation*);

(2) the provisions related to the requirement to provide an agronomic prescription, which come into force, depending on the pesticide concerned, on the following dates:

Date	Pesticides
( <i>insert the date of coming into force of this Regulation</i> )	Class 1 to Class 3 pesticides containing atrazine
1 September 2018	Class 3A pesticides
1 April 2019	Class 1 to Class 3 pesticides containing chlorpyrifos, clothianidin, imidacloprid or thiamethoxam.

103057

## Draft regulation

An Act respecting prescription drug insurance  
(chapter A-29.01)

### Benefits authorized to pharmacists — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting benefits authorized for pharmacists, the text of which appears hereafter, may be made by the government on the expiry of the 45-day period following this publication.

This draft regulation aims to reinstate to 15% the ‘maximum limit of the professional allowance granted by generic drug manufacturers to owner pharmacists.

The effect of the proposed amendment is to bring about a reduction in the income of owner pharmacists in the form of professional allowances paid by generic drug manufacturers.

Further information may be obtained by contacting Dominic Bélanger at the Direction des affaires pharmaceutiques et du médicament, Ministère de la Santé et des Services sociaux, 1005 chemin Sainte-Foy, 1<sup>er</sup> étage, Québec (Québec), G1S 4N4, by phone at 418 266-8810, by fax at 418 266-5957, or by email at dominic.belanger@msss.gouv.qc.ca

Persons wishing to comment on this draft regulation may write, before the expiry of the 45-day period, to the undersigned, the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,  
*Minister of Health and  
Social Services*

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## Regulation to amend the Regulation respecting benefits authorized for pharmacists

An Act respecting prescription drug insurance  
(chapter A-29.01, s. 22, 3rd para.)

**1.** The Regulation respecting benefits authorized for pharmacists (chapter A-29.01, r. 1) is amended, in the third paragraph of section 2, by deleting “However, this percentage will be 25% for a period of 6 months effective from 28 April 2016 and 30% for the following 3 months. After these last 3 months, no limit will apply for a period of 2 years and 3 months.”.

**2.** This Regulation comes into force on the 15th day following the date of its publication in the *Gazette officielle du Québec*.

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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