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DU Québec

Part

2

No. 17

25 April 2018

Laws and Regulations

Volume 150

Summary

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Contents

Part 2 contains:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) Orders in Council, decisions of the Conseil du trésor and minister’s orders whose publication is required by law or by the Government;
- (5) regulations made by courts of justice and quasi-judicial tribunals;
- (6) drafts of the texts referred to in paragraphs 3 and 5 whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (7) any other document whose publication is required by the Government.

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PROVINCE OF QUÉBEC

1ST SESSION

41ST LEGISLATURE

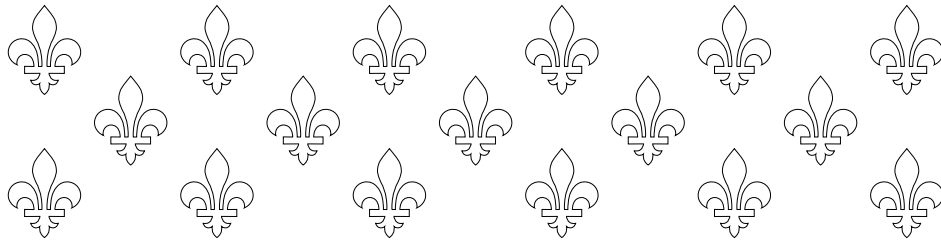
QUÉBEC, 20 MARCH 2018

OFFICE OF THE LIEUTENANT-GOVERNOR*Québec, 20 March 2018*

This day, at eight o'clock in the evening, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

164 An Act respecting access to certain documents held by the Conseil exécutif or intended for the Conseil exécutif

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 164
(2018, chapter 3)

**An Act respecting access to certain
documents held by the Conseil exécutif
or intended for the Conseil exécutif**

**Introduced 15 February 2018
Passed in principle 22 February 2018
Passed 20 March 2018
Assented to 20 March 2018**

**Québec Official Publisher
2018**

EXPLANATORY NOTES

This Act amends the Act respecting Access to documents held by public bodies and the Protection of personal information to confirm that the protection granted by that Act to certain documents held by the Conseil exécutif extends not only to communications from a member of the Conseil exécutif to one of his or her colleagues, but also to communications between two or more members of the Conseil exécutif.

The Act is also amended to ensure the protection of certain documents released to the Ministère du Conseil exécutif by another public body.

Lastly, the Charter of Ville de Montréal, metropolis of Québec is amended to make the required consequential amendments.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4).

Bill 164

AN ACT RESPECTING ACCESS TO CERTAIN DOCUMENTS HELD BY THE CONSEIL EXÉCUTIF OR INTENDED FOR THE CONSEIL EXÉCUTIF

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

1. Section 33 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) is amended, in the first paragraph,

(1) by inserting “or more” after “one” in subparagraph 1;

(2) by replacing subparagraph 2 by the following subparagraph:

“(2) communications from one or more members of the Conseil exécutif to one or more other members of the Conseil exécutif, to the Conseil exécutif itself, to the Conseil du trésor or to a cabinet committee, unless the author or, if applicable, authors decide otherwise;”;

(3) by replacing subparagraphs 4 and 5 by the following subparagraphs:

“(4) recommendations from one or more members of the Conseil exécutif to the Conseil exécutif, to the Conseil du trésor or to a cabinet committee, unless the author or, if applicable, authors or the person receiving them decides otherwise;

“(5) studies, opinions and recommendations prepared within the Ministère du Conseil exécutif or the secretariat of the Conseil du trésor, or within another public body to the extent that they are released to the Ministère du Conseil exécutif, regarding a recommendation or request made by one or more ministers, a cabinet committee or a public body, or regarding a document contemplated in section 36;”.

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

2. Section 57.1.13 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended, in the first paragraph,

(1) by inserting “or more” after “one” in subparagraph 6;

(2) by replacing subparagraph 7 by the following subparagraph:

“(7) a communication from one or more members of the Conseil exécutif to one or more other members of the Conseil exécutif, to the Conseil exécutif itself, to the Conseil du trésor or to a cabinet committee, before the expiry of 25 years from the date of the communication;”;

(3) by replacing “a member” in subparagraph 9 by “one or more members”;

(4) by replacing subparagraph 10 by the following subparagraph:

“(10) a study, opinion or recommendation prepared within the Ministère du Conseil exécutif or the secretariat of the Conseil du trésor, or within another public body to the extent that it is released to the Ministère du Conseil exécutif, regarding a recommendation or request made by one or more ministers, a cabinet committee or a public body, or regarding a preliminary or final draft of a bill or regulation, before the expiry of 25 years from the date of the study, opinion or recommendation;”.

FINAL PROVISIONS

3. This Act is declaratory. In addition, it has effect despite the decisions of the Court of Appeal rendered on 6 December 2017 in records numbered 500-09-025956-160 and 500-09-025330-150 and despite the decisions of the Commission d'accès à l'information and the courts of justice which gave rise to those appeal decisions.

4. This Act comes into force on 20 March 2018.

Coming into force of Acts

Gouvernement du Québec

O.C. 496-2018, 11 April 2018

**An Act to amend the Youth Protection Act
and other provisions (2017, chapter 18)**

—Coming into force of certain provisions of the Act

COMING INTO FORCE of certain provisions of the Act
to amend the Youth Protection Act and other provisions

WHEREAS the Act to amend the Youth Protection Act
and other provisions (2017, chapter 18) was assented to
on 5 October 2017;

WHEREAS, under paragraph 1 of section 119 of the Act,
the provisions of the Act came into force on 5 October
2017, except paragraph 1, to the extent that it enacts sub-
paragraph *c.2* of the first paragraph of section 1 of the
Youth Protection Act, and paragraphs 2 to 4 of section 1,
sections 2 to 8, 14 to 20, 22, 24, 25 to 31, 33 to 39, 41
to 46, 51, 68 to 70, 88, 94 to 96, 98 to 100 and 103 to 117,
which come into force on the date or dates to be set by
the Government;

WHEREAS, under paragraph 2 of section 119 of the Act,
sections 62 and 63 of the Act came into force on 1 January
2018;

WHEREAS it is expedient to set the date of coming into
force of sections 39 and 114 of the Act;

IT IS ORDERED, therefore, on the recommendation of
the Minister of Health and Social Services, the Minister
for Rehabilitation, Youth Protection, Public Health and
Healthy Living and the Minister of Families:

THAT 15 May 2018 be set as the date of coming into
force of sections 39 and 114 of the Act to amend the Youth
Protection Act and other provisions (2017, chapter 18).

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

103439

Regulations and other Acts

Gouvernement du Québec

O.C. 474-2018, 11 April 2018

Food Products Act
(chapter P-29)

Fresh fruits and vegetables
— **Indication of the origin**

Regulation respecting the indication of the origin of fresh fruits and vegetables

WHEREAS, under paragraph *j* of section 40 of the Food Products Act (chapter P-29), the Government may, by regulation, prescribe rules respecting the inscriptions, labelling or packaging of products;

WHEREAS, under paragraph *m* of section 40 of the Act, the Government may, by regulation, prohibit or regulate the publicity or advertising used for the commercial promotion of products;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the indication of the origin of fresh fruits and vegetables was published in Part 2 of the *Gazette officielle du Québec* of 19 October 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 Agriculture, Fisheries and Food:

THAT the Regulation respecting the indication of the origin of fresh fruits and vegetables, attached to this Order in Council, be made.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation respecting the indication of the origin of fresh fruits and vegetables

Food Products Act
(chapter P-29, s. 40)

1. The origin of fresh fruits and vegetables grown in Québec and prepackaged for sale must be indicated in visible and indelible characters, on their package or container, by the expression “Product of Québec”, “Grown in Québec” or “Harvested in Québec”.

The expression comprising the name of the fruit or vegetable followed by “of Québec” may also be used.

Where fresh fruits or vegetables grown in Québec are sold in bulk at retail, the indication of the origin must be placed near the fruits or vegetables so that there is no uncertainty as to the fruits or vegetables to which it relates.

2. All advertising for the sale of fresh fruits or vegetables grown in Québec must indicate their origin in accordance with the first or second paragraph of section 1.

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

103432

Gouvernement du Québec

O.C. 480-2018, 11 April 2018

Real Estate Brokerage Act
(chapter C-73.2)

Real Estate Indemnity Fund and determination of the professional liability insurance premium
— **Amendment**

Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium

WHEREAS paragraphs 15 to 17 of section 46 of the Real Estate Brokerage Act (chapter C-73.2) provide that the Organisme d'autoréglementation du courtage immobilier

du Québec (the Organization) may, in addition to its regulatory powers under the Act, determine, by regulation, the terms and conditions governing the eligibility of claims submitted to the indemnity committee and the payment of indemnities, the maximum amount of indemnities that may be paid with regard to the same claim, and the fee that must be paid by brokers and agencies to the Organization for payment into the Real Estate Indemnity Fund, according to the licence they hold and the date of their registration with the Organization, as well as the terms of payment for that fee;

WHEREAS the Organization adopted the Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium on 8 September 2017;

WHEREAS section 130 of the Real Estate Brokerage Act provides that all regulations of the Organization, except internal by-laws, must be submitted to the Government for approval with or without amendments;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium was published in Part 2 of the *Gazette officielle du Québec* of 22 November 2017 with a notice that it could be submitted to the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium, attached to this Order in Council, be approved with amendment.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium

Real Estate Brokerage Act
(chapter C-73.2, s. 46, par. 15 to 17)

1. The Regulation respecting the Real Estate Indemnity Fund and determination of the professional liability insurance premium (chapter C-73.2, r. 5) is amended in section 7 by replacing “in the year in which” by “no later than two years after”.

2. Section 14 of this regulation is amended:

1° by replacing “35 000\$” by “100 000\$”;

2° by replacing “1 May 2010” by “10 May 2018”;

3° by replacing “section 37 of the Regulation respecting the application of the Real Estate Brokerage Act (chapter C-73.1, r. 1)” by “the regulations applicable at the date the act is committed”.

3. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

103433

Gouvernement du Québec

O.C. 484-2018, 11 April 2018

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Hunting activities — Amendment

Regulation to amend the Regulation respecting hunting activities

WHEREAS, under paragraph 16 of section 162 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may, by regulation, prescribe norms and obligations respecting the transportation, possession and registration of animals or fish and fix, according to species, the fees exigible for the registration;

WHEREAS, under paragraph 23 of section 162 of the Act, the Government may, by regulation, determine the conditions required for importing or exporting an animal, fish or pelt to or from Québec or prohibiting the importing of any animal it may indicate;

WHEREAS the Government made the Regulation respecting hunting activities (chapter C-61.1, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting hunting activities was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting hunting activities, attached to this Order in Council, be made.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting activities

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 162, pars. 16 and 23)

1. The Regulation respecting hunting activities (chapter C-61.1, r. 1) is amended in section 19 by striking out “caribou,” in the first paragraph.

2. Section 20 is amended by striking out the second paragraph.

3. Section 21 is amended

(1) by striking out “caribou,” in the first paragraph;

(2) by striking out “a hunter who has killed a caribou shall, upon registration, produce the animal whole or in quarters, without removing the head and external genitals;” in the fourth paragraph.

4. The first paragraph of section 21.1 is amended by striking out “caribou,”.

5. Section 23 is amended by striking out “a caribou,”.

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

103434

Gouvernement du Québec

O.C. 485-2018, 11 April 2018

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Hunting and fishing controlled zones —Amendment

Regulation to amend the Regulation respecting hunting and fishing controlled zones

WHEREAS, under subparagraph 2 of the first paragraph of section 110 of the Act respecting the conservation and development of wildlife (chapter C-61.1), with regard to a controlled zone, the Government may, by regulation, set the fees or maximum fees payable to carry on a recreational, hunting or fishing activity, to register for a draw or to travel about the territory;

WHEREAS, under subparagraph 9 of the first paragraph of section 110 of the Act, with regard to a controlled zone, the Government may, by regulation, allow any agency that is party to a memorandum of agreement to exercise all or some of the regulatory powers provided for in subparagraphs 1 to 4 and subparagraphs 7 and 8 of that section, on the conditions it determines;

WHEREAS the Government made the Regulation respecting hunting and fishing controlled zones (chapter C-61.1, r. 78);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting hunting and fishing controlled zones was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting hunting and fishing controlled zones, attached to this Order in Council, be made.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting and fishing controlled zones

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 110, 1st par., subpars. 2 and 9)

- 1.** The Regulation respecting hunting and fishing controlled zones (chapter C-61.1, r. 78) is amended by striking out the term “, caribou” wherever it appears.
- 2.** Section 20 is amended by striking out paragraph 6.
- 3.** Schedule II is amended by striking out paragraph 6.
- 4.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

103435

Gouvernement du Québec

O.C. 491-2018, 11 April 2018

Tax Administration Act
(chapter A-6.002)

An Act respecting the Québec Pension Plan
(chapter R-9)

Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland —Ratification and making of the Regulation respecting the implementation of that Agreement

Ratification of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland and making of the Regulation respecting the implementation of that Agreement

WHEREAS Order in Council 927-2014 dated 22 October 2014 authorized the Minister of International Relations and La Francophonie to sign alone the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland and the Administrative Arrangement setting out the terms and conditions of this Agreement;

WHEREAS the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland as well as the Administrative Arrangement consequent thereto were signed at Québec on 3 June 2015;

WHEREAS this Agreement on Social Security aims, in particular, to guarantee the benefits of the coordination in the fields of retirement, survivorship, disability, death, industrial accidents and occupational diseases to the persons concerned;

WHEREAS the terms and conditions of this Agreement are set out in an Administrative Arrangement annexed to the Agreement;

WHEREAS the Government may, by regulation made under the first paragraph of section 96 of the Tax Administration Act (chapter A-6.002), give effect to international agreements of a fiscal nature entered into under the first paragraph of section 9 of that Act;

WHEREAS, under the second paragraph of section 215 of the Act respecting the Québec Pension Plan (chapter R-9), the Government may make regulations respecting the manner in which that Act is to apply to any case affected by the agreement entered into with country other than Canada;

WHEREAS the Agreement constitutes an international agreement within the meaning of the third paragraph of section 19 of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1);

WHEREAS the Agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of that Act;

WHEREAS, under the third paragraph of section 20 of that Act, international agreements referred to in section 22.2 of that Act must, to be valid, be signed by the Minister, approved by the National Assembly and ratified by the Government;

WHEREAS, under section 22.4 of that Act, the ratification of an international agreement or the making of an order referred to in the third paragraph of section 22.1 of that Act may not take place, where it concerns an important international commitment, until the commitment is approved by the National Assembly;

WHEREAS the Agreement was approved by the National Assembly on 10 February 2016;

WHEREAS, under Order in Council 808-2011 dated 3 August 2011, proposed regulations of the Government, in particular, respecting the implementation of agreements on social security signed by the Government under section 215 of the Act respecting the Québec Pension Plan and section 9 of the Tax Administration Act, are excluded from the application of the Regulations Act (chapter R-18.1);

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

THAT the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland, signed at Québec on 3 June 2015 and approved by the National Assembly on 10 February 2016, whose text is attached to the implementing regulation of this Agreement mentioned below, be ratified;

THAT the Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland, attached to this Order in Council, be made.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland

Tax Administration Act
(chapter A-6.002, ss. 9 and 96)

An Act respecting the Québec Pension Plan
(chapter R-9, s. 215)

1. The Act respecting the Québec Pension Plan (chapter R-9) and the regulations thereunder apply to every person referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland, signed at Québec on 3 June 2015 attached as Schedule 1.

2. This Act and those regulations apply in the manner stipulated in that Agreement and the Administrative Arrangement for the application of the Agreement attached as Schedule 2.

3. This Regulation comes into force on 1 September 2018.

SCHEDULE 1 (s. 1)

AGREEMENT ON SOCIAL SECURITY BETWEEN
THE GOUVERNEMENT DU QUÉBEC AND THE
GOVERNMENT OF THE REPUBLIC OF POLAND

THE GOUVERNEMENT DU QUÉBEC
AND
THE GOVERNMENT OF THE REPUBLIC
OF POLAND

Hereinafter referred to as “the Parties”;

HAVING RESOLVED to coordinate their social security schemes;

HAVE AGREED AS FOLLOWS:

PART I GENERAL PROVISIONS

ARTICLE 1 DEFINITIONS

1. In this Agreement, the following terms and expressions mean:

(a) “legislation”: the laws, regulations and other implementation measures of the Republic of Poland or Québec relating to the material scope referred to in Article 2 of this Agreement;

(b) “competent authority”: the Minister responsible for matters relating to social security for the Republic of Poland or the Québec Minister responsible for the implementation of the legislation;

(c) “liaison body”: institution responsible for the coordination and exchange of information between institutions of each of the Parties for the implementation of this Agreement;

(d) “competent institution”: institution responsible for the implementation of the legislation;

(e) “period of insurance”:

i. for the Republic of Poland: a period taken into account for determining entitlement to benefits in accordance with the legislation of the Republic of Poland, including periods of contribution, equivalent periods and periods of non-contribution;

ii. for Québec: any year for which contributions have been paid or a disability pension has been paid out under the Act respecting the Québec Pension Plan or any other year considered as equivalent;

(f) “benefit”: any benefit in cash provided under the legislation of each Party, including any supplement or increase of such cash benefit;

(g) “territory”: the territory of the Republic of Poland or the territory of Québec;

(h) “national”:

i. for the Republic of Poland: any person who holds Polish citizenship;

ii. for Québec: a Canadian citizen who is or has been subject to the legislation referred in sub-paragraph *b* of paragraph 1 of Article 2 of this Agreement.

2. Any term not defined in this Agreement shall have the meaning given to it in the applicable legislation of each Party.

ARTICLE 2 MATERIAL SCOPE

1. This Agreement shall apply:

(a) as regards the Republic of Poland, to the legislation concerning the following benefits from social insurance and social insurance for farmers:

i. old age, incapacity for work and survivor pensions;

ii. fixed allowances and pensions granted in respect of industrial accidents and occupational diseases;

iii. funeral allowances;

(b) as regards Québec, to the legislation concerning:

i. the Québec Pension Plan;

ii. industrial accidents and occupational diseases.

2. This Agreement shall also apply to any legislation, regulation and other implementation measures that amend, add to, codify or replace the legislation.

3. This Agreement shall also apply to any legislation or regulation that extends the legislation to new categories of beneficiaries or to new benefits, unless the Party concerned notifies a reservation to the other Party at the latest three months after the entry into force of this legislation or regulation.

4. This Agreement shall not apply to legislation or regulation which covers a new branch of social security unless this Agreement is modified for this purpose.

ARTICLE 3 PERSONAL SCOPE

This Agreement shall apply to any person who is or has been subject to the legislation of one or both Parties, as well as to other persons whose rights derive from those of such a person.

ARTICLE 4 EQUAL TREATMENT

Unless otherwise provided for in this Agreement, any person referred to in Article 3 of this Agreement shall be subject to the obligations of the legislation of the other Party and shall be eligible for benefits provided for in that legislation under the same conditions as nationals of that other Party.

ARTICLE 5**EXPORT OF BENEFITS**

1. Unless otherwise provided in this Agreement, benefits acquired under the legislation of a Party or pursuant to the application of this Agreement, cannot be reduced, modified, suspended or terminated merely because the beneficiary resides in the territory of the other Party.

2. As regards the Republic of Poland, paragraph 1 shall not apply to benefits granted under special procedure or in exceptional circumstances.

3. Any benefit payable by a Party and acquired pursuant to this Agreement shall be paid to the beneficiary who resides in the territory of a third State, in the same conditions as its own nationals residing in the territory of a third State.

PART II**PROVISIONS ON APPLICABLE LAW****ARTICLE 6****GENERAL RULES**

Subject to Articles 7 to 9 of this Agreement:

(a) a worker who performs work in the territory of one Party shall be subject, with respect to such work, to the legislation of that Party;

(b) a self-employed worker who resides in the territory of a Party, and who works for his or her own account in the territory of the other Party or in the territory of both Parties shall be subject, with respect to such work, only to the legislation of the first Party.

ARTICLE 7**DETACHMENT**

A worker, subject to the legislation of a Party and who is sent by his or her employer to the territory of the other Party to perform work on behalf of that employer, shall be subject, with respect to such work, only to the legislation of the first Party as though that work was performed in its territory. This period of detachment may not exceed 60 months without the consent of the competent authorities of both Parties or institutions authorized by them.

ARTICLE 8**GOVERNMENT EMPLOYMENT SERVICE**

1. Notwithstanding the provisions of this Agreement, the provisions relating to social security of the Vienna Convention on Diplomatic Relations of 18 April 1961 and the Vienna Convention on Consular Relations of 24 April 1963 shall continue to apply.

2. A person employed in the government service of a Party and sent to work in the territory of the other Party shall be subject, regarding such employment, only to the legislation of the first Party.

3. Subject to the provisions of paragraphs 1 and 2, a person residing in the territory of one Party and employed in government service for the other Party shall be subject, regarding such employment, only to the legislation of the first Party.

ARTICLE 9**EXCEPTIONS**

The competent authorities of the Parties or the institutions authorized by them may, by mutual consent, modify the application of the provisions of Articles 6, 7 and paragraphs 2 and 3 of Article 8 of this Agreement, as regards a person or category of persons.

PART III**PROVISIONS CONCERNING BENEFITS****CHAPTER 1****TOTALIZATION****ARTICLE 10****PERIODS OF INSURANCE UNDER THE LEGISLATION OF THE REPUBLIC OF POLAND AND QUÉBEC**

If the legislation of a Party makes entitlement to benefits subject to the completion of specific insurance periods by the person, the competent institution of that Party shall totalize, to the extent necessary, the insurance periods completed under the legislation of the other Party, as if they were periods completed under the legislation it administers, with overlapping periods being counted only once.

ARTICLE 11**INSURANCE PERIODS OF LESS THAN ONE YEAR**

1. If the total duration of insurance periods completed by a person under the legislation of a Party is less than one year and if those periods alone are insufficient for entitlement to a benefit pursuant to the legislation of that Party, the competent institution of that Party shall not be required, under this Agreement, to grant a benefit to that person in respect of such periods.

2. Notwithstanding the provisions of paragraph 1, such periods shall be taken into account by the competent institution of the other Party for entitlement to a benefit under the legislation of that Party in application of the provisions of this Chapter.

ARTICLE 12
PERIODS OF INSURANCE UNDER THE
LEGISLATION OF A THIRD STATE

If a person is not entitled to a benefit based on admissible insurance periods referred to in Article 10 of this Agreement, the competent institution shall also take into account the insurance periods completed under the legislation of a third State with which both Parties are bound by social security instruments which provide for the totalization of periods.

CHAPTER 2
BENEFITS PAYABLE UNDER THE LEGISLATION
THE REPUBLIC OF POLAND

ARTICLE 13
OLD AGE, INCAPACITY FOR WORK AND
SURVIVORS' PENSIONS

1. If there is entitlement to a pension for old age, incapacity for work or survivor under the legislation of the Republic of Poland, this pension for old age, incapacity for work or survivor shall be calculated exclusively according to the legislation of the Republic of Poland, unless the amount of the pension for old age, incapacity for work or survivor, calculated using the method described in paragraph 2, is more favorable.

2. If entitlement to a pension for old age, incapacity for work or survivor is established exclusively through the application of the totalization provisions described in Articles 10 to 12 of this Agreement, the competent institution of the Republic of Poland shall:

(a) calculate the theoretical amount of the benefit that would be paid if the total duration of insurance periods had been completed under the legislation it administers;

(b) based on the theoretical amount calculated in accordance with sub-paragraph *a*, determine the actual amount of the benefit by applying the ratio of the duration of insurance periods completed under the legislation it administers and the total duration of insurance periods completed under the legislation of each of the Parties and, if necessary, those under the legislation of a third State.

3. For purposes of calculating the basic amount of the benefit, only earnings under the legislation of the Republic of Poland and contributions paid under that legislation shall be taken into account.

4. In cases where the legislation of the Republic of Poland requires for entitlement to a pension for old age, incapacity for work or survivor that a person be insured

at the time when the event that produces legal effects occurred, this requirement shall be deemed fulfilled for the purposes of establishing entitlement if that person was insured under the legislation of Québec.

5. For purposes of determining entitlement to a pension for old age under the legislation of the Republic of Poland and pursuant to Article 10 of this Agreement:

(a) a calendar year which is a period of insurance under the Québec Pension Plan, shall be considered as 12 creditable months under the legislation of the Republic of Poland;

(b) a month which is a creditable period under Canada's Old Age Security Act which applies in the territory of Québec and which is not part of an insurance period under the Québec Pension Plan, shall be considered as a creditable month under the legislation of the Republic of Poland.

6. For purposes of determining entitlement to a benefit other than a pension for old age under the legislation of the Republic of Poland and pursuant to Article 10 of this Agreement, a calendar year which is a period of insurance under the Québec Pension Plan, shall be considered as 12 creditable months under the legislation of the Republic of Poland.

CHAPTER 3
BENEFITS PAYABLE UNDER THE LEGISLATION
OF QUÉBEC

ARTICLE 14
RETIREMENT, DISABILITY AND SURVIVORS'
BENEFITS

1. If a person who has been subject to the legislation of both Parties meets the requirements for entitlement to a benefit for his or herself, his or her dependents, survivors, or other rightful claimants under the legislation of Québec without having recourse to the totalization principle set forth in Articles 10 to 12 of this Agreement, the competent institution of Québec shall determine the amount of the benefit in accordance with the provisions of the legislation that it administers.

2. If the person referred to in paragraph 1 does not meet the requirements for entitlement to a benefit without totalization, the competent institution of Québec shall proceed as follows:

(a) it shall recognize one year of contribution if the competent institution of the Republic of Poland certifies that an insurance period of at least three months in a single

calendar year has been credited under the legislation of the Republic of Poland, provided that the year in question is included in the contributory period defined under the legislation of Québec;

(b) it shall totalize, in accordance with Articles 10 to 12 of this Agreement, the years of contribution recognized under sub-paragraph *a* and the insurance periods completed under the legislation of Québec.

3. When the totalization set forth in paragraph 2 entitles a person to a benefit, the competent institution of Québec shall determine the amount of the benefit payable by adding together the amounts calculated in accordance with sub-paragraphs *a* and *b* below:

(a) the amount of the portion of the benefit related to earnings shall be calculated in accordance with the provisions of the legislation of Québec;

(b) the amount of the flat rate component of the benefit payable in accordance with the provisions of this Agreement shall be determined by multiplying:

the amount of the flat rate benefit determined in accordance with the provisions of the Québec Pension Plan

by

the fraction that represents the ratio between the periods of contribution to the Québec Pension Plan and the contributory period defined in the legislation governing that Plan.

CHAPTER 4 BENEFITS IN CASE OF INDUSTRIAL ACCIDENTS OR OCCUPATIONAL DISEASES

ARTICLE 15 ENTITLEMENT TO BENEFITS

1. Entitlement to benefits in case of industrial accidents shall be determined according to the legislation that applies at the moment where the industrial accident occurred.

2. Entitlement to benefits in case of occupational disease shall be determined according to the legislation which applied when the person was exposed to the risk causing this disease. In case of exposure to the same risk under the legislation of both Parties, the legislation that applies shall be that of the Party in the territory in which the person resides at the time of making his or her claim.

ARTICLE 16 OCCUPATIONAL DISEASES

1. Where the legislation of a Party requires for entitlement to a benefit in case of an occupational disease that the disease was first diagnosed in the territory of that Party, that condition shall be deemed fulfilled if it is first diagnosed in the territory of the other Party.

2. Where the legislation of a Party requires for entitlement to a benefit in case of an occupational disease that a specific period of work having caused the disease be completed, the competent institution of that Party shall also recognize the exercise of the same type of work under the legislation of the other Party.

ARTICLE 17 AGGRAVATION OF AN OCCUPATIONAL DISEASE

1. Where entitlement to a benefit in case of an occupational disease has been granted in accordance with the legislation of one Party, the competent institution of that Party shall be responsible for the payment of the benefit related to the aggravation of that occupational disease, even if the aggravation occurred while the person was subject to the legislation of the second Party, insofar as that person has not performed work likely to aggravate that disease therein.

2. In case of aggravation of an occupational disease compensated for under the legislation of the first Party while the person performs work likely to aggravate that disease in the territory of the second Party:

(a) the competent institution of the first Party shall continue to bear the cost of the benefit payable under its own legislation as if the disease had not been aggravated;

(b) the competent institution of the second Party to whose legislation the person was subject during the exercise of work likely to aggravate the occupational disease shall bear the cost of the benefit which shall be equivalent to the difference between the amount of the benefit due after the aggravation of the disease and the amount of the benefit that would have been due prior to the aggravation, under the legislation it administers.

CHAPTER 5 DEATH BENEFIT

ARTICLE 18 FUNERAL ALLOWANCE AND DEATH BENEFIT

1. Entitlement to a funeral allowance and a death benefit shall be established by the competent institution in accordance with the legislation applied by each Party.

2. If the legislation of a Party requires that entitlement to benefits provided for in paragraph 1 be dependent on specific insurance periods being completed, the competent institution shall apply the provisions of Article 10 of this Agreement.

3. As regards Québec, the death benefit shall be calculated by applying the provisions of Article 14 of this Agreement.

PART IV ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

ARTICLE 19 ADMINISTRATIVE ARRANGEMENT

1. An Administrative Arrangement, which must be agreed to by the competent authorities, shall set out the terms and conditions of this Agreement.

2. The liaison agencies and competent institutions of each Party shall be designated in the Administrative Arrangement.

ARTICLE 20 EXCHANGE OF INFORMATION AND ADMINISTRATIVE ASSISTANCE

1. The competent authorities, liaison agencies and competent institutions responsible for the application of this Agreement:

(a) shall communicate to each other, to the extent permitted by the legislation which they administer, any information required for the application of this Agreement;

(b) shall lend their good offices for the purposes of determining entitlement to any benefit or the amount of any benefit payable under this Agreement or the legislation specified therein, as if it were the application of their own legislation;

(c) shall communicate to each other without delay any information concerning measures taken by them for the purposes of the application of this Agreement or changes to their legislation, to the extent that these changes affect the application of this Agreement.

2. The assistance referred to in sub-paragraph *b* of paragraph 1 shall be provided free of charge, subject to any provision relating to the reimbursement of certain types of expenses included in the Administrative Arrangement made pursuant to Article 19 of this Agreement.

ARTICLE 21 MEDICAL ASSESSMENTS

1. To the extent permitted in the applicable legislation, the competent institution of a Party shall, upon request, communicate to the competent institution of the other Party, medical assessments and documents available in the medical record of a claimant or beneficiary.

2. If the competent institution of a Party requires that a claimant or a beneficiary who resides in the territory of the other Party undergo a medical assessment and if it so requests, the competent institution of the other Party shall take the necessary measures for the assessment to be carried out at the expense of the competent institution that requested it.

3. Medical assessments and documents referred to in paragraph 1 cannot be refused solely because they were made in the territory of the other Party.

ARTICLE 22 PROTECTION OF PERSONAL INFORMATION

1. For the purposes of this Article, the term “legal provisions” means the provisions on protection of personal information provided for in the domestic laws of each Party.

2. Any information which allows a natural person to be identified is personal information. Personal information is protected by the legal provisions.

3. The competent authorities, liaison agencies and competent institutions of each Party may release to one another any personal information necessary for the application of this Agreement.

4. Personal information released to a competent authority, liaison agency or competent institution of a Party, within the framework of the application of this Agreement may be used only for the application of this Agreement.

5. A Party may however use such information for other purposes with the consent of the person concerned or, without the consent of the said person, only in the following cases:

(a) when its use is compatible and has a direct and relevant connection with the purposes for which the information was collected, or;

(b) when its use is clearly for the benefit of the person to whom it relates, or;

(c) when its use is necessary for the application of an Act in Québec or in the Republic of Poland.

6. Personal information released to a competent authority, liaison agency or competent institution of a Party, within the framework of the application of this Agreement, may only be released to another institution of this Party for the application of this Agreement.

7. A Party may however release such information with the consent of the person concerned or, without the consent of the said person, only in the following cases:

(a) the information is necessary for the exercise of the rights and powers of an institution of a Party, or;

(b) its release is clearly for the benefit of the person to whom it relates, or;

(c) its release is necessary for the application of an Act in Québec or in the Republic of Poland.

8. The competent authorities, liaison agencies, competent institutions and other institutions of each Party shall ensure, during the transmission of the information referred to in paragraph 3, the use of means preserving the confidentiality of such information.

9. The competent authority, liaison agency, competent institution or any other institution of a Party, to which information referred to in paragraph 3 is released, shall protect it against unauthorized access, alteration and release.

10. The competent authority, liaison agency, the competent institution or any other institution of a Party, to which personal information referred to in paragraph 3 is released, shall take the necessary measures to ensure that this information is up to date, accurate and complete so as to serve the purposes for which it was collected. As need be, it shall correct the information held and shall destroy any information whose collection or storage is not authorized by the legal provisions which apply to it. It shall also destroy, upon request, the information whose transmission is not authorized by the legal provisions of the transmitting Party.

11. Subject to a Party's legal provisions, the information received by a Party, because of the application of this Agreement, shall be destroyed when the purposes for which it was collected or used are completed. The competent authorities, liaison agencies, competent institutions and all other institution of each of the Parties shall use safe and final means of destruction and shall ensure the protection of the information awaiting destruction.

12. Upon request to a competent authority, liaison agency or competent institution of a Party, the person concerned has the right to be informed of the release of personal information referred to in paragraph 3 and of its use for purposes other than the application of this Agreement. That person may also have access to the personal information concerning him or her and have the said information corrected, except as otherwise provided by the legal provisions of the Party on whose territory the information is held.

13. The competent authorities of the Parties or the institutions authorized by them shall inform each other of any changes to the legal provisions concerning the protection of personal information, insofar as these changes affect the application of this Agreement.

ARTICLE 23

EXEMPTION OR FEE REDUCTION

1. Any exemption or reduction of fees provided for in the legislation of a Party for the issuance of a certificate or a document required for the application of that legislation shall be extended to certificates or documents required for the application of the legislation of the other Party.

2. Any document required for the application of this Agreement shall be exempt from any authentication by diplomatic or consular authorities.

ARTICLE 24

LANGUAGE OF COMMUNICATION

1. For purposes of the application of this Agreement, the competent authorities, liaison agencies and competent institutions of the Parties may communicate directly with each other in their official language.

2. Any request to a competent authority, liaison agency or competent institution of a Party for the purposes of the application of this Agreement shall be received even if the claim is written in the official language of the other Party.

ARTICLE 25

SUBMITTING CLAIMS, DECLARATIONS AND RECOURSES

1. A claim, declaration or recourse relating to entitlement to a benefit or its amount under the legislation of a Party, which must be submitted within a specified time frame to the competent authority, liaison agency or competent institution of that Party shall be admissible in the same matter as if it had been presented to the competent authority, liaison agency or competent institution of the first Party, provided it is presented within the same time

frame to the competent authority, liaison agency or the corresponding competent institution of the other Party. The date on which that claim, that declaration or that recourse is submitted to the competent authority, liaison agency or competent institution of the other Party shall be considered the date of submission to the competent authority, liaison agency or competent institution of the first Party.

2. Any claim for a benefit under the legislation of a Party made after the date of entry into force of this Agreement shall be considered as a claim for a corresponding benefit under the legislation of the other Party, provided that at the time of making the claim, the claimant:

(a) requests that it be considered as a claim for benefits under the legislation of the other Party, or;

(b) provides information indicating that insurance periods have been completed under the legislation of the other Party.

3. Paragraph 2 shall not apply if the claimant requested postponement of entitlement to the benefit under the legislation of the other Party.

4. In any case where paragraphs 1 or 2 applies, the competent authority, liaison agency or competent institution which received the claim, declaration or recourse shall forward it as soon as possible to the competent authority, liaison agency or competent institution of the other Party.

ARTICLE 26 PAYMENT OF BENEFITS

1. Any benefit payable by the competent institutions of the Republic of Poland to beneficiaries residing in Québec in accordance with the provisions of this Agreement shall be paid in Canadian dollars or in another convertible currency that is legal tender, subject to the provisions of paragraph 3 of Article 5 of this Agreement.

2. Any benefit payable by the competent institution of Québec to beneficiaries in accordance with the provisions of this Agreement shall be paid in Canadian dollars or in another convertible currency that is legal tender.

3. Any benefit payable to beneficiaries by the competent authorities in accordance with the provisions of this Agreement shall be paid directly without deduction for administrative expenses.

ARTICLE 27 DISPUTE RESOLUTION

The competent authorities shall resolve any dispute concerning the interpretation or application of this Agreement.

PART V TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 28 TRANSITIONAL PROVISIONS

1. Any insurance period completed before the date of entry into force of this Agreement shall be taken into account for entitlement and amount of benefits in accordance with the provisions of this Agreement.

2. None of the provisions in this Agreement shall create entitlement to a benefit for a period prior to the date of entry into force of this Agreement.

3. Subject to paragraph 2, any benefit other than a lump sum due relating to events prior to the date of entry into force of this Agreement shall be paid out pursuant to this Agreement.

4. A benefit granted before the entry into force of this Agreement may be revised at the request of the person concerned and established anew in accordance with the provisions of this Agreement, provided that the amount of the revised benefit is not lower than that granted before the entry into force of this Agreement.

5. For Québec, for the purposes of Articles 15 to 17 of this Agreement, any period of risky activity accomplished under the legislation of a Party before the entry into force of this Agreement shall be taken into account in determining eligibility to benefits.

6. For the purposes of Article 7 of this Agreement, a person shall be presumed to have been detached only as of the entry into force of this Agreement.

ARTICLE 29 DURATION AND TERMINATION

1. This Agreement is concluded for an indefinite period. It may be terminated at any time by either Party by written notice to the other Party. The termination shall take effect after a period of 12 months following the date of notification.

2. In case of termination of this Agreement, all rights acquired under the provisions of this Agreement shall be maintained. The competent authorities shall make arrangements relating to the rights in the course of being acquired pursuant to these provisions.

ARTICLE 30
ENTRY INTO FORCE

This Agreement shall enter into force on the first day of the third month following the date of receipt of the last notification by which the Parties inform each other that the formalities legally required for the entry into force of this Agreement have been accomplished.

IN WITNESS THEREOF, the undersigned, duly authorized thereto by their respective governments, have signed this Agreement.

DONE at Québec on 3 June 2015, in two copies, each in the French and Polish languages, both texts being authentic.

FOR THE GOUVERNEMENT
DU QUÉBEC
CHRISTINE ST-PIERRE

FOR THE GOVERNMENT
OF THE REPUBLIC
OF POLAND
MAREK BUCIOR

SCHEDULE 2
(s. 2)

ADMINISTRATIVE ARRANGEMENT FOR THE
APPLICATION OF THE AGREEMENT ON SOCIAL
SECURITY BETWEEN THE GOUVERNEMENT
DU QUÉBEC

AND

THE GOVERNMENT OF THE REPUBLIC
OF POLAND

PURSUANT TO paragraph 1 of Article 19 of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland, signed at Québec, on 3 June 2015,

THE COMPETENT AUTHORITY OF QUÉBEC

AND

THE COMPETENT AUTHORITY OF THE
REPUBLIC OF POLAND

have set out the terms and conditions for implementing the Agreement and have agreed as follows:

PART I
GENERAL PROVISIONS

ARTICLE 1
DEFINITIONS

1. For the purposes of this Administrative Arrangement, the term “Agreement” means the Agreement on social security between the Gouvernement du Québec and Government of the Republic of Poland, signed at Québec, on 3 June 2015.

2. All other terms and expressions shall have the meaning given to them in the Agreement.

ARTICLE 2
LIAISON AGENCIES AND COMPETENT
INSTITUTIONS

1. As regards the Republic of Poland, the liaison agencies responsible for the implementation of the Agreement shall be:

(a) *Zakład Ubezpieczeń Społecznych, Centrala w Warszawie* (Social Insurance Institution, based in Warsaw), for the purposes of the legislation on social insurance, with the exception of social insurance for farmers;

(b) *Kasa Rolniczego Ubezpieczenia Społecznego, Centrala w Warszawie* (Agricultural Social Insurance Fund, based in Warsaw), for the purposes of the legislation on social insurance for farmers;

(c) *Zakład Ubezpieczeń Społecznych, Centrala w Warszawie* (Social Insurance Institution, based in Warsaw), for the purposes of Article 9 and paragraph 13 of Article 22 of the Agreement.

2. As regards the Republic of Poland, the competent institutions for the implementation of the Agreement shall be:

(a) *Zakład Ubezpieczeń Społecznych* (Social Insurance Institution), for the purposes of the legislation on social insurance, with the exception of social insurance for farmers;

(b) *Kasa Rolniczego Ubezpieczenia Społecznego* (Agricultural Social Insurance Fund), for the administration of the legislation concerning social insurance for farmers.

3. As regards Québec, the liaison agency responsible for the implementation of the Agreement shall be the Bureau des ententes de sécurité sociale of the Régie des rentes

du Québec (*Biuro do SPRAW porozumień w zakresie zabezpieczenia Społecznego Zakładu Emerytalno-Rentowego Québecu*).

4. As regards Québec, the competent institutions for the implementation of the Agreement shall be:

(a) the Régie des rentes du Québec (*Zakład Emerytalno-Rentowy Québecu*) for the implementation of the legislation concerning the Pension Plan;

(b) the Commission de la santé et de la sécurité du travail (*Komisja Zdrowia i Bezpieczeństwa Pracy*), for the implementation of the legislation on industrial accidents and occupational diseases.

ARTICLE 3 PROVISIONS RELATING TO THE LIAISON AGENCIES OR COMPETENT INSTITUTIONS

1. The competent authority of each Party may designate liaison agencies other than those referred to in Article 2. Where appropriate, the competent authority shall immediately inform the competent authority of the other Party.

2. The liaison agencies or competent institutions, referred to in Article 2, shall agree on procedures and forms necessary for the implementation of the Agreement and this Administrative Arrangement.

3. To facilitate the application of the Agreement and this Administrative Arrangement, the liaison agencies may agree to means of exchanging data electronically.

PART II PROVISIONS ON APPLICABLE LAW

ARTICLE 4 CERTIFICATE OF COVERAGE TO THE LEGISLATION

1. For the purposes of paragraph *b* of Article 6 and Articles 7 to 9 of the Agreement, the liaison agency or competent institution of the Party whose legislation is applicable shall issue, upon request from the employer or self-employed worker, a certificate of coverage to the legislation for a specific period confirming, in relation to a given work, that the worker and the employer or self-employed worker remain subject to that legislation. The worker, his employer, the self-employed worker and the liaison agency or competent institution of the other Party shall be authorized to receive a copy of this certificate.

2. The employer shall file a request for consent to the extension of the maximum period of detachment specified in Article 7 of the Agreement to the liaison agency of the Party whose legislation the employee is subjected to, before the end of the ongoing detachment period.

PART III PROVISIONS ON BENEFITS

ARTICLE 5 EXAMINATION OF THE CLAIM

1. When the liaison agency or competent institution of a Party receives a claim for a benefit pursuant to the legislation of the other Party, the liaison agency or competent institution of the first Party shall forward this claim without delay to the competent institution of the second Party, indicating the date of its filing.

2. The liaison agency or the competent institution of the first Party shall forward the claim with the available documents, necessary for the competent institution of the second Party to establish the claimant's right to a benefit.

3. The personal information contained on a claim form can be certified by the liaison agency or competent institution forwarding the claim, which exempts it from forwarding the supporting documents. The nature of the information referred to in this paragraph shall be agreed upon by the liaison agencies or competent institutions of the Parties.

4. In addition to the claim and documents referred to in paragraphs 1 and 2, the liaison agency or the competent institution of the first Party shall forward to the competent institution of the second Party the liaison form which includes, in particular, the periods of insurance completed under the legislation of the first Party.

5. The competent institution of the second Party shall establish the claimant's entitlement to the benefit and shall inform the competent institution of the first Party of its decision.

6. Copies of documents certified as true copies of the originals by the liaison agency or the competent institution of a Party shall be accepted as true copies of the originals by the liaison agency or the competent institution of the other Party.

ARTICLE 6
SAME TYPE OF WORK

For the purposes of paragraph 2 of Article 16 of the Agreement, upon request from the competent institution of a Party, the competent institution of the other Party shall confirm the period of exercise of the same type of work as that which contributed to the occupational disease.

ARTICLE 7
AGGRAVATION OF AN OCCUPATIONAL DISEASE

1. To establish the right to a benefit in case of aggravation of an occupational disease, the person referred to in paragraph 2 of Article 17 of the Agreement shall submit a claim to the competent institution of the Party whose legislation he or she was subjected to during the exercise of work likely to aggravate that disease.

2. The competent institution receiving the claim referred to in paragraph 1 shall be able to obtain from the competent institution of the other Party the necessary information related to the benefit paid by it.

PART IV
ADMINISTRATIVE AND MISCELLANEOUS
PROVISIONS

ARTICLE 8
MEDICAL ASSESSMENTS

1. For the purposes of paragraph 2 of Article 21 of the Agreement, the competent institution which has taken the necessary steps to ensure that medical assessments are carried out shall establish, at the end of each calendar year, a request for refund of the cost of medical assessments made during that calendar year, indicating the amount due, and shall forward it to the liaison agency or competent institution of the other Party.

2. The amount due must be reimbursed within six months from the date of receipt of the request referred to in paragraph 1.

ARTICLE 9
EXCHANGE OF STATISTICAL DATA

The liaison agencies or competent institutions of the Parties shall exchange annually statistical data on payments made in the territory of the other Party. These statistics shall include the number of beneficiaries and the total amount of benefits paid, broken down by type.

ARTICLE 10
ENTRY INTO FORCE AND DURATION

This Administrative Arrangement shall enter into force on the date of entry into force of the Agreement and its duration shall be the same as that of the Agreement.

DONE at Québec, on 3 June 2015, in two copies, each in the French and Polish languages, both texts being authentic.

FOR THE COMPETENT
AUTHORITY OF QUÉBEC
CHRISTINE ST-PIERRE

FOR THE MINISTER OF
LABOUR AND SOCIAL
POLICY THE REPUBLIC
OF POLAND
MAREK BUCIOR

103431

Gouvernement du Québec

O.C. 501-2018, 11 April 2018

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

**Agreement on Social Security between the
Gouvernement du Québec and the Government
of the Republic of Poland**

**— Approval of the Regulation respecting the
implementation of the provisions relating to
industrial accidents and occupational diseases**

Approval of the Regulation respecting the implementation of the provisions relating to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland

WHEREAS the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland and the consequential administrative arrangement were signed in Québec on 3 June 2015;

WHEREAS the National Assembly approved the Agreement on 10 February 2016;

WHEREAS the Commission des normes, de l'équité, de la santé et de la sécurité du travail must, by regulation, to give effect to the provisions in the Agreement relating to industrial accidents and occupational diseases, take the measures necessary for their application, in accordance with section 170 and subparagraph 39 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1);

WHEREAS, under Order in Council 808-2011 dated 3 August 2011, draft regulations of the Commission des normes, de l'équité, de la santé et de la sécurité du travail respecting the implementation of agreements on social security signed by the Gouvernement du Québec are excluded from the application of the Regulations Act (chapter R-18.1);

WHEREAS the Commission des normes, de l'équité, de la santé et de la sécurité du travail made the Regulation respecting the implementation of the provisions relating to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland at its sitting of 20 May 2016;

WHEREAS, under section 224 of the Act respecting occupational health and safety, the Regulation must be 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 respecting the implementation of the provisions relating to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the provisions relating to industrial accidents and occupational diseases contained in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland

An Act respecting occupational health and safety (chapter S-2.1, ss. 170 and 223, 1st par., subpar. 39)

1. Benefits under the Act respecting industrial accidents and occupational diseases (chapter A-3.001) and the regulations thereunder are extended to all persons referred to in the Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland, signed in Québec on 3 June 2015 and appearing as Schedule 1 to the Regulation respecting the implementation of the Agreement on Social

Security between the Gouvernement du Québec and the Government of the Republic of Poland, made by Order in Council 491-2018 dated 11 April 2018.

2. That Act and the regulations thereunder apply in the manner provided for in the Agreement and the Administrative Arrangement for its implementation, which appears in Schedule 2.

3. This Regulation comes into force on 1 September 2018.

103436

Gouvernement du Québec

O.C. 502-2018, 11 April 2018

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

Occupational health and safety —Amendment

Regulation to amend the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 7, 9 and 42 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, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting occupational health and safety 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, without amendment, the Regulation to amend the Regulation respecting occupational and safety 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 must be 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, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7, 9 and 42, and s. 224)

1. The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in section 25

(1) by replacing “comply with the CAN3-Z11 M81 Portable Ladders standard” in the first paragraph by “be manufactured and certified in accordance with CSA Z11 standard, Portable Ladders, applicable at the time of its manufacture”.

(2) by striking out the second paragraph.

2. The following is inserted after section 25:

“**25.1. Conditions of use:** The use of a portable ladder or a stepladder is permitted for work of short duration.

The type of portable ladder or a stepladder used shall be:

(1) chosen on the basis of the work to be performed or the work environment;

(2) inspected before its use to ensure that it is in good condition;

(3) placed near the work to be performed to avoid any unsteadiness;

(4) moved when it is closed or folded while avoiding any obstacle such as electrical wires.”.

3. Section 26 is amended

(1) by replacing “Operating conditions” by “Installation conditions”;

(2) by striking out paragraphs 7, 9 and 10;

(3) by inserting the following at the end:

“(12) if applicable, have the sections properly assembled and the locks properly engaged.”.

4. Section 27 is amended

(1) by replacing “Maximum length” by “Portable extension ladder”;

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

“Where the ladder is deployed, the raised section shall mandatorily be on top of the lower section at all times during use.”.

5. Section 28 is replaced by the following:

“**28. Stepladders:** Any stepladder used on a work site shall have the legs fully spread and the retaining device locked.”.

6. Section 29 is replaced by the following:

“**29. Prohibited usages:** It is prohibited:

(1) to use a portable ladder or a stepladder near an exposed electrical circuit, if it is made of metal or is metal-reinforced;

(2) to use a portable ladder or a stepladder as a horizontal support;

(3) to stand up on

(a) the last 2 rungs of a portable ladder;

(b) the top rung, on the pail shelf, on the rear section or on the top of a stepladder, except if it was so designed by the manufacturer;

(4) to use the intermediate or upper section of a multiple-section ladder or of an extension ladder as the lower section, unless such use is authorized by the manufacturer.”.

7. Section 30 is replaced by the following:

“**30. Safety precautions:** The worker shall:

(1) be facing the portable ladder or stepladder at all times;

(2) remain in the centre of the steps or rungs of the portable ladder or stepladder and comply at all times with the maximum height indicated by the manufacturer;

(3) maintain 3 points of contact while climbing or descending the portable ladder or stepladder, unless a means of protection against falls is used.”.

8. Section 32 is amended by striking out the second paragraph.

9. Section 167 is amended by inserting “portable” after “step ladders”.

10. Sections 247 and 273 are amended by inserting “permanent” before “ladder”.

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

103437

Gouvernement du Québec

O.C. 535-2018, 18 April 2018

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Issuance of competency certificates — Amendment

Regulation to amend the Regulation respecting the issuance of competency certificates

WHEREAS, under subparagraph 1 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, determine the qualifications required for the practice of each trade;

WHEREAS, under subparagraph 5 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of admission to apprenticeship and the various types of examinations, and of issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet;

WHEREAS, under subparagraph 6 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of issue and renewal of a journeyman competency certificate in respect of a trade or, as the case may be, of part of the activities of a trade;

WHEREAS, under subparagraph 8 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the cases where a person may be required to submit to

a competency evaluation examination or to undergo further vocational training, limit the practice of a trade or the carrying on of an occupation, as the case may be, while a person is undergoing vocational retraining, grant a determined period of time for undergoing required further vocational training, and determine the conditions of cancellation and reinstatement of a journeyman competency certificate and an occupation competency certificate;

WHEREAS, under subparagraph 9 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, provide for the cases in which it may and those in which it must grant an exemption from the obligation to hold a journeyman competency certificate, an occupation competency certificate or an apprentice competency certificate or apprenticeship booklet and determine, as the case may be, the criteria applicable to the granting or cancellation of such an exemption and the conditions to which the granting of such an exemption may be subject;

WHEREAS, under subparagraph 11 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the fee exigible for admission to the various types of examinations, for the issue or renewal of a journeyman competency certificate, an occupation competency certificate, an apprentice competency certificate and an apprenticeship booklet, and for the opening, analysis and processing of an employee training record or employee qualification record;

WHEREAS the Commission de la construction du Québec, after consultation with the Committee on vocational training in the construction industry, in accordance with the first paragraph of section 123.3 of the Act, made the Regulation to amend the Regulation respecting the issuance of competency certificates;

WHEREAS, under the first and second paragraphs of section 123.2 of the Act, a regulation of the Commission de la construction du Québec referred to in section 123.1 is recommended for approval to the Government, which may amend it;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 20 December 2017 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the issuance of competency certificates, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the issuance of competency certificates

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 1, 5, 6, 8, 9 and 11)

1. The Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended in section 1 by striking out the third paragraph.

2. The following is inserted after section 1.1:

“**1.1.1.** The Commission indicates in the valid journeyman competency certificate of a person who has passed the qualification examination provided for in Division IV of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) the shared activity for which the person is qualified.”

3. The following is inserted after section 2.2:

“**2.3.** The Commission issues an apprentice competency certificate corresponding to the trade of crane operator in any of the cases provided for and to a person referred to in sections 2, 3 and 8.3, and in subparagraph 5 of the first paragraph of section 14, where the person

(a) meets the admission requirements prescribed in basic school regulations made under the Education Act (chapter I-13.3), for a program of study leading to a vocational training diploma (DEP) pertaining to the trade of crane operator; and

(b) obtains from an employer registered with the Commission and in the manner provided for by the Commission, a guarantee of employment for not less than 150 hours over a period not exceeding 3 months during which the employer undertakes, towards that person, to implement the enterprise training plan provided for in section 4.1 of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) or, in the case of the person referred

to in paragraph 4 of section 2 other than the designated representative, undertakes for a period of 150 hours over a period not exceeding 3 months, to follow, within the enterprise, that training plan.

In the case of a designated representative, the certificate issued is no longer valid if its holder ceases to be the employer’s designated representative.

In the case of a person referred to in subparagraph 5 of the first paragraph of section 14, the Commission may issue only 1 apprentice competency certificate for the same employer.”

4. Section 3.2 is replaced by the following:

“**3.2.** Where a person fails the examination provided for in section 4.2 of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) or does not undergo the examination within the period prescribed by section 4.3 of that Regulation, the Commission may not issue an apprentice competency certificate corresponding to the trade of crane operator to that person, except if the application for the issuance is filed in accordance with section 2.1 of this Regulation.”

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

“Qualification for a shared activity may be renewed if it is proven, in the manner provided for by the Commission, that the holder has performed the shared activity for the number of hours indicated in Schedule E to the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) for that shared activity.”

6. Section 6 is replaced by the following:

“**6.** The competency certificate issued initially upon application by an employer who files a workforce request with a guarantee of employment or under section 2.3 bears an expiry date corresponding to the last day of the fourth full month following that of its issuance and it includes the employer’s name. It is replaced by a certificate which expires 1 year after that replacement where the Commission ascertains, in the employer’s monthly reports, that the holder has worked the required 150 hours and, in the case of an apprentice competency certificate corresponding to the trade of crane operator issued under section 2.3, that the holder has passed the examination provided for in section 4.2 of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8).”

7. Section 7 is amended by inserting “2.3,” after “under section 2.”

8. Section 14 is amended by adding the following paragraph:

“The Commission may not exempt a person from the obligation to hold an apprentice competency certificate corresponding to the trade of crane operator under this section, except where subparagraph 2 or 3 of the first paragraph applies.”

9. Section 19 is amended by replacing “skills” by “activities”.

10. Section 24.3 is amended by inserting “or in section 5.8” after “section 5”.

11. Section 24.5 is replaced by the following:

“**24.5.** A fee of \$100 is exigible to register for a qualification examination referred to in section 1.1 or 1.1.1, for an examination referred to in section 6 or for a competency assessment examination referred to in section 12.”

12. Section 28.15 is revoked.

13. This Regulation comes into force on 14 May 2018.

103442

Gouvernement du Québec

O.C. 536-2018, 18 April 2018

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Construction industry — Vocational training of the workforce — Amendment

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

WHEREAS, under subparagraph 1 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, determine the qualifications required for the practice of each trade;

WHEREAS, under subparagraph 2 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the activities included in a trade;

WHEREAS, under subparagraph 5 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of admission to apprenticeship and the various types of examinations, and of issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet;

WHEREAS, under subparagraph 14 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, generally, adopt any other related or suppletive provision considered necessary to give effect to the provisions of that section and of the Act with respect to vocational training;

WHEREAS the Commission de la construction du Québec, after consultation with the Committee on vocational training in the construction industry, in accordance with the first paragraph of section 123.3 of the Act, made the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry;

WHEREAS, under the first and second paragraphs of section 123.2 of the Act, a regulation of the Commission de la construction du Québec referred to in section 123.1 is recommended for approval to the Government, which may amend it;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 20 December 2017 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 1, 2, 5 and 14)

1. The Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) is amended in section 1 by inserting the following definition:

““shared activity” means an activity included in the definition of a trade, provided for and described in Schedule E, which may be performed by a journeyman of another trade or of a specialty (*activité partagée*).”

2. Section 4 is amended by adding the following at the end of the first paragraph:

“A person authorized to perform a shared activity may do so only in direct connection with the trade or specialty indicated in the person’s journeyman competency certificate. Where the person performs a shared activity, the person is deemed to practise the trade for which the person is qualified and that is indicated in the person’s journeyman competency certificate.»

3. The following is inserted after section 4:

“DIVISION III.1 VALIDATION OF THE PREQUALIFICATION FOR THE TRADE OF CRANE OPERATOR

4.1. The Commission establishes an enterprise training plan that a person must follow in the cases and on the conditions provided for in the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) to be admitted to the apprenticeship of the trade of crane operator.

The implementation of that training plan must allow the person to acquire the minimum skills required for the apprenticeship of the trade of crane operator and the passing of the prequalification examination provided for in section 4.2 allowing the person to continue that apprenticeship.

4.2. A person holding a valid apprentice competency certificate corresponding to the trade of crane operator and issued under section 2.3 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is eligible to sit for the prequalification examination relating to the acquisition of the minimum skills required for the apprenticeship of the trade of crane operator, as soon as that person has worked the 150 hours in accordance with section 2.3.

4.3. A person who is eligible to sit for the prequalification examination referred to in section 4.2 must register for that purpose with the Commission, pay the fees fixed by the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) and undergo that examination not later than the last day of the fourth full month following the issuance of the apprentice competency certificate corresponding to the trade of crane operator.

4.4. Sections 8 and 10 apply, with the necessary modifications, to the prequalification examination referred to in section 4.2.

4.5. If a person fails the prequalification examination referred to in section 4.2, the Commission cancels, if applicable, the person’s apprentice competency certificate corresponding to the trade of crane operator.”

4. The following is inserted after section 5.7:

“**5.8.** A person holding a valid journeyman competency certificate corresponding to a trade or a specialty provided for in Schedule E, who has successfully completed the professional training recognized by the Commission for a shared activity, is eligible to sit for the qualification examination related to that shared activity.”

5. Section 7 is replaced by the following:

“**7.** The qualification examination pertains to the trade, specialty or shared activity.”

6. Section 18 is amended by adding “or to a shared activity provided for in Schedule E” after “Schedule C or D”.

7. The following is added after Schedule D:

“**SCHEDULE E**
(ss. 4 and 5.1)

SHARED ACTIVITIES

SHARED ACTIVITIES		PERSON ELIGIBLE TO SIT FOR THE QUALIFICATION EXAMINATION	ANNUAL NUMBER OF HOURS FOR MAINTAINING QUALIFICATION
Activities concerned	Conditions		
Crane operator	Load displacement with a boom truck.	The holder of a journeyman competency certificate corresponding to any trade or specialty.	50 hours
	<p>The activity must be performed</p> <p>– for the sole purpose of displacing materials, equipment or refuse used for or resulting from work performed in the holder’s trade;</p> <p>– taking into account that the displacement is only toward a temporary storage point and excludes the final installation of materials or equipment;</p> <p>– on a boom truck with a maximum capacity of 30 tonnes, having only one fixed control station.</p>		

”.

8. This Regulation comes into force on 14 May 2018.

103441

Draft Regulations

Draft Regulation

Health Insurance Act
(chapter A-29)

Hearing devices and insured services — 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 hearing devices and insured services, 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 update certain types of hearing aids whose coverage is assumed by the Régie de l'assurance maladie du Québec in order to better meet the needs of insured persons with a hearing deficiency.

The measures proposed by this draft regulation have no bearing on enterprises and, in particular, on small or medium-sized enterprises.

Further information concerning this draft regulation may be obtained by contacting Hugues Boulanger of the Service de l'évolution des programmes hors du Québec, des aides techniques et financières, Direction des programmes hors du Québec, des aides techniques et financières, Régie de l'assurance maladie du Québec, 1125, Grande-Allée Ouest, 2^e étage, Québec (Québec) G1S 1E5, telephone: 418 682-5190, email address: hugues.boulanger@ramq.gouv.qc.ca, Judith Lavoie of the Direction des services en déficience et en réadaptation physique, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1S 2M1, telephone: 418 266-2277, email address: judith.lavoie@msss.gouv.qc.ca

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

LUCIE CHARLEBOIS,
*Minister for Rehabilitation, Youth Protection,
Public Health and Healthy Living*

GAÉTAN BARRETTE,
Minister of Health and Social Services

Regulation to amend the Regulation respecting hearing devices and insured services

Health Insurance Act
(chapter A-29, s. 69, first para. subpara. h.2)

1. The Regulation respecting hearing devices and insured services (chapter A-29, r. 2) is amended at section 1:

(1) by replacing the definition of “assistive listening device” with the following:

““assistive listening device”: means the aids and devices in the text transmission category, of the following types: TTYs (TDDs), TTYs with large display or Braille display, portable VCO (voice carry over) TTYs, and TTY modems; the aids and devices in the sound transmission category, of the following types: telephone amplifiers, wireless sound transmission personal communication system, personal amplifiers or wireless sound transmission and amplification systems for television; the aids and devices in the environmental control systems category, of the following types: visual and tactile aids, adapted alarm clocks (visual), adapted alarm clocks (tactile), and adapted alarm clocks (for deaf-blind persons. In the latter category, the visual and tactile aids and devices include telephone monitors, door monitors, fire alarm monitors, smoke detector monitors, sound monitors, baby crib monitors and signal receivers;”;

(2) by replacing the definition of “hearing aid” with the following:

““hearing aid”: the aids and devices in the digital category and in-the-ear hearing aids and behind-the-ear hearing aids;”;

(3) by deleting the definitions of “BI-FROS”, “CRIS-CROS”, “focal-CROS”, “FROS”, “high-CROS”, “IROS”, “mini-CROS”, “multi-CROS”, “open-BI-CROS” and “Unis-CROS”.

2. Section 2 of this regulation is amended:

(1) by deleting, in subparagraph (a) of paragraph (1) of the first paragraph, the words “and its variations (FROS, high-CROS, mini-CROS, focal-CROS and power-CROS)”;

(2) by deleting, in subparagraph (b) of paragraph (1) of the first paragraph, the words “and its variations (BI-FROS, open BI-CROS and multi-CROS)”;

(3) by deleting paragraph (c) of the second paragraph.

3. Section 30 of this regulation is amended:

(1) by deleting, in paragraph (5) of the first paragraph, the words “the magnetic loop or”;

(2) by deleting paragraph (1) of the second paragraph;

(3) by replacing paragraph (6) of the second paragraph with the following:

“(6) a wireless sound transmission personal communication system.”;

(4) by deleting paragraph (8) of the second paragraph;

(5) by replacing paragraph (9) of the second paragraph with the following:

“(9) a wireless transmission and sound amplification system for television.”;

(6) by deleting paragraph (10) of the second paragraph;

(7) by inserting, after the word “fire” in paragraph (13) of the second paragraph, the words “or smoke”.

4. Section 32 of this regulation is deleted.

5. Section 37 of this regulation is amended by replacing the words “frequency modulation system” with the words “wireless sound transmission personal communication system”.

6. Section 39 of this regulation is revoked.

7. Section 40 of this regulation is amended:

(1) by replacing, in the first paragraph, the words “wireless frequency modulation amplification system or wireless infrared amplification system” with the words “wireless transmission and sound amplification system”;

(2) by replacing, in the second paragraph, the words “wireless amplification” with the words “wireless transmission and sound amplification”.

8. Section 40.1 of this regulation is revoked.

9. Section 42 of this regulation is amended by replacing, in the fourth paragraph, the word “fire” with the words “fire or smoke alarm”.

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

103438

Notices

Notice

An Act respecting transport infrastructure partnerships
(chapter P-9.001)

P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee Schedule

In compliance with Article 5 of the Regulations for toll roads operated under a public-private partnership agreement, Concession A25 S.E.C. publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective on the P-15020 Bridge of Highway 25 that spans the Rivière des Prairies on June 1st 2018.

TOLL CHARGES																
PERIODS	WORKING DAYS								WEEK-ENDS & HOLIDAYS							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
SOUTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
NORTHBOUND	6:01 AM	9:00 AM	9:01 AM	3:00 PM	3:01 PM	6:00 PM	6:01 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
Category A, rate per axle	\$ 80.00		\$ 80.00		\$ 80.00		\$ 80.00				\$ 80.00				\$ 80.00	
Category B, rate per axle	\$ 1.67		\$ 1.17		\$ 1.67		\$ 1.17				\$ 1.17				\$ 1.17	
Category C, rate per axle	\$ 3.34		\$ 2.34		\$ 3.34		\$ 2.34				\$ 2.34				\$ 2.34	

PHAM: Peak Hour - Morning
OPHD: Off Peak Hour - Daytime
PHPM: Peak Hour - Evening
OPHN: Off Peak Hour - Night

TYPE OF VEHICLE	DESCRIPTION
Category A	Any oversized vehicle according to Article 462 of the Highway Safety Code
Category B	Any road vehicle not covered by Category A with a height less than 230 cm
Category C	Any road vehicle not covered by Category A with a height equal to or greater than 230 cm

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING AND EQUIPPED WITH A WORKING TRANSPONDER *				
●	Administrative fees for a customer account using the automatic replenishment method	\$ 1.11	\$ 1.11	\$ 1.11
●	Administrative fees for a customer account using the manual replenishment method	\$ 2.77	\$ 2.77	\$ 2.77
MONTHLY ADMINISTRATIVE FEES FOR EACH VEHICLE REGISTERED TO A USER ACCOUNT IN GOOD STANDING BUT NOT EQUIPPED WITH A TRANSPONDER *				
●	Collection fees for every transit on the A25 Bridge in addition to all toll charges incurred for the vehicle transit	\$ 3.33	\$ 3.33	\$ 3.33
ADMINISTRATIVE FEES FOR ANY TRANSIT OF A VEHICLE UNREGISTERED TO A CUSTOMER ACCOUNT				
●	Administrative fees for the collection of toll charges (first payment request) for every transit on the A25 Bridge, in addition to all toll charges incurred for the vehicle transit	\$ 5.55	\$ 5.55	\$ 5.55
●	Administrative fees related to the collection of toll charges (second toll notice) for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle, pursuant to article 17 of the Act respecting transport infrastructure partnerships.	\$ 35.00	\$ 35.00	\$ 35.00

* Fees that apply to any transit of a vehicle registered to a customer account that is not in good standing are the same fees that apply to any transit of a vehicle that is not registered to a customer account

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
COLLECTION FEES FOR ANY TRANSIT OF A ROAD VEHICLE REGISTERED OUTSIDE THE PROVINCE OF QUEBEC				
●	Administrative fees related to the collection of toll charges (second toll notice) for every transit on the A25 Bridge in addition to all toll charges and administrative fees incurred for the transit of a vehicle, pursuant to article 17 of the Act respecting transport infrastructure partnerships.	\$ 38.87	\$ 38.87	\$ 38.87

INTEREST RATE				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
	Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Interest rate of 1.2% per month, compounded monthly **, or 14.4% annually		

** This monthly interest rate cannot exceed the per diem rate for Canadian bankers' acceptance of a month quoted on CDOR page of Reuter's Monitor Service by 10 AM on the date on which the amount becomes payable bearing interest for the first time, which is increased by 4%.

DANIEL TOUTANT, eng., M. eng., FSCGC,
The President and Chief Executive Officer of Concession A25 S.E.C.

103440

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

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Health Insurance Act — Hearing devices and insured services	1781	Draft
(chapter A-29)		
Hearing devices and insured services	1781	Draft
(Health Insurance Act, chapter A-29)		
Hunting activities	1760	M
(An Act respecting the conservation and development of wildlife, chapter C-61.1)		
Hunting and fishing controlled zones	1761	M
(An Act respecting the conservation and development of wildlife, chapter C-61.1)		

Issuance of competency certificates. (An Act respecting labour relations, vocational training and workforce management in the construction industry, chapter R-20)	1776	M
Labour relations, vocational training and workforce management in the construction industry, An Act respecting... — Construction industry — Vocational training of the workforce (chapter R-20)	1778	M
Labour relations, vocational training and workforce management in the construction industry, An Act respecting... — Issuance of competency certificates (chapter R-20)	1776	M
List of Bills sanctioned (20 March 2018)	1751	
Occupational health and safety (An Act respecting occupational health and safety, chapter S-2.1)	1774	M
Occupational health and safety, An Act respecting... — Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland — Approval of the Regulation respecting the implementation of the provisions relating to industrial accidents and occupational diseases (chapter S-2.1)	1773	N
Occupational health and safety, An Act respecting... — Occupational health and safety (chapter S-2.1)	1774	M
P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee schedule. (An Act respecting transport infrastructure partnerships, chapter P-9.001)	1783	Notice
Québec Pension Plan, An Act respecting the... — Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland — Ratification and making of the Regulation respecting the implementation of that Agreement. (chapter R-9)	1762	N
Real Estate Brokerage Act — Real Estate Indemnity Fund and determination of the professional liability insurance premium (chapter C-73.2)	1759	M
Real Estate Indemnity Fund and determination of the professional liability insurance premium. (Real Estate Brokerage Act, chapter C-73.2)	1759	M
Tax Administration Act — Agreement on Social Security between the Gouvernement du Québec and the Government of the Republic of Poland — Ratification and making of the Regulation respecting the implementation of that Agreement. (chapter A-6.002)	1762	N
Transport infrastructure partnerships, An Act respecting... — P-15020 Bridge of Highway 25 that spans the Rivière des Prairies — Fee schedule (chapter P-9.001)	1783	Notice
Youth Protection Act and other provisions, An Act to amend the... — Coming into force of certain provisions of the Act (2017, chapter 18)	1757	