

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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### Summary

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## Regulations and other acts

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Gouvernement du Québec

### O.C. 690-96, 12 June 1996

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10)

#### Application of Title IV.2 of the Act

Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS sections 215.12 and 215.13 provided for in Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), made by section 41 of Chapter 70 of the Statutes of 1995, empower the Government to make regulations providing for special measures applicable to persons belonging to a category or subcategory determined by such regulation;

WHEREAS under section 215.14 of that Act, made by that section 41, the Government may determine the date on which each of the measures enacted pursuant to Title IV.2 begins to apply and may determine the expiry date of each measure, except with respect to a person who has availed himself of that measure;

WHEREAS under section 215.15 of that Act, made by that section 41, each measure enacted pursuant to Title IV.2 shall be financed in the manner prescribed by regulation, which may vary according to the category or subcategory to which the person belongs;

WHEREAS under section 215.17 of that Act, made by that section 41, no order or regulation issued or made pursuant to Title IV.2 may have effect earlier than 12 months prior to its issue or making;

WHEREAS to act on the agreement reached on 6 September 1995 between the Government and the major unions or associations representing the employees, it is expedient to make such a regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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### Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan

An Act respecting the Government and Public Employees Retirement Plan  
(R.S.Q., c. R-10, ss. 215.12, 215.13 and 215.17; 1995, c. 70, s. 41)

#### CHAPTER I

#### COMPUTATION OF PENSIONABLE SALARY, CREDITED SERVICE, CONTRIBUTIONS AND CONTRIBUTORY AMOUNTS FOR THE PURPOSES OF CERTAIN PENSION PLANS AND PURSUANT TO CERTAIN PROVISIONS OF THE CONDITIONS OF EMPLOYMENT

**1.** This Chapter applies to persons who are members of one of the retirement plans listed in Schedule I.

**2.** The application of the provisions of a collective agreement or of that which stands in lieu thereof within the meaning of the Labour Code (R.S.Q., c. C-27) in respect of alternative work schedules allowing a person to reduce the time worked at his duties shall not result in a reduction of the service or salary used for the purposes of one of the pension plans referred to in section 1, where the person has accomplished at least 36 months of service with an employer contemplated by one of the plans.

To that end, a person's service is the service which would have been credited to him and his pensionable salary is the pensionable salary which he would have received or which, for a period in respect of which salary insurance applies or where the person did not take maternity leave, he or she would have been entitled to receive, had it not been for the application of such provisions. Contributions shall be paid to the Commission administrative des régimes de retraite et d'assurances

in accordance with the provisions of the pension plan in question. The same applies to any contributory amounts that must be paid by employers.

**3.** The granting of leave without pay under one of the agreements listed in Schedule II shall not result in the reduction of the service or salary used for the purposes of one of the pension plans referred to in section 1.

To that end, a person's service is the service which would have been credited to him and his pensionable salary is the pensionable salary which he would have received, had such leave not been granted. Contributions shall be paid to the Commission in accordance with the provisions of the pension plan in question. The same applies to any contributory amounts that must be paid by employers.

**4.** The service and the salary used for the purposes of one of the pension plans referred to in section 1 shall not be reduced during the days and parts of a day of a person's leave without pay where the person's conditions of employment provide for payment of a contribution in accordance with his pension plan during the time he benefits therefrom. To that end, a person's service is the service which would have been credited to him and his pensionable salary is the pensionable salary which he would have received, had such leave not been granted. Contributions shall be paid to the Commission in accordance with the provisions of the pension plan in question. The same applies to any contributory amounts that must be paid by employers.

## CHAPTER II TRANSFER OF BENEFITS IN THE CASE OF A PERSON ENTITLED ONLY TO A DEFERRED PENSION

**5.** Except in the case of a pensioner, a person who, after 31 December 1995, ceases to be a member of the Government and Public Employees Retirement Plan, the Teachers Pension Plan or the Civil Service Superannuation Plan and who is entitled only to a deferred pension is entitled to have transferred to a locked-in retirement account or a life income fund the higher of the following amounts, where he applies therefor after the expiry of 210 days from the date on which he was last a member within the meaning of his pension plan but before the earliest date on which he may anticipate payment of his deferred pension:

(1) the total contributions, with any interest accrued up to the date on which the application is received, in accordance with his pension plan; or

(2) the actuarial value of his pension, established on that date in accordance with the actuarial assumptions and methods prescribed in Schedule III.

Where the person referred to in the first paragraph ceases to be a member within the meaning of his pension plan in the 12 months preceding the earliest date on which he may anticipate payment of his deferred pension, he is entitled to the transfer provided for in the first paragraph after the expiry of the 210-day period prescribed therein but no later than 12 months following the date on which he ceases to be a member within the meaning of his pension plan.

For the purposes of this section,

(1) contributions to the Government and Public Employees Retirement Plan include the sums referred to in section 50 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), with the exception of the sums paid by the person or transferred to that plan and for which the person has obtained a pension credit, and in establishing the total of such contributions, the second paragraph of section 55 and section 58 of that Act are taken into account. In addition, where section 99 of that Act applies, the contributions and the actuarial value of the pension applying to the years and parts of a year of service credited under sections 85.1, 85.3 and 98 of that Act are excluded; and

(2) contributions to the Teachers Pension Plan include the amounts referred to in section 58 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), and contributions to the Act respecting the Civil Service Superannuation Plan include the amounts referred to in section 82.1 of the Civil Service Superannuation Plan (R.S.Q., c. R-12).

The amount referred to in the first paragraph bears interest compounded annually at the rate determined for each period by Schedule VI to the Act respecting the Government and Public Employees Retirement Plan, from the date on which the application is received until the date on which the transfer is made. In case of death, that amount, with the interest accrued, is paid to the spouse or, where there is no spouse, to the assigns.

The expressions "locked-in retirement account" and "life income fund" have the meaning assigned to them by the Regulation respecting supplemental pension plans, approved by Order in Council 1158-90 dated 8 August 1990.

**6.** Where a person avails himself of section 5, the actuarial value of any pension credit obtained under his pension plan, established on the date on which the application is received in accordance with the actuarial assumptions and methods prescribed in Schedule IV, shall be transferred, where applicable, to a locked-in retirement account. That value bears interest at the rate and in the manner prescribed in the fourth paragraph of section 5. In case of death, that value, with the interest accrued, is paid to the spouse or, where there is no spouse, to the assigns.

**7.** An amount transferred under section 5 and, where applicable, under section 6 shall not exceed the upper limit established for that purpose under the Income Tax Act (R.S.C., 1985, c. 1 (5<sup>th</sup> Supp.)). Where the amount exceeds that upper limit, the amount in excess shall be reimbursed to the person. In case of death, that amount in excess is paid to the spouse or, where there is no spouse, to the assigns. Such transfer and, where applicable, such reimbursement cancel entitlement to any other benefit, advantage or reimbursement provided for by the pension plan under which they are made.

**8.** A person who avails himself of section 5 and, where applicable, of section 6 and who, for not less than three months, has held or again held pensionable employment under the Government and Public Employees Retirement Plan may cause to be credited to the pension plan of which he was a member before the date of transfer the years or parts of a year of service that were credited to him before that date, where the person applies therefor and pays an amount equal to the amount transferred to him and, where applicable, reimbursed to him, with interest compounded annually at the rate determined for each period by Schedule VI to the Act respecting the Government and Public Employees Retirement Plan. The interest runs from the date of the transfer and, where applicable, of the reimbursement until the date of the redemption proposal made by the Commission in accordance with the pension plan under which the transfer and, where applicable, the reimbursement are made.

The amount established under the first paragraph is payable on the date of expiry of the redemption proposal, in a cash sum taken from the amounts in a registered retirement savings plan or a registered pension plan within the meaning of the Income Tax Act.

The person may also be credited with the years or parts of a year of service with which he had been credited before the date of the transfer and, where applicable, of the reimbursement of the amount referred to in section 6, and the first and second paragraphs apply *mutatis mutandis*. The person is then entitled to a pen-

sion credit equal to the pension credit to which he would have been entitled had he never received that transfer and, where applicable, that reimbursement.

Any amount paid to the Commission pursuant to the first, second or third paragraph shall be deposited with the Caisse de dépôt et placement du Québec or, where applicable, with the consolidated revenue fund, depending on the source of the amounts constituting its actuarial value at the time of transfer and, where applicable, of the first reimbursement.

### CHAPTER III ANTICIPATION OF A DEFERRED PENSION

#### DIVISION I GENERAL

**9.** A person who, after 31 December 1995, ceases to be a member of the Government and Public Employees Retirement Plan, the Teachers Pension Plan or the Civil Service Superannuation Plan and who is entitled only to a deferred pension may anticipate payment of that pension on the date of his fifty-fifth birthday or thereafter.

**10.** To avail himself of section 9, a person shall apply therefor to the Commission and shall retire from the date on which the application is received or, where applicable, from any later date indicated therein but not later than the date of his sixty-fifth birthday or, in the case of a female teacher or a female officer, her sixtieth birthday.

#### DIVISION II GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**11.** The annual amount of a deferred pension under the Government and Public Employees Retirement Plan payment of which is anticipated under this Chapter shall be established as follows:

(1) by computing such pension in the same manner as the pension granted under that plan, irrespective of the limit provided for in subparagraph 2 of the first paragraph of section 35 of the Act respecting the Government and Public Employees Retirement Plan;

(2) by indexing annually the pension obtained under paragraph 1 by the rate of increase in the Pension Index determined by the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), from 1 January following the date on which the employee ceases to be a member of the plan until 1 January of the year in which he retires. However, the part of the pension that applies to the years of service credited after 31 December 1991 shall not, on

the date of the person's retirement, exceed the amount obtained by adding the following amounts:

(a) the amount obtained by multiplying the upper limit for the benefits determined, applicable for the year in which the person retires and established under the Income Tax Act, by the number of years of service credited after 31 December 1991; and

(b) the amount obtained by computing the reduction provided for in section 39 of the Act respecting the Government and Public Employees Retirement Plan, counting only the years of service credited after 31 December 1991;

(3) by reducing the amount obtained under paragraph 2, during the pension payment period, by 1/3 of 1 % per month, computed for each month between the date of the employee's retirement and the date of his sixty-fifth birthday;

(4) by reducing the amount obtained under paragraph 3 by the amount obtained under the first paragraph of section 39 of that Act, with the latter amount being indexed in the manner prescribed in paragraph 2 and reduced in the manner prescribed in paragraph 3; and

(5) by applying to the amount obtained under paragraph 4, on the date of the employee's retirement, the second paragraph of section 54 of that Act.

Where an employee makes the election provided for in section 43.1 of that Act, the pension obtained under the first paragraph shall be reduced by 2 %.

**12.** The adjustment on 1 January following the date of the employee's retirement as a result of the indexing prescribed in section 77 of that Act shall be made proportionately to the number of days for which the pension was paid during the year in which the employee retired, in relation to the total number of days in that year.

**13.** Where the provisions of that Act pertaining to a pensioner's return to work apply to the pension of an employee who anticipated payment thereof under this Chapter, that pension, for the purposes of section 119 of that Act, shall be recomputed as follows:

(1) by recomputing the pension in accordance with the provisions of the Government and Public Employees Retirement Plan, to take into account the pensioner's pensionable salary and the years of service credited to him for the period during which the pension ceases to be paid;

(2) by reducing the amount obtained under paragraph 1, during the pension payment period, by the percentage of actuarial reduction that applied to the pension on the date of retirement; and

(3) by reducing the amount obtained under paragraph 2 by the amount obtained under the first paragraph of section 39 of that Act, with the latter amount being reduced by the percentage referred to in paragraph 2.

### **DIVISION III** **TEACHERS PENSION PLAN**

**14.** The annual amount of a deferred pension under the Teachers Pension Plan payment of which is anticipated under this Chapter shall be established as follows:

(1) by computing such pension in the same manner as the pension granted under that plan;

(2) by reducing the amount obtained under paragraph 1, during the pension payment period, by 0.5 % per month, computed for each month between the date of the teacher's retirement and the date of his sixty-fifth birthday or, in the case of a female teacher, her sixtieth birthday; and

(3) by reducing the amount obtained under paragraph 2 by the amount obtained under the first paragraph of section 38 of the Act respecting the Teachers Pension Plan, with the latter amount being reduced, during the pension payment period, by 0.5 % per month, computed for each month between the date of the teacher's retirement and the date of his sixty-fifth birthday.

### **DIVISION IV** **CIVIL SERVICE SUPERANNUATION PLAN**

**15.** The annual amount of a deferred pension under the Civil Service Superannuation Plan payment of which is anticipated under this Chapter shall be established as follows:

(1) by computing that pension in the same manner as the pension granted under that plan;

(2) by reducing the amount obtained under paragraph 1, during the pension payment period, by 0.5 % per month, computed for each month between the date of the officer's retirement and the date of his sixty-fifth birthday or, in the case of a female officer, her sixtieth birthday; and

(3) by reducing the amount obtained under paragraph 2 by the amount obtained under the first paragraph of section 63.3 of the Act respecting the Civil Service Superannuation Plan, with the latter amount being reduced, during the pension payment period, by 0.5 % per month, computed for each month between the date of the officer's retirement and the date of his sixty-fifth birthday.

#### CHAPTER IV COMPENSATION FOR ACTUARIAL REDUCTION

##### **16.** This Chapter applies to a person

(1) who ceases to be a member of the Pension Plan of Peace Officers in Correctional Services, the Government and Public Employees Retirement Plan, the Teachers Pension Plan or the Civil Service Superannuation Plan after 31 December 1995 but no later than on the date of renewal of the collective agreements in force on 29 June 1998 and applicable to employees in the public and parapublic sectors;

(2) who is entitled to a reduced pension under one of those plans;

(3) whose employer is required to submit an application to the Commission in order for the provisions of this Chapter to apply; and

(4) who retires the day after the day on which he ceases to be a member of his pension plan.

Notwithstanding subparagraph 3 of the first paragraph, this Chapter applies to a person who meets the other conditions provided for in that paragraph, where the person applies therefor to the Commission.

**17.** The amount of the pension and, where applicable, of the pension credit of a person referred to in section 16 shall be increased by an amount equal to the actuarial reduction redeemed under section 18. To that end, an employer referred to in subparagraph 3 of the first paragraph of section 16 shall, in accordance with section 18, pay an additional contributory amount into the pension plan of which the person is a member.

The first paragraph applies within the limits allowed under the Income Tax Act.

**18.** The employer of a person referred to in the first paragraph of section 16 shall pay to the Commission, no later than on the date on which the person ceases to be a member within the meaning of his pension plan, all or part of the amount established on the date of the person's retirement in accordance with the actuarial assumptions and methods prescribed in Schedule III.

Where the employer pays only part of the amount referred to in the first paragraph, the person referred to in the first paragraph of section 16 may, within 60 days following the day on which he ceases to be a member within the meaning of his pension plan, pay all or part of any amount that the employer might have paid. A person referred to in the second paragraph of section 16 may, within the same time, pay all or part of the amount referred to in the first paragraph.

Any amount paid by the person under the second paragraph shall be taken from a registered retirement savings plan or a registered pension plan within the meaning of the Income Tax Act or from the part of his retirement allowance that may be transferred to such a plan in accordance with that Act.

**19.** For the purposes of the payment of benefits, the indexing of a pension or the adjustment of a pension credit, an amount equal to the actuarial reduction redeemed under section 18 shall be added to the pension or, where applicable, to the pension credit and shall be divided proportionately to the amount paid in relation to the amount established under that section for each part of the pension or pension credit.

**20.** Any amount paid under section 18 shall be paid into the various funds of the Caisse de dépôt et placement du Québec or the consolidated revenue fund in accordance with the proportions used for the purposes of section 19.

**21.** Where a pensioner under the Pension Plan of Peace Officers in Correctional Services, the Government and Public Employees Retirement Plan, the Teachers Pension Plan or the Civil Service Superannuation Plan holds or again holds pensionable employment under the Pension Plan of Peace Officers in Correctional Services or the Government and Public Employees Retirement Plan, the amount added to his benefit shall cease to be paid in the same proportion and in the same manner as the benefit ceased to be paid to him. Where applicable, that amount shall continue to be indexed or shall be increased as if the benefit were being paid for the period during which it is not paid and shall again be added to the benefit indexed, increased or recomputed in accordance with his pension plan once payment of the benefit recommences.

**22.** Any upward or downward revision of the amount of a benefit being paid shall not result in a revision of the amount added under section 17, except where an upward revision of that benefit amount results from the retroactive application of the provisions of Title IV.1 of the Act respecting the Government and Public Employees Retirement Plan. In the latter case, any amount paid in excess to the Commission under section 18 shall be

reimbursed to the employer or the employee proportionately to the amounts paid respectively by them, with interest at the rate determined for each period under Schedule VI to that Act and from the date on which payment is made to the Commission until the date of the reimbursement.

**23.** This Chapter does not apply where a person dies before his benefit becomes payable.

## CHAPTER V ELIGIBILITY CRITERIA AND SPECIAL PROVISIONS IN RESPECT OF THE COMPUTATION AND PAYMENT OF CERTAIN PENSIONS

### DIVISION I GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**24.** For the purposes of eligibility or the computation and payment of a pension or pension credit granted under the Government and Public Employees Retirement Plan to an employee who ceases to be a member of that plan after 31 December 1995 but is eligible for a reduced pension under section 38 of the Act respecting the Government and Public Employees Retirement Plan, that Act shall be read by incorporating the special provisions provided for in this Division.

**25.** The following sections are substituted for sections 33 and 35 of that Act, respectively:

“**33.** An employee is entitled to a pension where, at the time he ceases to be a member of the plan, he meets one of the following criteria:

(1) he has attained normal retirement age, that is, 65 years of age;

(2) he has 10 or more years of service and is 62 years of age or over;

(2.1) he has 35 or more years of service and is 55 years of age or over;

(2.2) he has 20 or more years of service and is 60 years of age or over;

(3) he has, in years of age and years of service, a combined total of 90 or more; or

(4) he has attained 55 years of age.

The pension shall be granted to him on the date on which he retires in accordance with section 40.”

“**35.** The annual amount of the employee’s pension is, on the date on which he ceases to be a member of the plan, equal to the total of the following amounts:

(1) the amount obtained by multiplying the average pensionable salary by 2 % per year of service credited before 1 January 1992; and

(2) the amount obtained by multiplying the average pensionable salary by 2 % per year of service credited after 31 December 1991.

For the purposes of the first paragraph, the employee’s years of credited service shall be taken into consideration up to a limit of 35 years.”.

**26.** The following is inserted after section 37 of that Act:

“**37.1** A part of a pension obtained under subparagraph 2 of the first paragraph of section 35 shall not, on the date the person retires and, where applicable, after the indexing in accordance with sections 77 and 78, exceed the amount obtained by adding the following amounts:

(1) the amount obtained by multiplying the limit for the benefits determined, applicable for the year in which the person retires and established under the Income Tax Act, by the number of years of service credited after 31 December 1991; and

(2) the amount obtained by computing the reduction provided for in section 39, counting only the years of service credited after 31 December 1991.”.

**27.** The following is substituted for section 38 of that Act:

“**38.** In the cases described in subparagraphs 3 and 4 of the first paragraph of section 33, the employee’s pension is reduced for its duration by 1/3 of 1 % per month, computed for each month comprised between the date on which the pension is granted and the earliest date on which a pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan, under this division or, as the case may be, under Title IV.1 where the relevant provisions of that title have not ceased to have effect on the date on which the person retires.”.

**28.** The following is substituted for the second paragraph of section 40 of that Act:

“The employee shall retire on one of the following dates, as the case may be:

(1) from the day following the day on which he ceases to be a member of the plan, where his pension application is received by the Commission within 60 days following the day on which he ceases to be a member of the plan;

(2) from the date on which the pension application is received, where that date falls more than 60 days after the date on which he ceased to be a member of the plan, but not later than the date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan;

(3) from any date indicated in the pension application and falling after the date on which that application is received and after the date on which he ceased to be a member of the plan but not later than the date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan; or

(4) on the earliest date on which a pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan, where the date on which the pension application is received falls after that date.”.

**29.** The following is substituted for section 78 of that Act:

“**78.** The first indexing of a pension is made proportionately to the number of days for which the pension is or would be paid if the employee had retired on the day following the day on which he ceased to be a member of the plan in relation to the total number of days in that year.”.

**30.** The following sentence is added at the end of section 107 of that Act: “The pension credit shall also be adjusted in the same manner for the period comprised between the date on which the person ceases to be a member of the plan and the date on which he retires.”.

## DIVISION II TEACHERS PENSION PLAN

**31.** For the purposes of eligibility or the computation and payment of a pension granted under the Teachers Pension Plan to a teacher who ceases to be a member of that plan after 31 December 1995 but is eligible for a reduced pension under section 37 of the Act respecting the Teachers Pension Plan, that Act shall be read by incorporating the special provisions provided for in this Division.

**32.** The following sections are substituted for sections 32 and 34 of that Act, respectively:

“**32.** A teacher is entitled to a pension where, at the time he ceases to participate in the plan, he meets one of the following criteria:

(1) he has attained normal retirement age, that is, 65 years of age;

(2) he has at least 33 years of service;

(3) in the case of a female teacher, she has attained 60 years of age;

(4) he has at least 10 years of service and is not under 62 years of age;

(5) he has at least 32 years of service and is not under 55 years of age;

(6) (struck out);

(6.1) in the case of a female teacher, she has at least 10 years of service and is not under 58 years of age; or

(7) he has at least 22 years of service and is not under 55 years of age or, in the case of a female teacher, 50 years of age.

The pension shall be granted to him on the date on which he retires in accordance with section 41.

“**34.** The annual amount of the teacher’s pension is, on the date on which he ceases to be a member of the plan, equal to the total of the following amounts:

(1) the amount obtained by multiplying the average pensionable salary by 2 % per year of service credited before 1 January 1992; and

(2) the amount obtained by multiplying the average pensionable salary by 2 % per year of service credited after 31 December 1991.

For the purposes of the first paragraph, the teacher’s years of credited service shall be taken into consideration up to a limit of 35 years.”.

**33.** The following is inserted after section 36 of that Act:

“**36.1** A part of a pension obtained under subparagraph 2 of the first paragraph of section 34 shall not, on the date of retirement and, where applicable, after the indexing in accordance with sections 63 and 64, exceed the amount obtained by adding the following amounts:

(1) the amount obtained by multiplying the limit for the benefits determined, applicable for the year in which the person retires and established under the Income Tax Act, by the number of years of service credited after 31 December 1991; and

(2) the amount obtained by computing the reduction provided for in section 38, counting only the years of service credited after 31 December 1991.”.

**34.** The following is substituted for section 37 of that Act:

“**37.** A pension granted under subparagraph 6.1 of the first paragraph of section 32 to a female teacher who was credited with years or parts of a year of service after 31 December 1991 is reduced for its duration by the amount obtained by multiplying the amount of the pension established pursuant to subparagraph 2 of the first paragraph of section 34 by 0.25 % per month, computed for each month comprised between the date on which the pension is granted to the teacher and the earlier of the following dates at the time she ceased to participate in the plan:

(1) the date of her sixtieth birthday;

(2) the date on which her age and her years of service would have totalled 80, had she continued to participate in the plan.

A pension granted under paragraph 7 of section 32 is reduced for its duration by 0.5 % per month, computed for each month comprised between the date on which the pension is granted to the teacher and the earliest date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to participate in the plan.”.

**35.** The following is substituted for the second paragraph of section 41 of that Act:

“The teacher shall retire on one of the following dates, as the case may be:

(1) from the day following the day on which he ceases to participate in the plan, where his pension application is received by the Commission within 60 days following the day on which he ceases to participate in the plan;

(2) from the date on which the pension application is received, where that date falls more than 60 days after the date on which he ceased to participate in the plan, but not later than the date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to participate therein;

(3) from any date indicated in the pension application and falling after the date on which that application is received and the date on which he ceased to participate in the plan, but not later than the date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to participate therein; or

(4) on the earliest date on which a pension would otherwise have been granted to him without actuarial reduction at the time he ceased to participate in the plan, where the date on which the pension application is received falls after that date.”.

**36.** The following is substituted for section 64 of that Act:

“**64.** The first indexing of a pension is made proportionately to the number of days for which the pension is or would be paid if the teacher had retired on the day following the day on which he ceased to participate in the plan in relation to the total number of days in that year.”.

### DIVISION III

#### CIVIL SERVICE SUPERANNUATION PLAN

**37.** For the purposes of eligibility or the computation and payment of a pension granted under the Civil Service Superannuation Plan to an officer who ceases to be a member of that plan after 31 December 1995 but is eligible for a reduced pension under the second and third paragraphs of section 56 of the Act respecting the Civil Service Superannuation Plan, that Act shall read by incorporating the special provisions provided for in this Division.

**38.** The following sections are substituted for sections 56, 63, 64.1 and 68 of that Act, respectively:

“**56.** An officer is entitled to a pension where, at the time he ceases to be a member of the plan, he meets one of the following criteria:

(1) he has at least 35 years of service;

(2) he has 10 years or more of service and has reached 62 years of age or, in the case of a female officer, 60 years of age or over;

(3) (struck out);

(4) he has attained normal retirement age, that is, 65 years of age;

(5) he has at least 32 years of service and has reached 55 years of age;

(6) he has attained 60 years of age; or

(7) he has, in years of age and years of service, a combined total of 90 or more.

In the cases described in subparagraphs 6 and 7 of the first paragraph, the officer's pension is reduced for its duration by 0.5 % per month, computed for each month included between the date on which the pension is granted and the earliest date on which it would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan.

An officer is also entitled to a pension where, at the time he ceases to be a member of the plan, he has at least 22 years of service and has reached 55 years of age or, in the case of a female officer, 50 years of age. In such case, the pension is reduced for its duration by 0.5 % per month, computed for each month comprised between the date on which the pension is granted to the officer and the earliest date on which it would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan.

The pension to which the officer is entitled shall be granted to him on the date on which he retires in accordance with section 68."

**63.** The annual amount of the officer's pension is, on the date on which he ceases to be a member of the plan, equal to the total of the following amounts:

(1) the amount obtained by multiplying the average pensionable salary by 2 % per year of service credited before 1 January 1992; and

(2) the amount obtained by multiplying the average pensionable salary by 2 % per year of service credited after 31 December 1991.

For the purposes of the first paragraph, the officer's years of credited service shall be taken into consideration up to a limit of 35 years.

A part of a pension obtained under subparagraph 2 of the first paragraph shall not, on the date the person retires and, where applicable, after the indexing in accordance with sections 64 and 64.1, exceed the amount obtained by adding the following amounts:

(1) the amount obtained by multiplying the limit for the benefits determined, applicable for the year in which the person retires and established under the Income Tax Act, by the number of years of service credited after 31 December 1991; and

(2) the amount obtained by computing the reduction provided for in section 63.3, counting only the years of service credited after 31 December 1991.

**64.1** The first indexing of a pension is made proportionately to the number of days for which the pension is or would be paid if the officer had retired on the day following the day on which he ceased to participate in the plan in relation to the total number of days in that year."

**68.** A pension becomes payable to an officer who is entitled to it from the day on which he retires or at the latest from 31 December of the year in which he attains 71 years of age. The pension is paid to the pensioner for life.

The officer shall retire on one of the following dates, as the case may be:

(1) from the day following the day on which he ceases to be a member of the plan, where his pension application is received by the Commission within 60 days following the day on which he ceases to be a member of the plan;

(2) from the date on which the pension application is received, where that date falls more than 60 days after the date on which he ceased to be a member of the plan, but not later than the date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan;

(3) from any date indicated in the pension application and falling after the date on which that application is received and after the date on which he ceased to be a member of the plan but not later than the date on which the pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan; or

(4) on the earliest date on which a pension would otherwise have been granted to him without actuarial reduction at the time he ceased to be a member of the plan, where the date on which the pension application is received falls after that date."

**39.** This Regulation comes into force on the date it is made but has effect from 1 January 1996.

**SCHEDULE I**

(s. 1)

**PENSION PLANS**

(1) The Pension Plan of Certain Teachers (R.S.Q., c. R-9.1);

(2) the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2);

(3) the Government and Public Employees Retirement Plan (R.S.Q., c. R-10);

(4) the Teachers Pension Plan (R.S.Q., c. R-11);

(5) the Civil Service Superannuation Plan (R.S.Q., c. R-12);

(6) the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges (O.C. 397-78 dated 16 February 1978 and O.C. 2497-81 dated 10 September 1981);

(7) the Régime de retraite des anciens employés de la Ville de St-Laurent (O.C. 842-82 dated 8 April 1982);

(8) the Régime de retraite des anciens employés de la cité de Westmount (O.C. 2174-84 dated 3 October 1984); and

(9) the Pension plan for federal employees transferred to employment with the gouvernement du Québec (O.C. 430-93 dated 31 March 1993).

**SCHEDULE II**

(s. 3)

**AGREEMENTS IN RESPECT OF THE REDUCTION OF COSTS GENERATED BY THE COLLECTIVE AGREEMENT**

(1) Entente intervenue entre la Fédération des enseignantes et enseignants de cégep FEC (CEQ) et le Comité patronal de négociation des collèges (CPNC) le 14 décembre 1995

“ANNEXE A2

LETTRE D'ENTENTE SUR LA RÉDUCTION DES COÛTS GÉNÉRÉS PAR LA CONVENTION COLLECTIVE”;

(2) Entente intervenue entre le Comité patronal de négociation pour les commissions scolaires pour catholiques, les commissions scolaires confessionnelles catholiques et les commissions scolaires dissidentes pour

catholiques (CPNCC) et la Centrale de l'enseignement du Québec (CEQ) pour le compte des syndicats d'enseignantes et d'enseignants qu'elle représente le 21 décembre 1995

DOCUMENT: “ANNEXE XLIX

POURSUITE DES DISCUSSIONS DÉCOULANT DU RENOUELEMENT DE LA CONVENTION COLLECTIVE ENTRE D'UNE PART, LE MINISTÈRE DE L'ÉDUCATION ET LA FÉDÉRATION DES COMMISSIONS SCOLAIRES DU QUÉBEC ET D'AUTRE PART, LA FÉDÉRATION DES ENSEIGNANTES ET ENSEIGNANTS DES COMMISSIONS SCOLAIRES ET LA PROVINCIAL ASSOCIATION OF CATHOLIC TEACHERS”;

(3) Entente intervenue entre le Comité patronal de négociation pour les commissions scolaires pour protestants (CPNCP) et l'Association provinciale des enseignants protestants du Québec (APEPQ) pour le compte des syndicats des enseignantes et enseignants qu'elle représente le 1<sup>er</sup> février 1996

DOCUMENT: “ANNEXE XXXVIII

POURSUITE DES DISCUSSIONS DÉCOULANT DU RENOUELEMENT DE LA CONVENTION COLLECTIVE ENTRE D'UNE PART, LE MINISTÈRE DE L'ÉDUCATION ET L'ASSOCIATION QUÉBÉCOISE DES COMMISSIONS SCOLAIRES ET D'AUTRE PART, L'ASSOCIATION PROVINCIALE DES ENSEIGNANTES ET ENSEIGNANTS PROTESTANTS DU QUÉBEC”;

(4) Entente intervenue entre le Comité patronal de négociation pour les commissions scolaires pour catholiques, les commissions scolaires confessionnelles catholiques et les commissions scolaires dissidentes pour catholiques (CPNCC) et la Provincial Association of Catholic Teachers (PACT) le 21 décembre 1995

DOCUMENT: “ANNEXE XLIV

POURSUITE DES DISCUSSIONS DÉCOULANT DU RENOUELEMENT DE LA CONVENTION COLLECTIVE ENTRE D'UNE PART, LE MINISTÈRE DE L'ÉDUCATION ET LA FÉDÉRATION DES COMMISSIONS SCOLAIRES DU QUÉBEC ET D'AUTRE PART, LA FÉDÉRATION DES ENSEIGNANTES ET ENSEIGNANTS DES COMMISSIONS SCOLAIRES ET LA PROVINCIAL ASSOCIATION OF CATHOLIC TEACHERS”;

(5) Entente générale du 1<sup>er</sup> septembre 1976 entre le ministre de la Santé et des Services sociaux et la Fédération des médecins omnipraticiens du Québec

DOCUMENT: “ANNEXE VI — AVANTAGES SOCIAUX, PARAGRAPHÉ 3.03”.

### SCHEDULE III

(ss. 5 and 18)

#### ACTUARIAL ASSUMPTIONS AND METHODS

(1) Actuarial method:

the actuarial method is the “distribution of benefits” method;

(2) actuarial assumptions:

(a) mortality rate: GAM-83 men and GAM-83 women (The 1983 Group Annuity Mortality Table, Transactions of the Society of Actuaries, Vol. XXXV, pp. 880 and 881), weighted equally;

(b) interest rate: 9 % for the first 15 years following the date of assessment and 6.5 % for subsequent years;

(c) rate of increase of the Pension Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9): 5.5 % during the first 15 years following the date of assessment and 3 % for subsequent years;

(d) proportion of members having a spouse at the time they reach the age of 65: 60 %;

(e) age of spouse: identical to that of the member.

### SCHEDULE IV

(s. 6)

#### ACTUARIAL ASSUMPTIONS AND METHODS

(A) Actuarial method

The actuarial method is the “distribution of benefits” method.

(B) Actuarial assumptions

— for pension credits acquired under section 95 of the Act respecting the Government and Public Employees Retirement Plan, the assumptions to be used are those used to establish the rates in Schedule IV to that Act;

— for pension credits not acquired under section 95 of the Act respecting the Government and Public Employees Retirement Plan:

(a) mortality rate: GAM-83 men and GAM-83 women (The 1983 Group Annuity Mortality Table, Transactions of the Society of Actuaries, Vol. XXXV, pp. 880 and 881), weighted equally;

(b) interest rate: 9 % for the first 15 years following the date of assessment and 6.5 % for subsequent years;

(c) rate of increase of the Pension Index within the meaning of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9): 5.5 % during the first 15 years following the date of assessment and 3 % for subsequent years.

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Gouvernement du Québec

### O.C. 692-96, 12 June 1996

An Act respecting the Régie du logement (R.S.Q., c. R-8.1)

#### Criteria for the fixing of rent — Amendments

Regulation to amend the Regulation respecting the criteria for the fixing of rent

WHEREAS under subparagraph 3 of the first paragraph of section 108 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1), amended by paragraph 2 of section 1 of Chapter 61 of the Statutes of 1995, the Government may make regulations for the application of articles 1952 and 1953 of the Civil Code of Québec, establishing, for such categories of persons, of leases, of dwellings or of land intended for the installation of a mobile home as it may determine, the criteria for the fixing of rent or for the revision of rent and the rules of implementation of these criteria;

WHEREAS under subparagraph 6 of section 108 of the Act, amended by paragraph 4 of section 1 of Chapter 61 of the Statutes of 1995, the Government may make regulations prescribing, subject to section 85 of that Act, what must be prescribed by regulation under the Act and articles 1892 to 2000 of the Civil Code of Québec;

WHEREAS under article 1953 of the Civil Code of Québec, where the court has an application before it for the fixing or adjustment of rent, it takes into consideration the standards prescribed by regulation;

WHEREAS by Order in Council 738-85 dated 17 April 1985, the Government made the Rent Review (Criteria) Regulation, which became the Regulation respecting the

criteria for the fixing of rent following a change of name made by Order in Council 454-94 dated 30 March 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the criteria for the fixing of rent, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 3 January 1996, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendments;

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

THAT the Regulation to amend the Regulation respecting the criteria for the fixing of rent, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the criteria for the fixing of rent

An Act respecting the Régie du logement (R.S.Q., c. R-8.1, s. 108, 1<sup>st</sup> par., subpars. 3 and 6)

Civil Code of Québec  
(1991, c. 64, a. 1953)

**1.** The Regulation respecting the criteria for the fixing of rent, made by Order in Council 738-85 dated 17 April 1985 and amended by the Regulations made by Orders in Council 1430-85 dated 10 July 1985, 562-86 dated 30 April 1986, 1047-87 dated 30 June 1987, 688-88 dated 11 May 1988, 528-89 dated 12 April 1989, 344-90 dated 21 March 1990, 519-91 dated 17 April 1991, 637-92 dated 29 April 1992, 580-93 dated 28 April 1993, 454-94 dated 30 March 1994, 825-94 dated 8 June 1994 and 505-95 dated 12 April 1995, is further amended by adding the following after paragraph XI of Schedule 1:

“XII. Applications for the fixing of rent in respect of leases expiring between 1 April 1996 and 31 March 1997 and for contestations of adjustment of rent to take effect between 2 April 1996 and 1 April 1997:

Percentage applicable to the cost of electricity subject to the:

domestic rate (D or DM)	-0.3 %
domestic dual energy rate (DT)	-0.4 %
general small power rate (G)	-0.2 %
all other rates	-0.3 %

Percentage applicable to the cost of fuel:

heating oil	-5.6 %
gas and other form of energy	-2.8 %

Percentage applicable to the cost of maintenance: 1.7 %

Percentage applicable to the cost of providing services: 0.1 %

Percentage applicable to management costs: 0.1 %

Percentage applicable to capital expenditure: 8.1 %

Percentage applicable to net revenue: 1.0 %

Where the percentage applicable to the costs of electricity and fuel is not representative for the building concerned, the tribunal, where it has the necessary information, shall take those costs into account by proceeding, in their respect, in the manner provided for in the second paragraph of section 4.”.

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

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Gouvernement du Québec

## O.C. 709-96, 12 June 1996

An Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01)

### Business Financing Assistance Program

Regulation respecting the Business Financing Assistance Program

WHEREAS under section 2 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the object of the Corporation is to promote economic development in Québec;

WHEREAS under section 3 of that Act, the Corporation shall grant financial assistance under a financial assistance program;

WHEREAS under section 5 of that Act, the Government may establish, by regulation, financial assistance programs designed to promote economic development in Québec;

WHEREAS under section 47 of that Act, the Government may make regulations to establish criteria to determine which businesses may receive financial assistance, to determine the form of such financial assistance and the conditions a business must fulfil to obtain it, and to determine the cases in which duties or charges are exigible from a business that applies for financial assistance;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published pursuant to section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS under section 18 of that Act, a regulation may come into force within a period shorter than the 15-day period prescribed by section 17 of that Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication of the Regulation and a shorter period between its publication and coming into force:

(1) new measures specifically promoting exportations cannot be applied until the Regulation respecting the Business Financing Assistance Program has been made;

(2) it is important to enable businesses to benefit as soon as possible from the implementation of the proposed measures;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for the Economy and Finance and Minister of Industry, Trade, Science and Technology:

THAT the Regulation respecting the Business Financing Assistance Program, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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## **Regulation respecting the Business Financing Assistance Program**

An Act respecting the Société de développement industriel du Québec  
(R.S.Q., c. S-11.01, ss. 5 and 47)

### **DIVISION I OBJECTIVES**

**1.** The objective underlying the Business Financing Assistance Program is to enable the Société de développement industriel du Québec to promote the economic development of Québec by granting financial assistance to businesses carrying on a commercial activity.

**2.** Any financial assistance granted under this Program shall be used to carry out an investment project, a technological innovation project, a design innovation project, an export project or a strategic business alliance project or to finance tax credits for scientific research and experimental development.

### **DIVISION II INTERPRETATION**

**3.** Under this Program

(1) “investment” means expenditures for the purpose of obtaining goods and services required to start up a business, for the expansion, upgrading or modernization of production, or for the purposes of certification in respect of a standard;

(2) “strategic business alliance” means the acquisition, grouping or merging of businesses, or any other agreement between businesses for the purposes of enabling them to enhance their competitiveness;

(3) “export” means any activity for the purposes of

(a) marketing, to penetrate new markets or to increase sales or the delivery of services outside Québec;

(b) selling goods, delivering services or executing contracts outside Québec;

(c) acquiring a business or a distribution network for the sale of goods or the delivery of services outside Québec; or

(d) forming a group of businesses for the purpose of selling goods or delivering services outside Québec;

(4) “technological innovation and design innovation” means the development, marketing and transfer of technological innovations and the development and marketing of design innovations;

(5) “lender” means a bank within the meaning of the Bank Act (S.C., 1991, c. 46), a savings and credit union governed by the Savings and Credit Unions Act (R.S.Q., c. C-4.1) or any other legal person legally empowered to grant commercial loans or guarantees;

(6) “net loss” means the balance owing to a lender, that is, the sum of the principle owing at the date the loan and the interest accrued are called in, less the net product from the realization of the securities;

(7) “peripheral region” means a region listed in Schedule I; and

(8) “central region” means a region which is not a peripheral region.

### **DIVISION III** ELIGIBILITY FOR FINANCIAL ASSISTANCE

**4.** Financial assistance is granted to a business or for the benefit of a business where the business’s financial structure, quality of management, professional and technical staff, and production and marketing organization are such that they will enable the project to be profitable and render the business competitive.

**5.** Financial assistance must be necessary for carrying out the project in respect of which it is granted, and the cost of financing the project must be reasonable.

**6.** Financial assistance under this Program may not be granted in respect of a project having received other financial assistance from the Government.

Assistance under this Program may be combined with other Government assistance where such combined assistance is necessary for carrying out a project with strong economic impact.

Such combined financial assistance shall not exceed 50 % of the expenditures directly related to investment projects for production of goods and services or for strategic business alliance projects in the central re-

gions, shall not exceed 65 % of such expenditures in the peripheral regions, and shall not exceed 75 % of the expenditures directly related to the other types of projects.

**7.** Projects in respect of which financial assistance may be granted must pertain to the activities listed in Schedule II.

### **DIVISION IV** FORM AND AMOUNT OF THE FINANCIAL ASSISTANCE

**8.** Financial assistance shall be in the form of a guarantee of reimbursement of a percentage of the net loss in relation to a loan, a line of credit, a letter of credit or any other form of financial commitment granted by a lender to a business or for the benefit of a business.

**9.** As a last resort to ensure the carrying out of a project with strong economic impact, financial assistance may be in the form of a loan granted by the Corporation or in the form of the purchase by the Corporation of the capital stock or shares of a business.

**10.** A guarantee of reimbursement may vary according to the category, nature and location of a project.

**11.** A guarantee of reimbursement shall not exceed

(a) 90 % of the net loss for export projects and research and development projects; or

(b) 60 % of the net loss for investment projects and for grouping and strategic business alliance projects, except in peripheral regions, where that percentage may be as high as 75 %.

**12.** Financial assistance granted under this Program shall not be less than \$50 000.

**13.** A loan guaranteed or granted by the Corporation shall not exceed 75 % of the expenditures directly related to the project or related to the working capital required to carry it out.

**14.** The amount of an export credit margin shall be determined on the basis of a business’s short-term financing needs, and a guarantee is granted on the basis of the business’s export activities and the Québec content of the products and services it exports.

**15.** A loan or credit margin guaranteed by the Corporation to finance tax credits for scientific research and experimental development may not exceed 75 % of such credits.

## **DIVISION V**

### **TERMS AND CONDITIONS OF FINANCIAL ASSISTANCE**

**16.** Any contract concluded under this Program shall contain a clause providing that the Civil Code of Québec is applicable to the contract.

**17.** The maximum term for financial assistance granted by the Corporation is 10 years or, in the case of a major export project, 15 years.

**18.** The period for carrying out a project in respect of which financial assistance is granted may not exceed three years from the date of the first disbursement.

**19.** The beginning of repayment of the principal of a financial commitment may be postponed until no later than two years after the project has been carried out.

**20.** Sections 18 and 19 do not apply to export projects.

**21.** The interest rates agreed upon shall be fixed or variable.

**22.** The payments on the principle of a loan guaranteed or granted under this Program shall be fixed. They may be variable where the funds generated by the business are seasonal or subject to fluctuations.

**23.** Annual guarantee fees of at least 1 % of the guaranteed financial commitment are payable.

**24.** Management fees of at least 1 % of the guaranteed financial commitment or of the loan granted by the Corporation are payable by the business.

**25.** The guarantee fees and management fees may be less than 1 % where they relate to financial assistance of \$5 000 000 or more or to financial assistance in respect of an export project.

**26.** A premium may be required to offset risks.

**27.** The Corporation may refuse to grant financial assistance or may suspend assistance where a business no longer meets the conditions or criteria that made it eligible therefor or where it has failed to meet a contractual obligation. The Corporation may also sign any agreement or require any guarantee that it considers necessary where corrective measures are being taken in the case of a business having received financial assistance and experiencing financial difficulties or where the matter of a business having received financial assistance is in the process of being settled.

## **DIVISION VI**

### **GRANTING OF FINANCIAL ASSISTANCE**

**28.** Financial assistance is granted by a decision

(1) of the Corporation, without Government authorization, where the amount is less than \$5 000 000;

(2) of the Minister of Industry, Trade, Science and Technology, without Government authorization, where the amount is \$5 000 000 or more but less than \$10 000 000; or

(3) of the Government, where the amount is \$10 000 000 or more.

## **DIVISION VII**

### **THE LENDER'S CLAIM**

**29.** The lender shall immediately send the Corporation a copy of any document calling in a guaranteed financial commitment.

**30.** After exhaustion of the remedies pertaining to the recovery of its accounts receivable and the realization of its securities, the lender shall establish its claim and shall serve it on the Corporation.

**31.** The lender shall include in its net loss any interest accrued during a maximum period of three months following the calling in of the loan or financial commitment. The lender may, with prior authorization from the Corporation, include interest accrued over a longer period, where such a measure would ensure the survival of a business or the realization of securities or guarantees. However, total accrued interest may not exceed 10 % of the balance on the loan or financial commitment at the time it is called in.

**32.** The lender's claim shall be paid by the Corporation within 30 days of its receipt, except where the Corporation may give a refusal, in which case the Corporation shall so inform the lender within the same period.

## **DIVISION VIII**

### **FINANCIAL PROVISION**

**33.** The Corporation's share in respect of the income and expenditures pertaining to each instance of financial assistance under this Regulation is limited to the first \$10 000 000 of the assistance amount. The income and expenditures pertaining to any assistance in excess of \$10 000 000 shall be charged to the Government.

## DIVISION IX TRANSITIONAL AND FINAL

**34.** The Regulation respecting the programs of the Société de développement industriel du Québec, made by Order in Council 681-92 dated 6 May 1992, does not apply to this Regulation.

**35.** This Regulation replaces the following regulations:

(1) the Regulation respecting the program to finance tax credits for scientific research and experimental development, made by Order in Council 393-90 dated 28 March 1990;

(2) the Regulation respecting the Program to Promote Investment, made by Order in Council 682-92 dated 6 May 1992;

(3) the Regulation respecting the Program to Promote Technological Development and Design, made by Order in Council 683-92 dated 6 May 1992;

(4) the Regulation respecting the Program to Promote the Grouping or Strategic Alliance of Businesses, made by Order in Council 684-92 dated 6 May 1992;

(5) the Regulation respecting the Financial Assistance Program, made by Order in Council 685-92 dated 6 May 1992;

(6) the Regulation respecting the Program for Export Development, made by Order in Council 687-92 dated 6 May 1992; and

(7) the Regulation respecting the Program to Promote Investment in Tourism, made by Order in Council 1025-92 dated 8 July 1992.

Notwithstanding the foregoing, those replaced regulations remain applicable to any financial assistance granted thereunder prior to the date of coming into force of this Regulation, and to any application for assistance received prior to that date and concerning which a decision has not yet been reached.

**36.** Section 27 applies to alterations to financial assistance granted under the regulations replaced by this Regulation.

**37.** This Regulation comes into force on 2 July 1996.

It will cease to have effect five years after coming into force but will remain applicable to financial assistance granted hereunder and to applications received by

the Corporation before that date and concerning which a decision has not yet been reached.

## SCHEDULE I

(s. 3)

### PERIPHERAL REGIONS

Pursuant to section 3, the peripheral regions are the following administrative regions, described in Order in Council 2000-87 dated 22 December 1987 and respecting the revision of the limits of the administrative regions, as amended:

- (1) Region 11 Gaspésie—Îles-de-la-Madeleine
- (2) Region 01 Bas-Saint-Laurent
- (3) Region 02 Saguenay—Lac-Saint-Jean
- (4) Region 07 Outaouais, except the municipalities of Aylmer, Hull and Gatineau
- (5) Region 08 Abitibi-Témiscamingue
- (6) Region 09 Côte-Nord
- (7) Region 10 Nord-du-Québec

## SCHEDULE II

(s. 7)

### ACTIVITIES TO WHICH ASSISTANCE MUST PERTAIN

For the purposes of section 7 of this Regulation, projects for which financial assistance may be granted must pertain to the following activities:

- (1) manufacturing;
- (2) contaminated soil remediation services;
- (3) services related to computers, software and software packages or other high value-added services related to information technology;
- (4) the operation of a laboratory;
- (5) any activity pertaining to technological innovation and design and to exportation, except buyer credit;
- (6) central calling services;
- (7) the recycling of

- (a) rubber;
- (b) paper;
- (c) scrap metal;
- (d) mechanical or electrical automobile parts;
- (e) glass;
- (f) plastic;
- (g) bark, sawdust or wood shavings;
- (8) the recovery, sorting and processing or treatment of waste or scrap, for the purpose of making a product or a raw material used in manufacturing;
- (9) tourism, in respect of the following products, where priority is given to offering those products to pleasure tourists or conference tourists, customer groups composed of people who are travelling for the purposes of recreation, a vacation, a conference, a symposium or a seminar and are lodging for those purposes elsewhere than at their main residence:
- (a) accommodation, where the project pertains to
- i. the modernization of existing sleeping-accommodation units; or
  - ii. the addition of sleeping-accommodation units, within the scope of recreational and tourist projects requiring local sleeping-accommodation;
- (b) camping, where more than 40 % of the sites or a minimum of 150 sites, whichever is the lower, are made available exclusively to campers other than seasonal campers;
- (c) cruise excursions on bodies of water within Québec, where animation and interpretation activities are provided;
- (d) hunting and fishing, adventure and outdoor activities, recreational, artistic, craft and scientific activities that are offered as part of a package deal that includes accommodation;
- (e) alpine skiing at a centre that is already developed and has a drop of at least 250 metres, is located in proximity to at least 100 commercial accommodation units or at least 50 % of whose customers come from outside Québec, where the project does not involve expansion of the skiable area or an increase in the centre's capacity;

(f) a cultural, natural, scientific, recreational or other attraction, offered to such tourists on a continuing and recurring basis for at least four months of the year;

(g) the investment required for a major tourist attraction that draws a significant number of tourists from outside Québec.

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Gouvernement du Québec

### **O.C. 717-96, 12 June 1996**

An Act respecting transportation by taxi  
(R.S.Q., c. T-11.1)

#### **Transportation by taxi — Amendments**

Regulation to amend the Transportation by Taxi Regulation

WHEREAS under subparagraph 18 of the first paragraph of section 60 of the Act respecting transportation by taxi (R.S.Q., c. T-11.1), the Government may, by regulation, determine the conditions and modalities of renewal of a taxi driver's permit;

WHEREAS by Order in Council 1763-85 dated 28 August 1985, the Government made the Transportation by Taxi Regulation;

WHEREAS it is expedient to amend the Transportation by Taxi Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft of the Regulation to amend the Transportation by Taxi Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 April 1995 with a notice that it could be made by the Government upon the expiry of 45 days following the date of its publication;

WHEREAS it is expedient to make the Regulation without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

THAT the Regulation to amend the Transportation by Taxi Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Transportation by Taxi Regulation

An Act respecting transportation by taxi  
(R.S.Q., c. T-11.1, s. 60, 1<sup>st</sup> par., subpar. 18)

**1.** The Transportation by Taxi Regulation, made by Order in Council 1763-85 dated 28 August 1985 and amended by Orders in Council 393-87 dated 18 March 1987, 865-87 dated 3 June 1987, 129-88 dated 27 January 1988, 1729-88 dated 16 November 1988, 648-91 dated 8 May 1991, 570-94 dated 20 April 1994 and 658-95 dated 10 May 1995, is further amended by substituting the following for section 35:

“**35.** A taxi driver’s permit shall be renewed every 2 years during the 3-month period ending on the holder’s birthday:

(1) during the even-numbered year following the issue of the permit where he was born in an even-numbered year and, thereafter, every 2 years during the 3-month period ending on the holder’s birthday;

(2) during the odd-numbered year following the issue of the permit where he was born in an odd-numbered year and, thereafter, every 2 years during the 3-month period ending on the holder’s birthday.”.

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

9788

Gouvernement du Québec

### O.C. 718-96, 12 June 1996

Automobile Insurance Act  
(R.S.Q., c. A-25)

#### Insurance contributions — Amendments

Regulation to amend the Regulation respecting insurance contributions

WHEREAS under section 151.1 of the Automobile Insurance Act (R.S.Q., c. A-25), the Société de l’assurance automobile du Québec may fix, by regulation, after actuarial valuation, the insurance contribution exigible on obtaining the registration of a road vehicle and the contribution exigible pursuant to section 31.1 of the Highway Safety Code (R.S.Q., c. C-24.2), on the basis of one or more of the following factors:

(1) the class or sub-class of road vehicles to which the vehicle belongs;

(2) its net mass;

(3) its number of axles;

(4) its piston displacement;

(5) its use;

(6) the professional activity, the legal personality or the identity of its owner;

(7) the territory where it is used;

WHEREAS the third paragraph of section 151.2 of that Act states that the Société fixes, by regulation, the monthly insurance contribution in respect of a road vehicle on the basis of one or more of the factors referred to in section 151.1 of that Act;

WHEREAS in accordance with section 197 of that Act, every regulation of the Société must be approved by the Government;

WHEREAS the Société made the Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991 and amended by the Regulations approved by Orders in Council 1123-92 dated 29 July 1992 and 1513-93 dated 27 October 1993;

WHEREAS at its sitting of 20 September 1995, the Société made the Regulation to amend the Regulation respecting insurance contributions;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting insurance contributions was published in Part 2 of the *Gazette officielle du Québec* of 10 April 1996, with a notice that it could be submitted to the Government for approval at the expiry of 45 days following that publication;

WHEREAS it is expedient to approve that Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting insurance contributions, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting insurance contributions

Automobile Insurance Act  
(R.S.Q., c. A-25, ss. 151.1 and 151.2)

**1.** The Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991 and amended by Orders in Council 1123-92 dated 29 July 1992 and 1512-93 dated 27 October 1993, is further amended by substituting the following for section 35:

“**35.** The monthly insurance contribution for a restricted-travel road vehicle covered by section 124 of the Regulation respecting road vehicle registration and used in an area not linked to the Québec highway system, except for a passenger vehicle, is \$7.57.

The monthly insurance contribution for a passenger vehicle covered by section 124 of that Regulation is \$8.95.”

**2.** The following is substituted for section 53:

“**53.** The insurance contribution payable to retain the right to operate a restricted-travel road vehicle covered by section 124 of the Regulation respecting road vehicle registration and used in an area not linked to the Québec highway system, except for a passenger vehicle, is \$90.82

The insurance contribution payable to retain the right to operate a passenger vehicle covered by section 124 of that Regulation is \$107.34.”

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

9791

Gouvernement du Québec

**O.C. 719-96, 12 June 1996**

Highway Safety Code  
(R.S.Q., c. C-24.2)

### Licences

#### — Amendments

Regulation to amend the Regulation respecting licences

WHEREAS under section 619.2 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may fix, by

regulation, the duties exigible for obtaining a learner's licence, probationary licence or driver's licence and the duties exigible under section 93.1, on the basis of one or more of the following factors:

- (1) the nature of the licence applied for;
- (2) its class;
- (3) its category;

WHEREAS under the third paragraph of section 619.3 of the Code, the Government may fix, by regulation, the monthly licence duties on the basis of one or more of the factors prescribed in section 619.2 of the Code;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft of the Regulation to amend the Regulation respecting licences was published in Part 2 of the *Gazette officielle du Québec* of 10 April 1996, with a notice that it could be made by the Government upon the expiry of 45 days following the date of its publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

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

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting licences

Highway Safety Code  
(R.S.Q., c. C-24.2, ss. 619.2 and 619.3)

**1.** The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991 and amended by Orders in Council 1122-92 dated 29 July 1992, 1511-93 dated 27 October 1993 and 531-95 dated 12 April 1995, is further amended, in the first paragraph of section 60, by substituting “fixed in section 73.1 or section 73.2 on the basis of the class to which the licence belongs” for “of \$1.25”.

**2.** The following is substituted for section 61:

“61. The biennial duties payable under the first paragraph of section 93.1 of the Highway Safety Code shall be fixed on the basis of the class to which the driver’s licence belongs.

The biennial duties payable by a holder of a driver’s licence not belonging exclusively to classes 6D and 8 are \$30.

The biennial duties payable by a holder of a driver’s licence belonging exclusively to classes 6D and 8 are \$40.”.

**3.** Sections 62, 66, 67, 68, 69, 70, 71, 72 and 73 are amended in their second paragraph by substituting “fixed in section 73.1 or section 73.2 on the basis of the class to which the licence belongs” for “of \$1.25”.

**4.** The following is inserted after section 73:

“73.1 The monthly duties for a driver’s licence not belonging exclusively to classes 6D and 8 are \$1.25.

73.2 The monthly duties for a driver’s licence belonging exclusively to classes 6D and 8 are \$1.67.”.

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

9790

Gouvernement du Québec

**O.C. 720-96**, 12 June 1996

Highway Safety Code  
(R.S.Q., c. C-24.2)

**Road vehicle registration  
— Amendments**

Regulation to amend the Regulation respecting road vehicle registration

WHEREAS under section 619.1 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may fix, by regulation, the duties exigible for obtaining the registration of a road vehicle and the duties exigible under section 31.1 of the Code, on the basis of one or more of the following factors:

(1) the class or sub-class of road vehicles to which the vehicle belongs;

(2) its net mass;

(3) its number of axles;

(4) its use;

(5) the professional activity, the legal personality or the identity of its owner;

(6) the territory where it is used;

WHEREAS under the second paragraph of section 619.3 of the Code, the Government may fix, by regulation, the monthly duties on the vehicle on the basis of one or more of the factors prescribed in section 619.1 of the Code;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft of the Regulation to amend the Regulation respecting road vehicle registration was published in Part 2 of the *Gazette officielle du Québec* of 10 April 1996, with a notice that it could be made by the Government upon the expiry of 45 days following the date of its publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

THAT the Regulation to amend the Regulation respecting road vehicle registration, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting road vehicle registration**

Highway Safety Code  
(R.S.Q., c. C-24.2, ss. 619.1 and 619.3)

**1.** The Regulation respecting road vehicle registration, made by Order in Council 1420-91 dated 16 October 1991 and amended by Orders in Council 1408-92 dated 23 September 1992, 1876-92 dated 16 December 1992, 1510-93 dated 27 October 1993, 1382-95 dated 18 October 1995 and 1437-95 dated 1 November 1995, is further amended by substituting the following for section 80:

“80. The monthly duties for a moped are \$2.00.”.

**2.** The following is substituted for the first paragraph of section 101:

“101. The duties payable to retain the right to operate a moped are \$12 for each payment period.”.

**3.** The following is substituted for the first paragraph of section 125:

“The duties payable to retain the right to operate a passenger vehicle referred to in section 124 are \$7 for each payment period.”.

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

9789

Gouvernement du Québec

### O.C. 745-96, 19 June 1996

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1)

#### Casino games

##### — Amendments

By-law to amend the By-law respecting casino games

WHEREAS under the first paragraph of section 13 of the Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1), the Société des loteries du Québec determines by by-law the general standards and conditions relating to the nature and holding of the lottery schemes it conducts and administers;

WHEREAS under that section, the Company made the By-law to amend the By-law respecting casino games;

WHEREAS that By-law relates to State casino lottery schemes and, in accordance with the second paragraph of section 13 of the Act respecting the Société des loteries du Québec, notice of it has been given by the Régie des alcools, des courses et des jeux;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c.R-18.1), a draft of the By-law attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 17 April 1996, with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS in accordance with the second paragraph of section 13 of the Act respecting the Société des loteries du Québec, the notice of the Régie des alcools, des courses et des jeux was published in the *Gazette*

*officielle du Québec* at the time of the publication provided for in section 8 of the Regulations Act;

WHEREAS it is expedient to approve the By-law as it appears attached to this Order in Council;

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

THAT the By-law to amend the By-law respecting casino games, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### By-law to amend the By-law respecting casino games

An Act respecting the Société des loteries du Québec (R.S.Q., c. S-13.1, a. 13)

**1.** The By-law respecting casino games, approved by Order in Council 1253-93 dated 1 September 1993 and amended by the Regulation approved by Order in Council 1675-95 dated 20 December 1995, is further amended in section 67.8 by inserting the words “, up to the maximum indicated at the table” after the word “follows”.

**2.** Section 67.17 is amended by substituting the word “and” for the comma after the word “king”.

**3.** The following is substituted for section 67.20:

“**67.20** The wagers are winning if the player’s hand has a value higher than the dealer’s. A winning initial wager is paid 1 to 1. A winning additional wager is paid as follows, up to the maximum indicated at the table:

Wager	Payout odds
Royal flush	100 to 1
Straight flush	50 to 1
Four-of-a-kind	20 to 1
Full house	7 to 1
Flush	5 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two pairs	2 to 1
Pair or the hand containing the highest ranking card under section 67.12	1 to 1.

**67.21** In addition to the initial and additional wagers, the player may place a supplemental wager, provided that it is indicated at the table. The supplemental wager must be \$1.00 and must be placed on the designated area

of the table before the dealer announces “No more bets”. It is a winning wager if the player’s hand is a Royal flush, a Straight flush, a Four-of-a-kind, a Full house or a Flush, even if the dealer cannot open. Winning supplemental wagers are paid as follows:

Royal flush	100 % of the progressive jackpot
Straight flush	10 % of the progressive jackpot
Four-of-a-kind	\$500
Full house	\$100
Flush	\$50.

A display board continuously indicating the amount of the progressive jackpot must be placed in such a manner as to be visible from each table permitting this type of wager.”

**4.** Section 68 is amended by inserting the words “, or thirty-eight numbers, that is 1 to 36, a zero and a double zero” after the word “zero”.

**5.** Section 69 is amended by inserting the word “, American” after the word “French”.

**6.** Section 70 is amended by inserting the words “American or” after the word “Every” in the first paragraph.

**7.** The following is substituted for subparagraph *e* of paragraph 2 of section 72:

“*e*) American Roulette (0, 00, 1, 2, 3) 6 to 1  
French or English Roulette (0, 1, 2, 3) 8 to 1;”

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

9799

Gouvernement du Québec

## O.C. 759-96, 19 June 1996

Health Insurance Act  
(R.S.Q., c. A-29)

### Application of the Act — Amendments

Regulation to amend the Regulation respecting the application of the Health Insurance Act

WHEREAS under subparagraph *u* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with

the Board or upon its recommendation, make regulations to determine the conditions required for the cost of medications to be assumed by the Board;

WHEREAS the Government made the Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 1), and it is expedient to amend it;

WHEREAS the Régie de l’assurance-maladie du Québec has been consulted with regard to the amendments;

WHEREAS under section 69.0.2 of the Health Insurance Act, a regulation made in particular under subparagraph *u* of the first paragraph of section 69 is not subject to the provisions concerning the obligation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation attached hereto;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Health Insurance Act, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the application of the Health Insurance Act

Health Insurance Act  
(R.S.Q., c. A-29, s. 69, 1<sup>st</sup> par., subpar. *u*)

**1.** The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 1), amended by the Regulations made by Orders in Council 3397-81 dated 9 December 1981 (Suppl., p. 84), 1125-82 dated 12 May 1982 (Suppl., p. 105), 1181-82 dated 19 May 1982 (Suppl., p. 106), 1712-82 dated 13 July 1982 (Suppl., p. 107), 1789-82 dated 12 August 1982, 2448-82 dated 27 October 1982, 2546-82 dated 10 November 1982, 2630-82 dated 17 November 1982, 2678-82 dated 24 November 1982, 3018-82 and 3019-82 dated 21 December 1982, 13-83 and 14-83 dated 12 January 1983, 165-83 dated 2 February 1983, 539-83 dated 23 March 1983, 692-83 and 693-83 dated 13 April 1983, 763-83 dated 20 April 1983, 1771-83 dated 1 September 1983, 1828-83 dated 7 September

1983, 937-84 dated 11 April 1984, 1374-84 and 1375-84 dated 13 June 1984, 1513-84 dated 27 June 1984, 1769-84 and 1770-84 dated 8 August 1984, 1813-84 dated 16 August 1984, 1893-84 dated 22 August 1984, 2051-84 dated 19 September 1984, 2298-84 dated 17 October 1984, 2751-84 dated 12 December 1984, 321-85 dated 21 February 1985, 661-85 dated 3 April 1985, 944-85 dated 22 May 1985, 1119-85 dated 12 June 1985, 1516-85 dated 17 July 1985, 2276-85 and 2277-85 dated 31 October 1985, 2494-85 dated 27 November 1985, 445-86 dated 9 April 1986, 654-86 dated 14 May 1986, 1179-86 dated 30 July 1986, 1538-86 dated 8 October 1986, 1730-86 dated 19 November 1986, 1936-86 dated 16 December 1986, 1026-87 dated 23 June 1987, 1258-87 and 1259-87 dated 12 August 1987, 1556-87 dated 7 October 1987, 1656-87 dated 28 October 1987, 1834-87 dated 2 December 1987, 1937-87 dated 16 December 1987, 424-88 dated 23 March 1988, 618-88 and 619-88 dated 27 April 1988, 841-88 dated 1 June 1988, 950-88 dated 15 June 1988, 1550-88 dated 12 October 1988, 1634-88 dated 26 October 1988, 1823-88 dated 7 December 1988, 1887-88 and 1888-88 dated 14 December 1988, 1980-88 dated 21 December 1988, 922-89 and 924-89 dated 14 June 1989, 967-89 dated 21 June 1989, 1214-89 dated 26 July 1989, 1600-89 dated 10 October 1989, 224-90 dated 21 February 1990, 512-90 dated 11 April 1990, 858-90, 860-90, 861-90 and 862-90 dated 20 June 1990, 1027-90 dated 11 July 1990, 1473-90 dated 10 October 1990, 1735-90 dated 12 December 1990, 384-91 dated 20 March 1991, 862-91, 863-91 and 864-91 dated 19 June 1991, 940-91 dated 3 July 1991, 1064-91 dated 24 July 1991, 1134-91 dated 14 August 1991, 1500-91, 1501-91 and 1502-91 dated 30 October 1991, 1834-91 dated 18 December 1991, 499-92 and 500-92 dated 1 April 1992, 903-92 and 904-92 dated 17 June 1992, 948-92 dated 23 June 1992, 1002-92 dated 30 June 1992, 1192-92 dated 19 August 1992, 1244-92 dated 26 August 1992, 1402-92 dated 23 September 1992, 1469-92 and 1470-92 dated 30 September 1992, 1509-92 dated 7 October 1992, 1755-92 dated 2 December 1992, 1890-92 dated 16 December 1992, 124-93 dated 3 February 1993, 209-93 dated 17 February 1993, 423-93 dated 24 March 1993, 729-93 dated 20 May 1993, 744-93 and 745-93 dated 26 May 1993, 869-93 dated 16 June 1993, 950-93 and 951-93 dated 30 June 1993, 1472-93 dated 20 October 1993, 1899-93 dated 15 December 1993, 69-94 dated 10 January 1994, 612-94 dated 27 April 1994, 896-94 dated 15 June 1994, 1779-94 dated 14 December 1994, 386-95 dated 22 March 1995, 1179-95 dated 30 August 1995 and 1638-95 dated 13 December 1995, is further amended, in section 67.2:

(1) by adding the following after paragraph 6.1:

“(6.2) FLUCONAZOLE oral susp. 50 mg/5 ml, Diflucan: treatment of oropharyngeal candidiasis for patients for whom the conventional therapy is ineffective or poorly tolerated; treatment of esophageal candidiasis;”;

(6.3) GRANISETRON (hydrochloride) co. 1 mg, sol. inj. 1 mg/ml, Kytril: as an anti-emetic:

— on the first day of a highly emetic chemotherapy or radiotherapy treatment;

— in children during highly emetic chemotherapy or radiotherapy;

— for patients for whom the conventional therapy is ineffective or poorly tolerated;”;

(6.4) IDARUBICIN (hydrochloride) caps. 5 mg, 10 mg and 25 mg, Idamycin: treatment of acute myelocytic leukemia in adults;”;

(2) by adding the following after paragraph 8.1:

“(8.2) MEGESTROL (acetate) co. 40 mg, 160 mg, Apo-Megestrol, Lin-megestrol, Megace, Nu-megestrol: treatment of cancer;”;

(3) by substituting the following for paragraph 12:

“(12) PROTEINS/CARBOHYDRATES and LIPIDS/LINOLEIC ACID/VITAMINS and MINERALS, Enercal, Ensure Hyper-proteined, Isosource, Isotein HN, Magnacal, NuBasics, NuBasics fibre, NuBasics Plus, Nutren 1, Nutren 1.5, Nutren 2, Pediasure, Peptamen, Peptamen Jr., Pulmocare, Resource and Resource Plus: for total or forced oral feeding;”;

(4) by substituting the following for paragraph 13:

“(13) PROTEINS/CARBOHYDRATES and LIPIDS/LINOLEIC ACID/VITAMINS and MINERALS/FIBRE, Glucerna, Isocal with fibre, Jevity, Jevity with fibre, Nutren with fibre, Nutrisource, Nutrisource HN, Pediasure with fibre, Peptamen with fibre: for total or forced oral feeding;”;

(5) by substituting the following for paragraph 14:

“(14) PROTEINS/CARBOHYDRATES and LIPIDS/CHOLINE/VITAMINS and MINERALS, Isocal HN, Isosource HN, Isosource VHN, NuBasics VHN, Osmolite HN: for oral or forced feeding;”;

(6) by adding the following after paragraph 15.1:

“(15.2) SOYA & CASEIN PROTEINS/CARBOHYDRATES & LIPIDS/VITAMINS & MINERALS/FIBRE, Advera: for total or forced oral feeding for HIV infected persons;”;

(7) by adding the following after paragraph 17:

“(17.1) TRETINOIN cr. top., gel top. and sol. top. 0.01 %, 0.025 %, 0.05 % and 0.1 %, Retin-A, Stieva-A, Vitamin A Acid cream, Vitamin A Acid gel, Vitamin A Acid gel mild, Vitinoin: treatment of acne;”;

(8) by striking out paragraphs 20.2 and 25.1;

(9) by striking out the words “for whom intravenous maintenance treatment is not possible” in paragraph 26.3;

(10) by striking out paragraph 29.

**2.** This Regulation comes into force on 1 July 1996.

9800

## Draft Regulations

### Draft Regulation

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2)

#### Corrugated Paper Products

##### — Levy

##### — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Levy Regulation of the Joint Committee of the Corrugated Paper Products Industry, adopted by the committee at its meeting of 12 December 1995, the text of which appears below, may be approved by the Government upon the expiry of the 45-day period following this publication.

The draft regulation seeks to increase the levy rate of professional employers governed by the Decree.

To achieve that purpose, it proposes to substitute “0.11 %” for “0.09 %” as the levy rate of the professional employer.

To date, a study of this matter has revealed that the proposed levy rate will enable the Joint Committee to meet its obligations.

Further information may be obtained from Ms. Denise Plante, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec), G1R 5S1 (Telephone: 418-643-4415; Fax: 418-528-0559).

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec), G1R 5S1.

JEAN-MARC BOILY,  
*Deputy Minister of Labour*

### Regulation to amend the Levy Regulation of the Joint Committee of the Corrugated Paper Products Industry

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2, s. 22, subpar. i)

**1.** The Levy Regulation of the Joint committee of the Corrugated Paper Products Industry, approved by Order in Council 2626-85 dated 11 December 1985 and amended by the Regulations approved by Orders in Council 1227-87 dated 5 August 1987, 345-91 dated 13 March 1991 and 88-94 dated 10 January 1994, is further amended by substituting the following for section 2:

“**2.** Professional employers shall remit to the Joint Committee of the Corrugated Paper Products Industry an amount equal to 0.11 % of the gross wages they pay to their employees governed by the Decree.”

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

9801

### Draft Regulation

Health Insurance Act  
(R.S.Q., c. A-29)

#### Hearing devices insured

##### — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend the above-mentioned Regulation in order to tighten the criteria of eligibility, the conditions on which hearing devices are awarded and the application rules of the hearing devices program, while preserving the present program in respect of persons 18 years of age or less, students and persons suffering from moderate or more severe deafness.

Study of the matter reveals that the draft Regulation will have an impact on beneficiaries over 18 years of age who are not students, particularly as regards the repair of devices, and on all beneficiaries as regards the criteria of eligibility for the program. In respect of those who provide services and suppliers, a certain impact will be felt, particularly with regard to the minimum life duration of a device, the period of availability of parts and the terms and conditions for paying a repair. The cost of replacing damaged hearing devices will no longer be assumed by the Board.

Further information may be obtained by contacting Mr. Jean-L. Lefebvre, by telephone at (418) 682-5172 or by fax at (418) 643-7312, Régie de l'assurance-maladie du Québec, 1125, chemin Saint-Louis, Sillery (Québec), G1S 1E7.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec), G1S 2M1.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting hearing devices insured under the Health Insurance Act

Health Insurance Act  
(R.S.Q., c. A-29, s. 69, 1<sup>st</sup> par., subpar. h.2)

**1.** The Regulation respecting hearing devices insured under the Health Insurance Act, made by Order in Council 869-93 dated 16 June 1993 and amended by the Regulations made by Orders in Council 1471-93 dated 20 October 1993, 1593-94 dated 9 November 1994, 475-95 dated 5 April 1995, 738-95 dated 31 May 1995, 1395-95 dated 25 October 1995 and 110-96 dated 24 January 1996, is further amended, in section 1,

(1) by substituting the expression “on the average within all the frequency ranges of 500, 1000, 2000 and 4000” for the expression “within the frequency range of either 500, 1000, 2000 or 3000 Hz” in paragraph 1 of the definition of “person with a hearing handicap”;

(2) by substituting the expression “on the average within all the frequency ranges of 500, 1000, 2000 and 4000 Hz and who is admitted to and pursuing a program leading” for the expression “within the frequency range of either 500, 1000, 2000 or 3000 Hz and who is registered in a program leading” in paragraph 2 of the same definition; and

(3) by substituting, in paragraph 3 of the same definition,

(a) the figure “40” for the figure “35”;

(b) the expression “on the average within all the frequency ranges of 500, 1000 and 2000 Hz” for the expression “within the frequency range of either 500, 1000 or 2000 Hz”.

**2.** Section 5 is amended by striking out the word “fitting.”.

**3.** Section 6 is amended

(1) by substituting the words “or replacement” for the words “, fitting, replacement or repair” in the part preceding subparagraph 1 of the first paragraph;

(2) by substituting the following for subparagraph 1 of the first paragraph:

“(1) in the case of an initial fitting or the replacement of a device for a person with a hearing handicap described in paragraphs 1 to 3 of the definition of “person with a hearing handicap” in section 1, upon presentation of”.

(3) by substituting the following for the first sentence in clause *b* of subparagraph 1 of the first paragraph:

“an audiogram and an attestation of the need for a hearing aid, produced and signed by an audiologist having made a comprehensive assessment of the deficiencies and functional limitations.”;

(4) by substituting the following for clause *d* of subparagraph 2 of the first paragraph:

“(d) a specific recommendation by an audiologist where a programmable hearing aid or the second prosthesis of a binaural device is provided;” and

(5) by inserting the following after clause *d* of subparagraph 2 of the first paragraph:

“(e) an attestation of school attendance in the case of a person with a hearing handicap referred to in subparagraph 2 of the second paragraph of section 23.”.

**4.** Section 7 is amended

(1) by substituting the words “or replacement” for the words “, replacement or repair” in the part preceding subparagraph 1; and

(2) by striking out the words “or an otorhinolaryngologist” at the end of subparagraph 2 of the first paragraph.

**5.** The following is inserted after section 7:

“7.1 Notwithstanding section 7, the cost of the devices listed in Sub-subdivision I of Subdivisions I, II and III of Division II of Chapter V shall be assumed by the Board only for a person with a hearing handicap referred to in paragraphs 1, 2 and 4 of the definition of “person with a hearing handicap” in section 1, and only for a person with a hearing handicap referred to in paragraph 5 of the same definition in section 1, if he is 18 years old or less or if he is pursuing a program of study, subject to the provisions of Subdivisions I, II and III of Chapter IV. The cost of the devices listed in Sub-subdivision II of Subdivisions I, II and III of Division II of Chapter V shall be assumed by the Board for a person with a hearing handicap, subject to the provisions of Subdivisions I, II and III of Chapter IV.”.

**6.** Section 8 is amended by striking out the word “fitting.”.

**7.** The following is substituted for section 9:

“9. In accordance with the terms and conditions provided for in this Regulation, the Board shall assume, only for a person with a hearing handicap referred to in paragraphs 1, 2 and 4 of the definition of “person with a hearing handicap” in section 1 and only for a person with a hearing handicap referred to in paragraph 5 of the same definition in section 1, if he is 18 years old or less or if he is pursuing a program of study, the cost of repairing a hearing device not referred to in Chapter V but covered by section 17 or that is of the same type as a hearing device referred to in Chapter V but already belongs to the person with a hearing handicap at the time he would first be entitled to a hearing device under this Regulation.”.

**8.** Section 11 is amended by substituting the figure “8” for the figure “6”.

**9.** Section 12 is amended in the first paragraph by substituting the words “date on which the person with a hearing handicap takes possession of the hearing device” for the words “fitting period in the case of a hearing aid and beginning on the date on which the person with a hearing handicap takes possession of the device in the case of an assistive listening device”.

**10.** Section 13 is amended by striking out the words “of fittings and”.

**11.** Section 14 is amended

(1) by striking out the words “or fitting” ; and

(2) by substituting the figure “8” for the figure “6”.

**12.** Section 16 is amended

(1) by substituting the following for paragraph 1:

“(1) the hearing condition of the person with a hearing handicap has changed by at least an average of 20 decibels, measured by air conduction, within all the frequency ranges of 500, 1000 and 2000 Hz or his physical condition has changed to the point where the hearing device is no longer effective;”;

(2) by striking out paragraphs 3, 4 and 6; and

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

“(8) a repair whose cost would not be assumed by the Board under this Regulation is required after the expiry of the minimum duration of the device.”.

**13.** Section 17 is amended by substituting the words “or replacement” for the words “, fitting, replacement or repair”.

**14.** The following is substituted for section 21:

“21. Subject to section 9 and upon presentation of supporting documents, the Board shall, under the following conditions, assume the cost of repairing a hearing aid after the warranty period has expired:

(1) for repairs done exclusively by the manufacturer:

(a) the cost of parts, up to the cost of reconditioning by the manufacturer, plus the cost of the time required for the repair;

(b) the cost of the time required by the hearing aid acoustician, added to the cost provided for in subparagraph a;

(2) for repairs done exclusively by the hearing aid acoustician or exclusively by an establishment having both entered with the Board into an agreement authorized by the Government under section 23 of the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., c. R-5):

(a) the cost of parts;

(b) the cost of the time required by the hearing aid acoustician, added to the cost provided for in subparagraph a.

The cost of the time required by the hearing aid acoustician shall be assumed by the Board up to a maximum of 2 hours or 8 quarters of an hour, or a fraction of such quarter, per year for each hearing aid.

The cost of a repair includes the cost of renting a hearing aid.”.

**15.** Section 22 is amended by substituting the words “by the hearing aid acoustician” for the words “for repairs”.

**16.** Section 23 is amended

(1) by substituting the words “or replacement” for the words “, fitting, replacement or repair” in the first paragraph; and

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

“Subject to section 9, the Board shall assume the cost of repair of only one hearing aid, unless the person with a hearing handicap has a binaural device under the second paragraph.”.

**17.** Section 24 is amended

(1) by substituting in the first paragraph the words “required time devoted by a hearing aid acoustician to a person with a hearing handicap where he provides an option or an” for the words “time required by a hearing aid acoustician to replace an option or”; and

(2) by substituting in the second paragraph the words “The cost of such required time shall not be assumed by the Board where he provides an “ earmold and tube” or a” for the words “No replacement time shall be payable for the items “ earmold and tube” and”.

**18.** Section 26 is amended by substituting the following for subparagraph 4 of the first paragraph:

“(4) in respect of a person with a hearing handicap referred to in paragraph 2 of the definition of “person with a hearing handicap” in section 1: 1 earmold or shell impression.”.

**19.** Section 27 is amended by substituting the figure “4000” for the figure “3000”.

**20.** Section 29 is amended by substituting the words “on the average within all the frequency ranges” for the words “based on an average”.

**21.** Section 30 is amended

(1) by adding the words “where applicable,” at the beginning of subparagraph 4 of the first paragraph; and

(2) by adding the following after subparagraph 11 of the second paragraph:

“(12) \$48.90 for a vibro-tactile device.”.

**22.** Section 31 is amended

(1) by adding the words and figure “Subject to section 9,” at the beginning of the first paragraph; and

(2) by substituting the following for subparagraph 2 of the first paragraph:

“(2) the price of the parts.”.

**23.** The words “housing unit” are substituted for the word “household” in sections 32, 39 and 40.

**24.** Section 41 is amended by substituting the words “or tactile type environmental control system per housing unit” for the words “type environmental control system per household”.

**25.** Section 42 is amended

(1) by substituting the words “per housing unit” for the words “per household” in the first paragraph; and

(2) by substituting the words “the housing unit” for the words “the household” in the second paragraph.

**26.** Division II appearing in Schedule I<sup>1</sup> to this Regulation is substituted for Division II of Chapter V.

**27.** This Regulation comes into force on 1 September 1996.

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1. Schedule I has not been reproduced herein because it is not subject to the publication requirements prescribed in section 8 of the Regulations Act (R.S.Q., c. R-18.1). It will appear in the Regulation to be made.

## Draft Regulation

Medical Act  
(R.S.Q., c. M-9)

Professional Code  
(R.S.Q., c. C-26)

### Physicians

— **Terms and conditions for a specialist's certificate to be issued**  
— **Amendments**

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Collège des médecins du Québec made the Regulation to amend the Regulation respecting certain terms and conditions for a specialist's certificate to be issued by the Ordre professionnel des médecins du Québec.

The Regulation will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code. Thereafter, it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment, upon the expiry of 45 days following this publication.

According to the Collège des médecins du Québec:

— the purpose of the Regulation is to alter the training periods required for the purpose of obtaining a specialist's certificate in the various specialties described in Schedule I to the Regulation respecting certain terms and conditions for a specialist's certificate to be issued by the Ordre professionnel des médecins du Québec;

— the Regulation updates training standards by integrating the year of comprehensive training periods described in subsection 2 of section 3.01.03 of the amended Regulation, used by university programmes except for paediatrics where it is not required for the moment. The specialties of geriatric medicine, microbiology and infectious diseases and medical oncology have already been integrated into this year of comprehensive training periods at the time of the creation of those specialties;

— the Regulation will result in the revocation of the specialty of cardiovascular and thoracic surgery in order to preserve only the cardiac component and in the creation of the specialty of cardiac surgery as in the rest of Canada. In the case of the thoracic component, no request for the recognition of the specialty has been made since the Québec context does not justify the creation of such a specialty. As for the vascular component, it is a field of competency of an already existing specialty, that is, general surgery;

— for citizens, however, this amendment will help improve the quality of medical care by expanding knowledge and promoting the education and training of physicians in the various fields mentioned therein;

— it has no impact on businesses, whatever their size.

Further information may be obtained from Dr. Adrién Dandavino, Director of the Service des études médicales, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec), H3H 2T8; tel.: (514) 933-4441, extension 302; fax: (514) 933-3112.

Any person having comments to make on the text reproduced below is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, complexe de la place Jacques-Cartier, 320, rue Saint-Joseph Est, 1<sup>er</sup> étage, Québec (Québec), G1K 8G5. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation, that is, the Collège des médecins du Québec, as well as to the persons, departments and agencies concerned.

ROBERT DIAMANT,  
*Chairman of the Office  
des professions du Québec*

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## Regulation to amend the Regulation respecting certain terms and conditions for a specialist's certificate to be issued by the Ordre professionnel des médecins du Québec

Medical Act  
(R.S.Q., c. M-9, s. 3 and 37, 1<sup>st</sup> par., sub par. c; 1994, c. 40, s. 381)

Professional Code  
(R.S.Q., c. C-26, s. 94, par. e and i; 1994, c. 40, s. 81)

The Regulation respecting certain terms and conditions for a specialist's certificate to be issued by the Ordre professionnel des médecins du Québec (R.R.Q., 1981, c. M-9, r.7), amended by the Regulation made on 6 April 1983 and published on page 1950 of the *Gazette officielle du Québec* of 25 May 1983 to replace the Regulation approved by Order in Council 3049-81 dated 6 November 1981, by the Regulations approved by Order in Council 2440-85 dated 27 November 1985, 1720-86 dated 19 November 1986, 1533-89 dated 27 September 1989 and 1113-93 dated 11 August 1993 as well as by section 457 of chapter 40 of the statutes of

Québec of 1994, is further amended by replacing schedule 1 by the following:

## “SCHEDULE I

### TRAINING PERIODS REQUIRED FOR THE PURPOSE OF OBTAINING A SPECIALIST'S CERTIFICATE IN VARIOUS SPECIALTIES

#### 1. PATHOLOGY

60 months of training including:

- a) 12 months of training in disciplines related to the specialty;
- b) 36 months of training in pathology;
- c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 2. ANAESTHESIA

60 months of training including:

- a) 12 months of training in disciplines related to the specialty;
- b) 6 months of training in internal medicine;
- c) 30 months of training in anaesthesia including:
  - 3 months of training in paediatric anaesthesia,
  - 3 months of training in intensive care;
- d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 3. BIOCHEMISTRY

60 months of training including:

- a) 12 months of training in disciplines related to the specialty;
- b) 12 months of training in internal medicine or in paediatrics or a combination of both;
- c) 24 months of training in biochemistry including:
  - 12 months of training in a hospital milieu;
- d) 12 months of training the content of which may vary according to the university programme mentioned

in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 4. CARDIOLOGY

60 months of training including:

- a) 24 months of training in internal medicine or in paediatrics;
- b) 24 months of training in cardiology including:
  - 1 month of training in paediatric cardiology,
- c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 5. CARDIAC SURGERY

72 months of training including:

- a) 24 months of training in surgery;
- b) 24 months of training in cardiac surgery including:
  - 6 months of training in paediatric cardiac surgery,
- c) 12 months of training including:
  - 6 months of training in thoracic surgery,
  - 6 months of training in general or vascular surgery;
- d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 6. GENERAL SURGERY

60 months of training including:

- a) 48 months of training in surgery;
  - 6 months in disciplines related to the specialty,
  - 42 months of training in general surgery, 12 months of which may be spent in other surgical disciplines;
- b) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**7. ORTHOPAEDIC SURGERY**

60 months of training including:

- a)* 12 months of training in surgery;
- b)* 36 months of training in orthopaedic surgery including:
  - 6 months of training in paediatric orthopaedic surgery;
- c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**8. PLASTIC SURGERY**

60 months of training including:

- a)* 12 months of training in surgery;
- b)* 36 months of training in plastic surgery including:
  - 3 months of training in paediatric plastic surgery;
- c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the credentials Committee.

**9. DERMATOLOGY**

60 months of training including:

- a)* 12 months of training in disciplines related to the specialty;
- b)* 12 months of training in internal medicine or in paediatrics;
- c)* 24 months of training in dermatology;
- d)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**10. ENDOCRINOLOGY**

60 months of training including:

- a)* 24 months of training in internal medicine or in paediatrics;
- b)* 24 months of training in endocrinology;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**11. GASTRO-ENTEROLOGY**

60 months of training including:

- a)* 24 months of training in internal medicine or in paediatrics;
- b)* 24 months of training in adult or paediatric gastroenterology:
  - 6 months which may be replaced by training in internal medicine or paediatrics;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**12. MEDICAL GENETICS**

60 months of training including:

- a)* 24 months of training in internal medicine or in paediatrics;
- b)* 24 months of training in medical genetics;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**13. GERIATRIC MEDICINE**

60 months of training including:

- a)* 24 months of training in internal medicine;
- b)* 24 months of training in geriatric medicine including:
  - 3 months of training in psychogeriatrics;
- c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**14. HAEMATOLOGY**

60 months of training including:

- a) 24 months of training in internal medicine or in paediatrics;
- b) 24 months of training in haematology including:
  - 9 months of clinical training in adult or paediatric haematology;
  - 9 months of laboratory training in haematology;
  - 6 months of training in disciplines related to the specialty;
- c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**15. CLINICAL IMMUNOLOGY AND ALLERGY**

60 months of training including:

- a) 24 months of training in internal medicine or in paediatrics;
- b) 24 months of training in clinical immunology and allergy including:
  - 3 months of training in paediatric allergy, and
  - 3 months of training in adult allergy;
- c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**16. INTERNAL MEDICINE**

60 months of training including:

- a) 54 months of training in internal medicine including training in subspecialties which may not exceed 3 months of training for each subspecialty;
  - 6 months of training may be replaced by training in disciplines related to the specialty;
- b) 6 months the content of which may vary according to the university programme mentioned in section 3.01.01; where the said 6 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**17. NUCLEAR MEDICINE**

60 months of training including:

- a) 12 months of training in disciplines related to the specialty;
- b) 12 months of training in internal medicine or in paediatrics;
- c) 24 months of training in nuclear medicine;
- d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**18. MICROBIOLOGY AND INFECTIOUS DISEASES**

60 months of training including:

- a) 24 months of training in internal medicine or in paediatrics;
- b) 36 months of training in microbiology and infectious diseases including:
  - 24 months of training in microbiology in a diagnostic laboratory;
  - 12 months of training in infectious diseases.

**19. NEPHROLOGY**

60 months of training including:

- a) 24 months of training in internal medicine or in paediatrics;
- b) 24 months of training in nephrology;
- c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

**20. NEUROSURGERY**

72 months of training including:

- a) 24 months of training in disciplines related to the specialty;
- b) 36 months of training in neurosurgery;
- c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not in-

cluded in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 21. NEUROLOGY

60 months of training including:

*a)* 12 months of training in internal medicine or in paediatrics;

*b)* 36 months of training in neurology including:  
— 18 months of training in adult neurology;  
— 3 months of training in paediatric neurology;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

To be eligible to the EEG examination, the candidate must have completed 12 months of training in electrophysiology, including 6 months of training in a EEG laboratory. Success at the examination shall give right to the additional mention EEG on the certificate.

For candidates who did 12 months of training in paediatrics:

*b)* 36 months of training in neurology including:  
— 12 months of training in paediatric neurology;  
— 12 months of training in adult neurology;

#### 22. OBSTETRICS-GYNAECOLOGY

60 months of training including:

*a)* 12 months of training in disciplines related to the specialty;

*b)* 36 months of training in obstetrics-gynaecology;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 23. MEDICAL ONCOLOGY

60 months of training including:

*a)* 24 months of training in internal medicine or in paediatrics;

*b)* 24 months of training in medical oncology;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 24. OPHTHALMOLOGY

60 months of training including:

*a)* 12 months of training in disciplines related to the specialty;

*b)* 36 months of training in ophthalmology;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 25. OTO-LARYNGOLOGY

60 months of training including:

*a)* 12 months of training in surgery;

*b)* 36 months of training in oto-laryngology;

*c)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 26. PAEDIATRICS

48 months of training including:

*a)* 36 months of training in paediatrics;

*b)* 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 27. PHYSIATRY

60 months of training including:

*a)* 12 months of training in disciplines related to the specialty;

*b)* 12 months of training in internal medicine, 6 months of which may be replaced by training in paediatrics;

- c) 24 months of training in physiatry including:
  - 3 months of training in a rehabilitation centre,
  - 3 months of training in paediatric rehabilitation;

d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 28. PNEUMOLOGY

60 months of training including:

a) 24 months of training in internal medicine or in paediatrics;

b) 24 months of training in pneumology;

c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 29. PSYCHIATRY

60 months of training including:

a) 12 months of training including 6 months of training in disciplines related to the specialty;

b) 36 months of training in psychiatry including:
 

- 6 months of training in pedopsychiatry,
- 6 months of training in psychiatric long-term care and rehabilitation;

c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 30. DIAGNOSTIC RADIOLOGY

60 months of training including:

a) 12 months of training in disciplines related to the specialty;

b) 36 months of training in diagnostic radiology including:
 

- 6 months of training in ultrasonography;

c) 12 months of training the content of which may vary according to the university programme mentioned

in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 31. RADIO-ONCOLOGY

60 months of training including:

a) 12 months of training in disciplines related to the specialty;

b) 36 months of training in radio-oncology;

c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 32. RHEUMATOLOGY

60 months of training including:

a) 24 months of training in internal medicine or in paediatrics;

b) 24 months of training in rheumatology;

c) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

#### 33. COMMUNITY HEALTH

60 months of training including:

a) 12 months of training in disciplines related to the specialty;

b) 24 months of training in a community health programme and completion of a Master's degree in community health or in epidemiology or in health administration or in another discipline related to community health and approved by the Credentials Committee;

c) 12 months of practical training in community health;

d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.

## 34. UROLOGY

60 months of training including:

a) 12 months of training in disciplines related to the specialty;

b) 12 months of training in surgery;

c) 24 months of training in urology;

d) 12 months of training the content of which may vary according to the university programme mentioned in section 3.01.01; where these 12 months are not included in the university programme approved, the candidate shall propose the content thereof and have it approved by the Credentials Committee.”.

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

9795

## Draft Regulation

Plant Protection Act  
(1995, c. 54)

### Plant Protection

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Plant Protection Regulation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to

— determine the diseases and destructive insects covered by the Plant Protection Act;

— prescribe the terms and conditions for the taking of samples and the seizure or confiscation of property authorized by the Act;

— establish the form and content of any certificate, report or minutes that will be used by the inspectors designated for the enforcement of plant protection measures.

To date, study of the matter has revealed no impact of an economic nature on the public and businesses.

Further information may be obtained by contacting Mr. Michel Lemay, 2700, rue Einstein, Sainte-Foy (Québec), G1P 3W8, tel.: (418) 644-4686, fax: (418) 646-0832.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, Québec (Québec), G1R 4X6.

GUY JULIEN,  
*Minister of Agriculture, Fisheries and Food*

## Plant Protection Regulation

Plant Protection Act  
(1995, c. 54, ss. 3 and 18)

**1.** The following diseases and destructive insects are covered by the Plant Protection Act:

### DISEASES

COMMON NAME	SCIENTIFIC NAME
1. Fire blight	<i>Erwinia amylovora</i> (Burr.)
2. European canker	<i>Nectria galligena</i> (Bres.)
3. Black knot	<i>Apiosporina morbosa</i> (Schw.)
4. White pine blister rust	<i>Cronartium ribicola</i> (J.C. Fisch.)
5. Apple scab	<i>Venturia inaequalis</i> (Cooke)
6. Crown gall	<i>Agrobacterium tumefaciens</i> (S & T)
7. Angular leaf spot on strawberry	<i>Xanthomonas fragariae</i> (K. & K.)
8. Red stele of strawberry	<i>Phytophthora fragariae</i> var. <i>fragariae</i> (Hickman)
9. Phytophthora root rot of raspberry	<i>Phytophthora</i> sp.

**DESTRUCTIVE INSECTS**

<b>COMMON NAME</b>	<b>SCIENTIFIC NAME</b>
1. Plum curculio	<i>Conotrachelus nenuphar</i> (Bbst.)
2. San Jose scale	<i>Quadraspidiotus perniciosus</i> (Comst.)
3. Oystershell scale	<i>Lepidosaphes ulmi</i> (L.)
4. Apple maggot	<i>Rhagoletis pomonella</i> (Walsh)
5. Woolly apple aphid	<i>Eriosoma lanigerum</i> (Hausm.)
6. Roundheaded appletree borer	<i>Saperda candida</i> (F.)
7. Oblique-banded leaf roller	<i>Choristoneura rosaceana</i> (Harris)
8. White pine weevil	<i>Pissodes strobi</i> (Peck)
9. Bronze birch borer	<i>Agrilus anxius</i> (Gory)
10. Fletcher scale	<i>Parthenolecanium fletcheri</i> (C.)
11. Peach tree borer	<i>Sanninoidea exitiosa</i> (Say)
12. European apple sawfly	<i>Hoplocampa testudinae</i> (Klug)
13. Dogwood borer	<i>Synanthedon scitula</i> (Harr.)

**2.** An authorized person who witnesses an offence against the provisions of the Plant Protection Act (1995, c. 54) shall immediately prepare an offence report in accordance with the Regulation respecting the form of offence reports, made under the Code of penal procedure (R.S.Q., c. C-25.1).

**3.** An authorized person shall place a numbered and dated receipt on any lot of property seized or confiscated under the Plant Protection Act. The receipt shall bear, in addition to the authorized person's signature, the particulars in the Form in Schedule I.

The action taken in respect of the seizure or confiscation of property shall be stated in minutes dated and

signed by the authorized person and bearing the particulars in the Form in Schedule II.

**4.** A release of the seizure shall be given in writing by any authorized person, where one of the situations provided for in section 21 of the Plant Protection Act occurs or where the object that has been seized must be returned under another Act.

The release shall be dated and signed by the authorized person and shall bear the particulars in the Form in Schedule III.

**5.** Any taking of samples shall immediately entail the drafting of minutes dated and signed by the authorized person.

These minutes shall bear the particulars in the Form in Schedule IV.

**6.** All minutes shall be drawn up in triplicate in accordance with the Form in Schedule II or IV, as the case may be.

The first copy shall be sent within 24 hours by the authorized person to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation. A copy shall be left with the owner or custodian of the property that has been taken, seized or confiscated or to their representative. A copy shall be kept by the authorized person.

**7.** Every sample taken shall be placed under seal and sent, together with the minutes, to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation. If special measures for the preservation of a sample are required, the sample shall be sent immediately to the laboratory where such measures will be taken. Mention of such dispatch shall be made in the minutes. The seals shall be affixed on the container enclosing the samples. Each sample shall bear a numbered tag bearing the particulars in the Form in Schedule V.

**8.** Within 24 hours of its receipt, the sample shall be forwarded to the laboratory.

On the day following the end of the time period required to complete the analysis, the laboratory shall submit a report to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation bearing the particulars in the Form in Schedule VI.

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



Gouvernement du Québec  
**Ministère de l'Agriculture, des Pêcheries  
 et de l'Alimentation**  
 Protection des plantes

### SCHEDULE I

(s. 3)

#### SEIZURE

Receipt No. \_\_\_\_\_

Plants  Vehicles  Equipment  \_\_\_\_\_  
 (quantity, nature, kind)

\_\_\_\_\_ under the custody of \_\_\_\_\_

Minutes No. \_\_\_\_\_

Made at \_\_\_\_\_ on 

--	--	--	--	--	--	--

  
 (place) year month day

Authorized person \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

N.B. S. 17: An inspector may, in the exercise of his functions, seize a plant or equipment to which this Act applies, if he has reasonable cause to believe that the plant or the equipment has been used to commit an offence under this Act, or that an offence has been committed in connection with the plant or equipment, or where an owner or a custodian of premises where a plant is found has failed to comply with an order.

S. 19: The owner or custodian of the seized property shall have custody thereof. However, the inspector may, if he considers it expedient, move the seized property to other premises for purposes of custody. The custodian shall also have custody of any seized property produced as evidence, unless the judge having received it in evidence decides otherwise.

Custody of the seized property shall be maintained until it is disposed of in accordance with sections 21 to 25 or, if proceedings are instituted, until the judge disposes of it otherwise.

S. 20: No person may use or remove seized property or allow seized property to be used or removed except with the authorization of the inspector.



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**Ministère de l'Agriculture, des Pêcheries  
 et de l'Alimentation**  
 Protection des plantes

#### CONFISCATION

Receipt No. \_\_\_\_\_

Plants  \_\_\_\_\_  
 (quantity, nature, kind)

\_\_\_\_\_ under the custody of \_\_\_\_\_

Minutes No. \_\_\_\_\_

Made at \_\_\_\_\_ on 

--	--	--	--	--	--	--

  
 (place) year month day

Authorized person \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

N.B. S.8: If the owner or custodian fails to comply with the notice of the inspector, the inspector may confiscate the plants and cause them to be destroyed at the expense of the owner or custodian. The sums involved bear interest at the rate determined under section 28 of the Act respecting the Ministère du Revenu.

S. 11: If the owner or custodian fails to comply with the order of the Minister, an inspector may himself carry out the order or cause it to be carried out at the expense of the owner or custodian.

An inspector may also, where an order for the destruction of plants is not complied with, confiscate the plants for destruction at the expense of the owner or custodian.

The sums involved bear interest at the rate determined under section 28 of the Act respecting the Ministère du Revenu.



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**Ministère de l'Agriculture, des Pêcheries  
 et de l'Alimentation**  
 Protection des plantes

**SCHEDULE II**  
 (s. 3)

MINUTES

<input type="checkbox"/> OF SEIZURE	<input type="checkbox"/> OF CONFISCATION
Name and address of person responsible	Record No.

A- REASONS FOR ACTION TAKEN

- Considering  offence report No. \_\_\_\_\_ completed on \_\_\_\_\_
- the minutes of seizure bearing the same number and dated the same day; \_\_\_\_\_
- analysis report No. \_\_\_\_\_ dated \_\_\_\_\_
- the destruction order dated \_\_\_\_\_
- the notice of destruction dated \_\_\_\_\_
- \_\_\_\_\_

Concerning \_\_\_\_\_  
 (Name and address of person concerned)

B- NATURE OF ACTION TAKEN

I seized at  I confiscated at

(name and address of person on whose premises the seizure or confiscation is made)

On 

Year	Month	Day
------	-------	-----

 at \_\_\_\_\_ o'clock \_\_\_\_\_, the following plants , vehicles  or equipment :

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by reason of the offence report , the minutes of seizure , the analysis report , the order , the notice of destruction , or for any other reason  indicated in A.

C- CONFISCATION IN CASES OF REFUSAL OF DESTRUCTION

I have confiscated the following plants, due to the refusal of the owner  or custodian  to destroy them

D- RECEIPTS OF SEIZURE OR CONFISCATION

I have affixed, on those plants , vehicles  or equipment , receipts of seizure  or confiscation , bearing numbers \_\_\_\_\_

I have given custody of the object seized to \_\_\_\_\_  
 (Name and address of owner or custodian)  
 who may not dispose of it or allow its removal without the consent of an authorized person.

E- OTHER OBSERVATIONS

Made in triplicate \_\_\_\_\_ Returned to \_\_\_\_\_  
 (Place)

Schedule(s)

I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E	I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E						
Authorized person	Authorized person						
Surname and given name (in block letters)	Surname and given name (in block letters)						
Authorized person's No. or capacity <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;">Year</td><td style="width: 20px; height: 20px;">Month</td><td style="width: 20px; height: 20px;">Day</td></tr></table>	Year	Month	Day	Authorized person's No. or capacity <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;">Year</td><td style="width: 20px; height: 20px;">Month</td><td style="width: 20px; height: 20px;">Day</td></tr></table>	Year	Month	Day
Year	Month	Day					
Year	Month	Day					
Signature	Signature						



Gouvernement du Québec  
Ministère de l'Agriculture, des Pêcheries  
et de l'Alimentation  
Protection des plantes

**SCHEDULE III**

(s. 4)

**RELEASE**

TOTAL

PARTIAL

Name and address of person responsible	Record No.
--	------------

Considering the seizure \_\_\_\_\_ made on 

--	--	--	--	--	--	--	--

  
(minutes No. of the following objects)                      year month day

under the Plant Protection Act,

\_\_\_\_\_  
\_\_\_\_\_  
(plants, vehicles, equipment)

then held by \_\_\_\_\_  
(name and address)

presently under the custody of \_\_\_\_\_  
(name and address)

Considering that, since the seizure date and following inspection, it has been shown that, in respect of what is listed below:

- the plants  vehicles  or equipment  comply with the Act;
- the owner  or custodian  has complied with the Act;
- the deadline provided for in the Act to institute proceedings has expired;
- the property that was seized must be returned under another Act;

Therefore, release of the seizure is granted concerning the following property:

\_\_\_\_\_  
\_\_\_\_\_  
(plants, vehicles, equipment)

Made in triplicate at \_\_\_\_\_ on 

--	--	--	--	--	--	--	--

  
(place)    year month day

\_\_\_\_\_  
(signature of authorized person)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(telephone)

\_\_\_\_\_  
(fax)





Gouvernement du Québec  
**Ministère de l'Agriculture, des Pêcheries  
et de l'Alimentation**  
Protection des plantes

**SCHEDULE V**

(s. 7)

SAMPLE TAG

Minutes No. \_\_\_\_\_ Sample No. \_\_\_\_\_

\_\_\_\_\_  
(Plant, equipment, soil)

\_\_\_\_\_  
(Owner  Custodian )

--	--	--	--	--	--

year month day

\_\_\_\_\_  
(Signature of authorized person)



Gouvernement du Québec  
**Ministère de l'Agriculture, des Pêcheries  
 et de l'Alimentation**  
**Protection des plantes**

**SCHEDULE VI**  
 (s. 8)

ANALYSIS REPORT

Name and address of person responsible	Record No.
--	------------

A- DATA ON SAMPLES TAKEN

Project No. \_\_\_\_\_ Minutes of sampling No. \_\_\_\_\_  
 Analysis application No. \_\_\_\_\_ dated \_\_\_\_\_  
 Offence report No. \_\_\_\_\_ and signed by \_\_\_\_\_  
 Seals No. \_\_\_\_\_ Samples No. \_\_\_\_\_

PERSON MENTIONED IN THE MINUTES:

\_\_\_\_\_  
 (Name and address)

B- DESCRIPTION OF SAMPLES TO BE ANALYZED

\_\_\_\_\_  
 (Quantity, nature of samples, plants, equipment, soil)

C- CONDITION OF SAMPLES AND SEALS UPON RECEIPT

The samples shipped  or delivered  to the laboratory by \_\_\_\_\_  
 have been received on 

year	month	day			

 by \_\_\_\_\_  
 in good condition, in closed containers, with intact seals affixed thereto, the whole in relation with the minutes mentioned above.

D- BREAKING OF SEALS AND PRESERVATION OF SAMPLES BEFORE ANALYSIS

I have broken the seals affixed to the containers of the samples and I have sent the latter to a room to be kept there until the time of analysis.

E- ANALYSIS AND OBSERVATIONS

(Comments of a scientific nature in accordance with the generally accepted practices of the trade)

On 

year	month	day			

, I made the analysis of the samples described in B  
 and, on the basis of the data and results that I have personally observed on the document attached hereto, I am submitting the following findings:

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F- CONCLUSIONS

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Made in triplicate at \_\_\_\_\_ (place)  Schedule(s) attached

I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F	I have personally observed the facts and taken the action mentioned in <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F																								
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Year	Month	Day																							
Year	Month	Day																							
Signature	Signature																								

## Draft Regulation

An Act respecting immigration to Québec  
(R.S.Q., c. I-0.2)

### Selection of foreign nationals — Amendments

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

The main purpose of the draft regulation is to expand the range of distressful situations which could be the subject of group sponsorship.

To that end, the draft regulation introduces the possibility for a foreign national who is in a distressful situation such that he deserves humanitarian consideration owing to the fact that his physical safety is threatened by risk of imprisonment, torture or death, to benefit from a group sponsorship program.

By expanding the possibility of using a group sponsorship program, the impact of the draft regulation is to facilitate the establishment of candidates that Québec selects for humanitarian reasons and to thus reduce the government expenditures related to that establishment. The draft regulation has no impact on businesses.

Further information may be obtained by contacting Mr. Yvan Turcotte, Director of immigration policies and programs, 800, place Victoria, 14<sup>e</sup> étage, C.P. 216, Montréal (Québec), H4Z 1E3; tel.: (514) 873-1631; fax: (514) 864-2796.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister for Relations with the Citizens, 360, rue McGill, 4<sup>e</sup> étage, Montréal (Québec), H2Y 2E9.

ANDRÉ BOISCLAIR,  
*Minister for Relations with the Citizens*

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

An Act respecting immigration to Québec  
(R.S.Q., c. I-0.2, s. 3.3, 1<sup>re</sup> par., subpars. a, b, c, c.1, c.2, c.3, d, f and j)

**1.** The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2), amended by

the Regulations made by Orders in Council 409-82 dated 24 February 1982 (Suppl., p. 898), 771-82 dated 31 March 1982 (Suppl., p. 899), 2057-84 dated 19 September 1984, 1080-86 dated 16 July 1986, 646-88 dated 4 May 1988, 1504-88 dated 4 October 1988, 229-89 dated 22 February 1989, 922-89 dated 14 June 1989, 1968-89 dated 20 December 1989, 1784-91 dated 18 December 1991, 425-92 dated 25 March 1992, 1109-92 dated 29 July 1992, 1725-92 dated 2 December 1992, 189-93 dated 17 February 1993, 1041-93 dated 21 July 1993, 1238-94 dated 17 August 1994, 1323-95 dated 4 October 1995 and 563-96 dated 15 May 1996 is further amended in section 27:

(1) by substituting the following for subsection 1:

“**27.** (1) Where a foreign national belonging to the class of foreign nationals in a particularly distressful situation referred to in paragraph *a* or *b* or in subparagraph *iii* of paragraph *c* of section 18 files an application with the Minister for a selection certificate, the Minister shall consider the application, taking into account:

(a) the application of a sponsor as prescribed by section 30;

(b) any financial or other assistance offered in Québec; and

(c) the pertinence of factors 3, 7, 8 and 9 in Schedule A.

Where in the Minister’s opinion, the foreign national belonging to the class of foreign nationals in a particularly distressful situation referred to in paragraph *a* or *b* of section 18 is able to establish himself successfully in Québec society, he may issue a selection certificate to him.

Where in the Minister’s opinion, after having considered the affidavit and the papers referred to in subsection 2, the foreign national belonging to the class of foreign nationals in a particularly distressful situation referred to in subparagraph *iii* of paragraph *c* of section 18 has established himself or is able to establish himself successfully in Québec society, the Minister may issue a selection certificate to him.”;

(2) by substituting the words “referred to in subparagraph *i* or *ii* of” for the words “referred to in” in subsection 2.

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



## Index Statutory Instruments

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

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