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Part 2 Laws and Regulations

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Summary

Table of contents
Regulations and other acts
Draft Regulations
Municipal Affairs
Index

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Table of contents

Page

Regulations and other acts

1455-96	Ministère du Conseil exécutif, An Act respecting the... — Signing of certain documents	4907
1462-96	Government and Public Employees Retirement Plan, An Act respecting the... — Amendment to Schedule II.1 to the Act	4908
1470-96	Market intermediaries in damage insurance (Amend.)	4909
1475-96	Mineral substances, other than petroleum, natural gas and brine (Amend.)	4911
1480-96	Income security (Amend.)	4912
1484-96	Industrial accidents and occupational diseases, An Act respecting... — Experience ratios for 1997	4913
1485-96	Industrial accidents and occupational diseases, An Act respecting... — Insurance premiums for 1997	4932
1486-96	Labour Code — Remuneration of arbitrators	4933
1497-96	Conditions of contracts of government departments and public bodies	4934
1498-96	Services contracts of government departments and public bodies (Amend.)	4936
1499-96	Travel services contracts of government departments and public bodies — Revocation	4939
1500-96	Snow removal services contracts of government departments and public bodies (Amend.)	4940
1519-96	Basic prescription drug insurance plan	4941
1520-96	Health Insurance Act — Eligibility and registration of persons (Amend.)	4945
1521-96	Régie de l'assurance-maladie du Québec, An Act respecting the... — Submission of a document by electronic data processing or telecommunication	4947
1522-96	Health Insurance Act — Forms and Statement of fees (Amend.)	4948
	Labour relations, vocational training and manpower management in the construction industry, An Act respecting... — Complementary social benefit plans (Amend.)	4951

Draft Regulations

Professional Code — Notaries — Trust accounting		4961
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Municipal Affairs

1465-96	Amalgamation of the Village de Weedon Centre and the Canton de Weedon	4963
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Regulations and other acts

Gouvernement du Québec

O.C. 1455-96, 27 November 1996

An Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30)

Signing of certain documents

Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif

WHEREAS under section 2 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30), no deed, document or writing shall bind the department or be attributed to the Prime Minister in his capacity as Chairman of the department unless it is signed by him, by the Deputy Minister or by a functionary, and only, as regards the latter, to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS under section 3 of the Act, every copy of a document from the records of the department, certified true by a person authorized to sign that document in conformity with the first paragraph of section 2, is authentic and has the same force as the original;

WHEREAS the Regulation respecting the signing of certain documents of the ministère du Conseil exécutif was made by Order in Council 30-93 dated 20 January 1993;

WHEREAS it is expedient to replace that Regulation;

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

THAT the Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the signing of certain documents of the Ministère du Conseil exécutif

An Act respecting the Ministère du Conseil exécutif (R.S.Q., c. M-30, s. 2)

1. The Associate Secretary General to the Secretary General is authorized to sign on behalf of the Prime

Minister, and with the same effect, any deed, document or writing respecting the administration of all the programs of the Ministère du Conseil exécutif.

2. The Executive Assistant to the Prime Minister is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of the Office of the Prime Minister.

The Administrative Assistant of the Office of the Prime Minister is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of the Office of the Prime Minister, up to an amount of \$50 000.

3. The General Manager for Administration with the Direction générale de l'administration is authorized to sign on behalf of the Prime Minister, and with the same effect, for all the programs of the department, any deed, document or writing, up to an amount of \$100 000 in the case of services contracts, leasing contracts, leases, purchases of immovables, construction of immovables and purchase contracts.

The Director of the Direction des ressources humaines, financières et matérielles of that branch is authorized to sign on behalf of the Prime Minister, and with the same effect, for all the programs of the department, purchase contracts, leasing contracts and services contracts, up to an amount of \$25 000.

The head of the Service des ressources financières of that branch is authorized to sign on behalf of the Prime Minister, and with the same effect, for all the programs of the department, purchase contracts and leasing contracts, up to an amount of \$10 000.

The head of the Service des ressources matérielles of that branch is authorized to sign on behalf of the Prime Minister, and with the same effect, for all the programs of the department, purchase contracts and leasing contracts, up to an amount of \$10 000.

4. Each Associate Secretary General is authorized to sign on behalf of the Prime Minister and with the same effect, any deed, document or writing respecting the administration of his office, up to an amount of \$100 000 in the case of services contracts, leasing contracts and purchase contracts.

5. The Director of the Office of the Minister for Canadian Intergovernmental Affairs is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of the Office of the Minister for Canadian Intergovernmental Affairs.

The Associate Secretary General for Canadian Intergovernmental Affairs is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of the Canadian Intergovernmental Affairs program.

The Assistant Secretary for Canadian Intergovernmental Affairs is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of that program, up to an amount of \$100 000.

The person responsible for the Office of the Associate Secretary General for Canadian Intergovernmental Affairs is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of that program, up to an amount of \$10 000 in the case of services contracts, leasing contracts and purchase contracts.

6. The Director of the Bureau de la francophonie and of the Bureau de la coopération is authorized to sign on behalf of the Prime Minister, and with the same effect, any deed, document or writing respecting the administration of Québec offices in Canada, up to an amount of \$10 000 in the case of services contracts, leasing contracts and purchase contracts.

The heads of post are authorized to sign on behalf of the Prime Minister, and with the same effect, services contracts, leasing contracts and purchase contracts for their respective administrative units, up to an amount of \$5 000, and contracts for the hiring of persons recruited outside Québec to carry out duties in Québec representations.

7. The Assistant Clerk of the Conseil exécutif or the Associate Secretary General for Legislation is authorized to sign any document certifying that an Order in Council has been made, amended or revoked and to certify as true a copy of an Order in Council. The same applies to Mr. Réjean Vallerand, for as long as he performs his duties at the office of the Conseil exécutif.

8. The above delegations are also valid for holders of positions who are authorized to perform the duties on an interim or temporary basis or as replacements.

9. This Regulation replaces the Regulation respecting the signing of certain documents of the ministère du Conseil exécutif, made by Order in Council 30-93 dated 20 January 1993.

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

1080

Gouvernement du Québec

O.C. 1462-96, 27 November 1996

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

Amendment to Schedule II.1 to the Act

Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under the first paragraph of section 16.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), amended by section 5 of Chapter 46 of the Statutes of 1995, the pensionable salary of an employee who is released with pay for union activities is the salary paid to him by his employer and the salary, if any, paid to him by a body designated in Schedule II.1;

WHEREAS under the second paragraph of section 16.1, the body concerned must pay its employer's contributory amount and deduct the contributions from the pensionable salary it pays to such an employee;

WHEREAS under the first paragraph of section 13.1 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), amended by section 23 of Chapter 46 of the Statutes of 1995, the pensionable salary of a teacher who is released with pay for union activities is the salary paid to him by his employer and the salary, if any, paid to him by a body designated in Schedule II.1 of the Act respecting the Government and Public Employees Retirement Plan;

WHEREAS under the second paragraph of section 13.1, the first paragraph applies from the date on which the designation of the body in Schedule II.1 of the Act takes effect and the body begins to pay contributory amounts as an employer and deducts the contributions from the pensionable salary it pays to such a teacher;

WHEREAS under the first paragraph of section 220 of that Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI and any such order may have effect 12 months or less before it is made;

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

THAT the Amendment to Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Amendment to Schedule II.1 to 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, s. 220)

1. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), amended by Orders in Council 1323-94 dated 7 September 1994, 1639-94 dated 24 November 1994, 842-95 dated 21 June 1995, 1322-95 dated 4 October 1995, 82-96 and 83-96 dated 24 January 1996, 184-96 dated 14 February 1996, 556-96 dated 15 May 1996 and 615-96 dated 29 May 1996, 821-96 dated 3 July 1996, 1051-96 dated 28 August 1996, and by section 21 of Chapter 46 of the Statutes of 1995, is further amended by inserting, in alphabetical order, the words “The Association des enseignants du Lakeshore”.

2. This Amendment has effect from 1 December 1995.

1079

Gouvernement du Québec

O.C. 1470-96, 27 November 1996

An Act respecting market intermediaries (R.S.Q., c. I-15.1)

Market intermediaries in damage insurance — Amendments

By-law to amend the By-law of the Conseil des assurances de dommages respecting market intermediaries in damage insurance

WHEREAS under subparagraphs 6, 13 and 22 of the first paragraph of section 78 of the Act respecting mar-

ket intermediaries (R.S.Q., c. I-15.1), the Conseil des assurances de dommages shall determine, by by-law, subject to the approval of the Government, the dues exigible to carry on the activity of market intermediary in damage insurance, the contributions exigible from financial institutions using the services of market intermediaries in damage insurance and the contributions to be paid into the Fonds d'indemnisation en assurance de dommages;

WHEREAS the Conseil des assurances de dommages, on 28 May 1996, made the By-law to amend the By-law of the Conseil des assurances de dommages respecting market intermediaries in damage insurance;

WHEREAS under section 203 of the Act respecting market intermediaries, the Government may amend any by-law submitted to it for approval;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft By-law was published in Part 2 of the *Gazette officielle du Québec* of 18 September 1996 with a notice that it could be approved by the Government upon the expiry of a 45-day period following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to approve the By-law with amendments;

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

THAT the By-law to amend the By-law of the Conseil des assurances de dommages respecting market intermediaries in damage insurance, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

By-law to amend the By-law of the Conseil des assurances de dommages respecting market intermediaries in damage insurance

An Act respecting market intermediaries (R.S.Q., c. I-15.1, s. 78, 1st par., subpars. 6, 13 and 22, and s. 177, par. 1)

1. The By-law of the Conseil des assurances de dommages respecting market intermediaries in damage insurance, approved by Order in Council 1015-91 dated 17 July 1991 and amended by the By-law approved by

Order in Council 1825-94 dated 21 December 1994, is further amended by substituting the following for Chapter IX:

**“CHAPTER IX
FEES AND CONTRIBUTIONS**

**DIVISION I
FEES EXIGIBLE**

89. From 1 January 1997, the fees exigible annually for carrying on the activities of a market intermediary in damage insurance are:

- (1) \$108 for a natural person holding a certificate;
- (2) \$144 for a firm holding a certificate;
- (3) \$144 for a natural person or a firm holding a special broker's certificate;
- (4) \$26 for a natural person holding a certificate and using the title of financial planner.

90. Where a certificate is issued for a period of less than 12 months, the fee exigible is calculated on a pro-rata basis.

91. The fee exigible for the study of the file of a candidate for a certificate for a market intermediary in damage insurance is \$50.

92. The fees exigible for the series of examinations leading to a certificate of market intermediary in damage insurance are:

- | | |
|--|--------|
| (1) in personal line insurance | \$100; |
| (2) in commercial line insurance | \$100; |
| (3) in both personal and commercial line insurance | \$200. |

93. The fees exigible for the series of supplemental examinations in any insurance line are the fees prescribed in section 92.

94. The fees exigible are due at the time of the application for the issue or renewal of a certificate, for the study of a file, or for registration for an examination or for a supplemental examination.

95. Fees shall be paid in cash or by certified cheque or money order made out to the Conseil.

**DIVISION II
CONTRIBUTIONS OF FINANCIAL INSTITUTIONS**

96. From 1 January 1997, the annual contribution exigible from an insurer using the services of market intermediaries in damage insurance is \$0.25 per \$1 000 of premiums subscribed and contributions received by the insurer according to the most recent annual report on insurance of the Inspector General of Financial Institutions.

97. The annual contribution is exigible not later than 1 July.

98. Contributions in arrears bear interest at the rate set in accordance with section 28 of the Act respecting the Ministère du Revenu.

99. Contributions exigible from an insurer shall be paid by cheque made out to the Conseil.

**DIVISION III
INDEXATION**

100. From 1 January 1998, the fees exigible under Division I shall be indexed on 1 January of each year on the basis of the rate of increase in the general Consumer Price Index for Canada for the period ending on 30 September of the preceding year, as determined by Statistics Canada. The fees thus indexed shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The annual indexation calculated in accordance with the first paragraph shall be published by the Conseil in the *Gazette officielle du Québec*.”

2. The following is substituted for section 125:

“**125.** From 1 January 1997, the annual contribution exigible from each market intermediary in damage insurance who is a natural person is \$40.”

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

Gouvernement du Québec

O.C. 1475-96, 27 November 1996

Mining Act
(R.S.Q., c. M-13.1)

**Mineral substances, other than petroleum,
natural gas and brine
— Amendments**

Regulation to amend the Regulation respecting mineral substances, other than petroleum, natural gas and brine

WHEREAS under paragraphs 2, 3, 10 and 14 of section 306 of the Mining Act (R.S.Q., c. M-13.1), the Government may, by regulation, prescribe the amount of rental for a lease and the renewal thereof, specify the minimum cost of the work and fix the amount of the royalty payable for the extraction or alienation of surface mineral substances;

WHEREAS under section 308 of the Act, the rental of a mining lease may vary according to the area of the land subject to the mining lease or to whether the land is situated on lands in the public domain or on lands granted, alienated or leased by the Crown for purposes other than mining purposes, depending on whether or not the surface of the soils is utilized or according to the nature of its utilization;

WHEREAS under section 309 of the Act, the amount of the rental for a lease to mine surface mineral substances may vary according to whether the lease is exclusive or not, and the amount of the royalty may vary according to the nature and quality of the substances, the distance between the site where the substances are found and the market served or the availability of the substances in a given region;

WHEREAS under section 312 of the Act, the minimum cost of the work may vary according to the area of the land subject to the mining concession;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 13 March 1996 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Mines, Lands and Forests and the Minister of State for Natural Resources:

THAT the Regulation to amend the Regulation respecting mineral substances, other than petroleum, natural gas and brine, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting mineral substances, other
than petroleum, natural gas and brine**

Mining Act
(R.S.Q., c. M-13.1, s. 306, pars. 2, 3, 10, 14,
ss. 308, 309 and 312)

1. The Regulation respecting mineral substances, other than petroleum, natural gas and brine, made by Order in Council 1443-88 dated 21 September 1988 and amended by Orders in Council 1217-91 dated 4 September 1991 and 186-95 dated 8 February 1995, is further amended by substituting the following for section 20:

“**20.** The amount of the annual rental shall be \$35/ha if the parcel of land is situated in the public domain, \$72/ha for that portion of the land also in the public domain used for stockpiling tailings or \$17.50/ha if the parcel is situated on lands granted or alienated by the Crown for purposes other than mining.”.

2. Section 25 is amended by adding the following after the first sentence:

“As of 1 January 1997, the minimum cost of work to be carried out shall be \$35/ha.”.

3. Section 32 is amended by substituting “\$200” for “\$165”.

4. Section 35 is amended by substituting “\$2 200” for “\$1 100”.

5. Section 39 is amended by substituting “\$0.05” for “\$0.02”.

6. The following is inserted after section 41:

“**41.1** The holder of a lease to mine surface mineral substances who extracts or removes crushed stone shall pay to the Minister a royalty of \$0.38/m³ (or \$0.21 per metric ton) of extracted substances.

41.2 The holder of a lease to mine surface mineral substances who extracts or removes stone used as silica ore shall pay to the Minister a royalty of \$0.73/m³ (or \$0.40 per metric ton) of extracted substances.”.

7. Section 42 is amended by substituting the words “\$0.73/m³ (or \$0.40 per metric ton)” for the words “\$0.31/m³ (or \$0.17 per metric ton) of extracted substances.”.

8. Section 43 is amended by substituting “\$0.19” for “\$0.17”.

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

1082

Gouvernement du Québec

O.C. 1480-96, 27 November 1996

An Act respecting income security
(R.S.Q., c. S-3.1.1)

Income security — Amendments

Regulation to amend the Regulation respecting income security

WHEREAS in accordance with section 91 of the Act respecting income security (R.S.Q., c. S-3.1.1), the Government, by Order in Council 922-89 dated 14 June 1989, made the Regulation respecting income security;

WHEREAS it is expedient to further amend that Regulation;

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 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the date applicable under 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 under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments provided for in the Regulation attached to this Order in Council concern the adjustment of benefit amounts on the basis of the rate of indexation, and the data on which that rate is established became available only during the month of November 1996;

— the amendments must come into force on 1 January 1997, but the time period required for prior publication and the coming into force would make it impossible to bring the Regulation into force on that date;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Employment and Solidarity and Minister of Income Security:

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

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income security

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpar. 4, and 2nd par.)

1. The Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 and amended by the Regulations made by Orders in Council 1917-89 dated 13 December 1989, 1051-90 dated 18 July 1990, 1733-90 and 1734-90 dated 12 December 1990, 1793-90 dated 19 December 1990, 567-91 dated 24 April 1991, 1721-91 dated 11 December 1991, 285-92 dated 26 February 1992, 379-92 and 380-92 dated 18 March 1992, 868-92 dated 10 June 1992, 1155-92 dated 5 August 1992, 1798-92 and 1799-92 dated 9 December 1992, 123-93 dated 3 February 1993, 825-93 dated 9 June 1993, 1287-93 dated 8 September 1993, 1780-93 dated 8 December 1993, 159-94 dated 19 January 1994, 249-94 dated 9 February 1994, 827-94 dated 8 June 1994, 1160-94 dated 20 July 1994, 260-95 dated 1 March 1995, 1354-95 dated 11 October 1995, 202-96 dated 14 February 1996, 266-96 dated 28 February 1996, 761-96 dated 19 June 1996, 926-96 dated 17 July 1996 and 1290-96 dated 9 October 1996, is further amended, in section 7, by substituting the amounts “\$686”, “\$922”, “\$1 047”, “\$1 025”, “\$1 152” and “\$1 251” for the amounts “\$676”, “\$908”, “1 032”, “\$1 010”, “\$1 135” and “\$1 233”, respectively.

2. The amount "\$145" is substituted for the amount "\$143" in the first paragraph of sections 8, 9, 14 and 15.
3. The amount "\$308" is substituted for the amount "\$303" in section 8.1.
4. The amendments provided for in section 2 stand in lieu of the adjustment provided for in sections 9.1 and 15.1 of the Regulation respecting income security.
5. This Regulation comes into force on 1 January 1997.

1076

Gouvernement du Québec

O.C. 1484-96, 27 November 1996

An Act respecting industrial accidents
and occupational diseases
(R.S.Q., c. A-3.001)

Experience ratios for 1997

Regulation respecting the experience ratios for 1997

WHEREAS under subparagraph 8 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), the Commission de la santé et de la sécurité du travail may make regulations determining, for the purpose of fixing the personalized rate, the experience ratios of the units of activity;

WHEREAS in accordance with section 455 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 10 July 1996, with a notice that,

upon the expiry of 60 days following that publication, it would be adopted by the Commission with or without amendment and submitted to the Government for approval;

WHEREAS at its meetings of 19 September and 17 October 1996, the Commission made the Regulation respecting the experience ratios for 1997;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of the Act respecting industrial accidents and occupational diseases:

THAT the Regulation respecting the experience ratios for 1997, attached hereto, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the experience ratios for 1997

An Act respecting industrial accidents and
occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpar. 8)

1. The experience ratios for each unit of activity for 1993, 1994 and 1995 applicable for the purposes of fixing personalized rates for the assessment year 1997 are those appearing in Schedule 1.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and has effect for the assessment year 1997.

SCHEDULE 1

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
SECTOR: PRIMARY				
10010	Operating a dairy cattle herd; raising cattle, buffalo, horses, wild boar; horse boarding service	1.4661	1.3824	0.6776
10020	Raising hog, sheep, goat, grain-fed and milk-fed heavy calves	0.9680	1.1631	0.5893
10030	Raising, catching and caging poultry; raising fur-bearing animals; raising earthworms; raising rabbits; pisciculture; apiculture	0.6012	0.8755	0.7646

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
10040	Field-crop farming; fruit or vegetable farming; ornamental plant cultivation; mushroom production; Christmas tree farming; maple syrup production; tobacco production	0.8899	0.9756	0.7526
11010	Inshore or offshore fishing; underwater diving services	1.2523	0.5411	0.3587
12010	Forestry operations	1.7009	1.6799	1.1350
12020	Forestry work; tree or bush maintenance	1.8231	2.0375	1.4400
13010	Surface iron ore mining with or without concentration; pelletization of iron ore	0.3642	0.2507	0.1631
13020	Metal mining, except iron mines; treatment, concentrating or smelting metal ores, except iron ore	0.8292	0.6040	0.4698
13030	Asbestos mining	0.6937	0.5946	0.3742
13040	Peat extraction or manufacturing peat-based products; mining or crushing quartz or other industrial siliciferous ores; underground mining of non-metal ores, not specified in other units	0.7739	0.7288	0.6658
13050	Operating a cut-stone quarry; operating a crushed stone quarry with blasting and drilling; mine prospecting with blasting or with crawler tractors	0.7876	0.7866	0.4190
13060	Operating a crushed stone quarry without blasting or drilling; rock or gravel crushing with movable crushers; operating a gravel pit with or without crushing; operating a sandpit	0.9426	1.4271	0.7655
13070	Drilling ore for the removal of cores for mine prospecting; drilling oil or natural gas wells; other technical work incidental to drilling oil or natural gas wells	1.5206	1.7032	1.1223
13090	Mine prospecting not specified in other units; line cutting; geophysical surveys; geological work	0.6244	0.5326	0.3718
13100	Contract operation of a mine; digging ramps and crossing banks; other contract work relating to operation of mines	1.2066	1.4333	1.1041
SECTOR: MANUFACTURING				
20010	Slaughtering livestock; preparing, processing, drysalting or canning meat; manufacturing mineral or animal oil or shortening	1.7896	1.5426	1.0512
20020	Slaughtering poultry or rabbits; dressing, processing or canning poultry or rabbits	1.4679	1.4882	0.8683
20030	Preparing or processing fish, including canning	0.8607	0.8968	0.6898
20040	Processing, canning or freezing fruits or vegetables; preparing natural casings for delicatessen	0.6326	0.7061	0.6588

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
20050	Operating a dairy work; water bottling, with or without distribution; manufacturing and delivering blocks of natural or artificial ice	0.5101	0.4703	0.3401
20060	Flour mill	1.4635	1.0376	0.5909
20070	Processing meat unfit for human consumption or abattoir waste	1.3499	0.7553	0.2622
20080	Grain milling	0.6474	0.6616	0.3479
20090	Manufacturing bakery, pastry or biscuit products, with or without distribution	0.7353	0.7187	0.5428
20100	Processing cane or beet sugar; manufacturing confectionery	0.7222	0.5834	0.5044
20110	Roasting and blending coffee; packing tea; roasting almonds	0.5328	0.4605	0.2120
20120	Manufacturing potato chips	0.5624	0.5609	0.4052
20130	Manufacturing margarine, vegetable oil or shortening; manufacturing convenience foods; manufacturing yeast or condiments; grinding and preparing spices; manufacturing or processing food products, not specified in other units	0.8154	0.8464	0.6538
20140	Manufacturing soft drinks, with or without distribution	0.5882	0.8679	0.4618
20150	Distillery; manufacturing wine or cider	0.7929	0.6655	0.4201
20160	Brewing beer, with or without distribution; manufacturing malt	0.5646	0.6831	0.4823
20170	Manufacturing tobacco products	0.2446	0.1963	0.1522
21010	Manufacturing tires or rubber treads for tires	0.3900	0.4946	0.2953
21020	Manufacturing adhesive tape or damper mats and rug underlays; manufacturing clothing or industrial parts or cellular products made of rubber	0.6743	0.6305	0.4241
21030	Manufacturing foamed or expanded plastic products; wholesaling foam rubber	0.7426	0.9373	0.7325
21040	Manufacturing plastic pipes or pipe fittings	0.8785	1.0127	0.7464
21050	Manufacturing plastic film and sheeting; manufacturing plastic bags	0.9508	0.9270	0.7445
21060	Manufacturing stratified or reinforced plastic products, except boats; manufacturing plastic products, not specified in other units	0.8675	0.8915	0.6500
22010	Leather tanning; custom-dressing furs; wholesaling raw hides or skins	0.7613	1.0630	1.0434
22020	Manufacturing footwear; shoe repairing	0.9541	0.8832	0.5827

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
22030	Manufacturing luggage, other than in wood and in metal; manufacturing footwear parts except rubber parts	1.9866	2.5380	1.6251
22040	Manufacturing handbags or purses; manufacturing leather or imitation-leather goods, not specified in other units	0.4828	0.3960	0.4056
22050	Manufacturing fibres or yarn from artificial or synthetic material; texturizing yarn	0.6277	0.6674	0.4701
22060	Manufacturing thread or yarn, without weaving	0.3928	0.3934	0.3931
22070	Weaving textiles other than carpets; recycling textile waste; preparing cotton-wool or flock	0.7348	0.6853	0.4221
22080	Manufacturing knitted fabrics	0.7628	0.5195	0.5038
22090	Manufacturing carpets	0.7791	0.7564	0.5492
22100	Manufacturing textile products, not specified in other units; manufacturing zippers or umbrellas	0.8011	0.7609	0.4873
22110	Finishing textiles; steam shrinking of fabrics	0.7606	0.8696	0.6823
22120	Manufacturing first-aid products	0.9047	1.1937	0.5498
22140	Manufacturing clothing or clothing accessories, not specified in other units	0.4788	0.4867	0.3756
22150	Knitting clothing or accessories, including assembling	0.4605	0.4682	0.3861
22160	Manufacturing ladies undergarments and swimsuits	0.4015	0.3047	0.2932
23010	Manufacturing shingles; manufacturing and assembling wood lath for fencing, with trucking; manufacturing wooden boxes and pallets with production of sawmill products and trucking	1.7228	2.2207	1.5430
23020	Sawmill with forest harvesting	0.8898	0.8620	0.6333
23030	Sawmill without forest harvesting	1.1161	1.1174	0.8577
23040	Manufacturing sheets of wood veneer or plywood panels with or without peeling	1.0590	1.1878	0.8318
23050	Manufacturing in a shop custom woodwork to be attached to a structure; mass production of wooden cabinets	1.0720	1.0514	0.7309
23060	Manufacturing wooden doors or windows, with or without installation	0.7217	0.7096	0.5367
23070	Manufacturing wooden roof trusses or laminated wood framework	1.3092	1.4608	0.5516

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
23080	Manufacturing wooden boxes, pallets or containers without production of sawmill products; manufacturing wooden reels or drums	1.5577	2.1507	1.4306
23092	Manufacturing wooden or metal coffins or frames; manufacturing pipe organs, pianos or other musical instruments	0.9235	1.0722	0.8752
23100	Protective treatment of wood or wood drying; wood turning	1.2860	1.3686	0.9853
23110	Manufacturing agglomerated or laminated wood panels	0.7134	0.6775	0.4874
23120	Manufacturing miscellaneous wooden goods, not specified in other units	1.5080	1.9634	1.5573
23130	Manufacturing lamellate boards made of plastic and paper sheets; coating or printing wood panels	0.7700	0.4425	0.2956
24010	Manufacturing metal furniture or fixtures	1.0240	1.1265	0.7484
24020	Manufacturing custom wooden furniture in a workshop; manufacturing wooden furniture for electronic equipment or wooden cases for musical instruments	1.0799	1.4587	1.0235
24030	Mass assembling of wooden furniture or furniture frames, with or without upholstering; upholstering custom furniture in a workshop; repairing wooden or upholstered furniture; manufacturing upholstered mattresses or bed springs	0.8934	0.8841	0.6076
24040	Mass production of wooden furniture or furniture frames, with or without upholstering	1.0133	0.9485	0.7567
25010	Manufacturing paper pulp	0.4121	0.2834	0.1557
25020	Manufacturing wood fibre insulation boards or acoustic tiles; manufacturing uncoated or non-impregnated felt sheathing; manufacturing paper or cardboard from logs or wood products	0.3665	0.3121	0.2094
25030	Manufacturing paper or cardboard from prefabricated pulp or used paper	0.4114	0.3444	0.2343
25040	Manufacturing asphalt roofing, with or without the manufacture of the paper or felt base	0.5712	0.4863	0.4067
25050	Manufacturing corrugated cardboard boxes	0.5954	0.7239	0.5040
25060	Manufacturing paper goods, not specified in other units, or cardboard tubes, with or without pulp preparation; manufacturing photocopier cleaning cloth; paper glazing, finishing, waxing or oiling; preparing artificial abrasives; forest protection and conservation	0.5387	0.5690	0.3195
26010	Printing; silkscreen printing	0.3792	0.3757	0.2829
26020	Operating a bindery	0.8681	1.1194	0.9318

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
26030	Metal typesetting (typography-linotypy); stereotyping; lithography; manufacturing plates for printing; developing and printing films	0.2138	0.2034	0.2161
26040	Printing and publishing a daily; printing and publishing	0.1500	0.1560	0.1198
27020	Manufacturing steel castings (steel foundry); lead or lead alloys rolling, casting or extruding	1.4188	1.8431	1.2772
27030	Manufacturing steel; processing steel by rolling and forging	0.7198	0.7053	0.5545
27040	Manufacturing titanium slag and pig iron; manufacturing metal powder, steel pipe or tubing; manufacturing ferro-alloys	0.5101	0.4463	0.2601
27050	Manufacturing iron castings (cast-iron foundry)	1.1646	1.2405	0.7592
27060	Primary manufacturing of aluminum	0.4408	0.3073	0.2009
27070	Electrolytic refining of copper or zinc and processing of their by-products	0.3556	0.2780	0.2864
27080	Aluminum and aluminum alloys rolling	0.4191	0.4225	0.3282
27090	Extruding aluminum, copper or their alloys	0.7038	0.7178	0.5624
27110	Non-ferrous metal pressurized casting; non-ferrous metal casting; manufacturing aluminium or light alloy automobile parts	1.0910	0.7931	0.5349
28010	Casting or overhauling high pressure boilers, tanks or heat exchangers	0.9821	0.8882	0.6101
28020	Manufacturing metal structural components	0.9481	1.0277	0.6207
28030	Manufacturing metal windows or doors, with or without installing; repairing industrial doors; manufacturing other ornamental and architectural metal products	0.8249	0.9061	0.6302
28040	Manufacturing ornamental metal products; operating a welding shop; manufacturing motor vehicle springs, mufflers or exhaust pipes	1.5810	1.4354	1.0600
28050	Electrolytic or chemical plating; heat treating of metals	1.8130	1.3919	0.7101
28060	Workshop painting, dyeing or coating metal products	1.1304	1.3379	0.9624
28070	Manufacturing or repairing metal containers or their lids	0.9965	1.0752	0.5552
28080	Manufacturing other products by metal stamping or matrixing	0.7925	0.8161	0.6068
28090	Manufacturing metal wire or cable, metal rods, welding electrodes or other metal wire products; applying metal powder to metal parts	0.7786	0.7592	0.5127
28100	Manufacturing industrial fasteners or metal springs	0.5753	0.6180	0.5138

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
28110	Manufacturing basic hardware articles or small hand or garden tools; manufacturing industrial dies, moulds, cutting tools and punches	0.7442	0.7973	0.5265
28120	Manufacturing heating equipment	0.7558	0.7243	0.4446
28130	Machine shop piece work; rebuilding mechanical motors	0.8395	0.7599	0.6279
28140	Manufacturing or assembling metal products, not specified in other units	0.9496	0.9689	0.8234
29010	Manufacturing agricultural equipment or implements	1.1678	0.9724	0.9885
29020	Manufacturing commercial refrigeration equipment or air conditioning equipment	1.0473	1.0373	0.5904
29030	Manufacturing conveyors	0.7222	0.8031	0.7259
29040	Manufacturing and installing or repairing hydraulic or pneumatic pressure cylinders	0.6187	0.7910	0.6090
29050	Manufacturing or repairing heavy machinery; manufacturing industrial equipment; constructing or repairing locomotives or freight cars	0.6602	0.6382	0.5306
29060	Repairing, installing or servicing miscellaneous machinery and equipment	0.8045	0.9856	0.6236
29070	Manufacturing sewing machines or small electrical appliances; manufacturing machinery and equipment, not specified in other units	0.5729	0.6275	0.4080
29080	Manufacturing major electrical appliances; repairing electrical household appliances	0.3560	0.4181	0.3227
29090	Manufacturing lighting fixtures	0.8345	0.9666	0.5056
29110	Manufacturing electronic household equipment; assembling lighting fixtures	0.7295	0.4447	0.3522
29120	Manufacturing electronic parts or components; manufacturing electronic equipment, not specified in other units	0.1076	0.1183	0.0893
29130	Manufacturing lightning rods, high voltage line circuit breakers or distribution transformers	0.5877	0.5286	0.3305
29140	Manufacturing high power transformers; manufacturing or assembling batteries	0.5272	0.8802	0.6309
29150	Manufacturing control panels or electrical or pneumatic measuring instruments	0.5125	0.3318	0.3530
29160	Manufacturing or assembling electric motors or generators; repairing or rewinding electric motors	0.8653	0.8529	0.6682

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
29170	Manufacturing electrical wire or cable; manufacturing electric light bulbs	0.3580	0.2633	0.1876
29180	Manufacturing electrical distribution parts or graphite electrodes	0.6394	0.6376	0.4606
30010	Repairing, reworking, finishing or reconditioning aircraft; machining or assembling aircraft parts manufacturing	0.2329	0.1862	0.1443
30020	Constructing aircraft	0.3376	0.3410	0.1866
30030	Manufacturing aircraft parts by microfusion with casting	0.8898	0.8873	0.6410
30040	Constructing trucks	0.6709	0.8072	0.5799
30050	Constructing automobiles	0.6797	1.0447	0.8888
30060	Constructing buses or long-distance coaches	1.1581	1.4872	1.0652
30070	Manufacturing or assembling truck boxes, with or without installation	1.5358	1.0791	0.8697
30080	Manufacturing, with or without repairing, motor vehicle trailers; manufacturing house trailers or tent trailers; manufacturing and renting movable shelters; finishing van interiors	1.4849	1.1418	0.8226
30110	Manufacturing or repairing motor vehicle or machine radiators	1.1400	0.9633	0.3886
30130	Constructing or repairing railway passenger cars	0.8019	0.8430	0.4815
30160	Constructing or modernizing ships over 250 tonnes	1.9055	1.5660	1.3188
30170	Constructing or modernizing ships between 5 and 250 tonnes; minor repairs to ships over 5 tonnes	1.1822	1.3363	1.1759
30180	Manufacturing or repairing craft of 5 tonnes or less	1.0472	1.0862	0.8428
30190	Manufacturing snowmobiles, motorcycles, snowplows or all-terrain vehicles	0.5118	0.3231	0.1849
31010	Manufacturing clay products	0.7622	0.7601	0.5491
31020	Manufacturing cement or lime; manufacturing silicon carbide or gypsum panels	0.2668	0.3379	0.2213
31030	Manufacturing funeral monuments or other stone products	1.0412	1.0383	0.7501
31040	Manufacturing asbestos-cement products; manufacturing friction parts; manufacturing asbestos wire, cloth, ceiling components or gaskets	0.9112	1.0825	0.7235
31050	Manufacturing pipes, concrete masonry components and other concrete products similar to masonry components	0.8450	1.0634	0.7121

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
31060	Manufacturing prefabricated architecture or structure concrete components	0.9401	1.1335	1.0076
31070	Manufacturing ready-mix concrete	0.7376	0.8306	0.4992
31080	Manufacturing glass or glass products	0.7868	0.8120	0.5312
31090	Manufacturing refractory products; manufacturing or processing charcoal	0.9368	0.7934	0.5322
31100	Manufacturing insulating material, not specified in other units	0.5574	0.6551	0.3133
31110	Refining crude petroleum; manufacturing petroleum and coal products, not specified in other units	0.1562	0.1414	0.0925
32010	Manufacturing industrial inorganic chemical products, not specified in other units	0.3211	0.2538	0.1886
32020	Manufacturing industrial organic chemical products or other chemical products, not specified in other units	0.4977	0.5715	0.1979
32030	Manufacturing plastics or synthetic resins	0.3782	0.5587	0.2638
32040	Manufacturing pharmaceutical products or drugs	0.2068	0.1530	0.1070
32050	Manufacturing paint, varnish, printing ink, adhesives or coatings	0.4685	0.5516	0.3758
32060	Manufacturing soap or cleaning products	0.4913	0.5279	0.3727
32070	Manufacturing toiletries	0.3333	0.3694	0.2591
32080	Manufacturing ammunition	0.3793	0.3259	0.1765
32090	Manufacturing explosives	0.7120	0.5965	0.3660
33010	Assembling watches or clocks; operating an optical laboratory; manufacturing gold, silver or plated jewellery or ware; manufacturing orthopedic devices; assembling cartridges or cassettes	0.2963	0.2266	0.2125
33020	Manufacturing wooden or metal sporting goods or gymnasium equipment; assembling plastic or metal toys; manufacturing and repairing bicycles	1.0541	1.0718	0.7700
33030	Manufacturing, installing or repairing commercial signs; leasing advertising spaces on billboards, signboards and commercial signs	0.8749	0.8663	0.8472
33040	Assembling trophies or miscellaneous wooden, plastic, fiberglass or concrete products; manufacturing rubber pads, plaster goods, wax products, trophy parts or foundry models; stamping balloons; handicrafts	0.5801	0.8474	0.6520

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
33050	Manufacturing buttons, snap fasteners, needles, emblems, medals, pencils or pens	0.4062	0.4050	0.2926
33060	Manufacturing vinyl tiles and vinyl linoleum; manufacturing heat-insulating products for piping	0.2640	0.3411	0.1831
SECTOR: CONSTRUCTION				
40010	Developing, constructing or renovating buildings; installing prefabricated houses	1.1531	1.1022	0.8524
40020	Engineering works not specified in other units; geotechnical drilling prior to construction; drilling artesian wells; maintaining work site camps and miscellaneous work site facilities; installing fencing; installing guardrails	1.0020	0.9349	0.6768
40030	Constructing power transmission or distribution lines; constructing microwave towers or energy transforming stations	0.7939	0.7691	0.4754
40040	Surface draining or farm improvements	0.6095	0.5915	0.4395
40050	Demolition work	3.4439	3.3420	2.4836
40060	Paving other than on public roads	1.1383	1.1565	0.6702
40070	Landscaping	1.0442	1.4424	1.0651
40080	Cement works	1.4980	1.6219	1.0536
40090	Erecting and installing tanks, metal silos, boilers or water reservoirs; installing or maintaining gas tanks; erecting pre-cast concrete structures	1.6189	1.2792	1.2518
40100	Erecting metal structures	2.4610	2.3881	1.7747
40110	Installing glass or glazing work	1.4541	1.1076	1.1467
40120	Exterior closing work not specified in other units; waterproofing; outside window washing	1.7748	1.8154	1.2644
40130	Specialized mechanical work not specified in other units; plumbing and heating work; assembling large, stationary equipment	0.9265	0.8578	0.7096
40140	Refrigerating or air-conditioning work; wholesaling, with or without installation or repair, of industrial or commercial air conditioning or refrigerating equipment	0.9647	0.7666	0.6547
40150	Electrical work	0.6922	0.6790	0.4364

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
40161	Installing monitoring electronic equipment for navigation, industrial production, surveillance, surrounding milieu, communications, entrances or as regards environment; remote-control security alarm monitoring services; installing alarm systems; locksmithing	0.2773	0.2236	0.2085
40162	Installing electronic equipment, not specified in other units	0.2773	0.2236	0.2085
40170	Interior finishing work; insulating buildings	1.2494	1.2542	0.9012
40180	Installing or maintaining elevators	0.6609	0.5805	0.5454
40190	Sand blasting or steam jet cleaning; cutting concrete or asphalt	2.1771	1.9645	1.3764
40200	Manufacturing prefabricated wooden houses, house panels or mobile homes	1.1631	1.2790	1.0205
40210	Road paving, with or without the operation of an asphalt manufacturing plant	0.5357	0.5866	0.4856
SECTOR: TRANSPORTATION AND STORAGE				
50010	Air transport; services incidental to air transport	0.3050	0.2791	0.2093
50020	Transporting marine freight; towing or docking boats; railway transport	0.5061	0.5969	0.4194
50030	Loading or unloading boats	1.2589	0.9934	0.7686
51010	Transporting passengers by intercity bus; school bus service or special transportation by bus; transportation by tour bus or chartered bus, including vehicle repair or maintenance	0.5034	0.5014	0.3462
51020	Transporting passengers by intercity bus; school bus service or special transportation by bus; transportation by tour bus or chartered bus, not including vehicle repair and maintenance	0.4456	0.4924	0.3392
51030	Mass transit in urban areas, with or without vehicle repair; transporting passengers by taxi	0.5183	0.5941	0.4256
52010	General local or long-distance transport; transporting or wholesaling fats or meats unfit for human consumption; transporting pelts	1.0764	0.9543	0.6779
52020	Moving buildings; railway service; transporting motor vehicles; transporting by towing, by float or other non-standard transport	1.8219	1.4003	0.9158
52030	Furniture moving; transporting electronic equipment	2.4499	2.3996	1.8385
52040	Transporting freight in tank-trucks, not specified in other units; transporting explosives, corrosive, toxic or inflammable products; transporting petroleum products	0.9585	0.7925	0.5194
52050	Bulk trucking; snow removal	0.9716	1.0028	0.7207

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
53010	Storage service	1.0234	0.8530	0.6747
53020	Wrapping or packing service with or without marketing	1.5547	1.5085	1.1005
SECTOR: SERVICES				
60010	Operating a radio station; operating telephone lines or telephone exchanges; intercommunication services; recovering or repairing telephones; splicing telephone cables	0.0527	0.0669	0.0547
60020	Operating a television station; producing or distributing motion pictures or other audio and video material; operating a motion picture or a drive-in theater; operating an orchestra, a disco-mobile, a singing group, a theater company or a theatrical agency; leasing or renting halls; installing equipment for social dances	0.1669	0.2042	0.1107
60030	Cable television service; installing radio or television antennas; radio, television or cable connection work	0.3647	0.3006	0.3075
60040	Courier service; home small parcel delivery service	1.2693	1.1957	0.6060
60050	Operating a recreational centre; operating a professional sports club; operating a curling club; operating a bowling alley or a billiard parlour; operating a roller skating rink; operating a race track; operating a racket sports centre	0.3148	0.2838	0.2244
60060	Operating a golf course	0.4047	0.4429	0.3270
60070	Operating a ski centre; operating a snowmobile club	0.9877	1.1290	0.6127
60080	Operating an amusement park or rides, an amateur sports club, a pleasure-boating club, a shooting club, or amusement and recreational services, not specified in other units; operating a Turkish bath, a massage parlour, a bodybuilding studio, a tanning salon, a shoeshine service or a checkroom service; organizing a public festival	0.2915	0.3399	0.1840
61010	Generating and distributing electric power	0.1310	0.1081	0.0739
61020	Operating a water distribution centre, a steam distribution centre or a natural gas distribution centre; operating and maintaining a gas or an oil pipeline	0.2827	0.2888	0.1403
61030	Maintaining a garbage dump; disposal of industrial waste; cleaning tanks, sewers, cesspools, septic tanks or industrial facilities; renting or leasing, with maintenance, portable chemical toilets	0.7409	1.0131	0.5629
61040	Garbage collection	1.7131	1.5734	1.1988
62010	Transporting milk and cream; wholesaling dairy products; wholesale or retail distribution of dairy products	0.6169	0.6014	0.4176

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
62020	Wholesaling fruit, vegetables or fish	0.9043	0.9783	0.5566
62030	Wholesaling meat and meat products	1.0419	0.9039	0.7299
62040	Wholesaling meat, including cutting up and carving	1.0508	1.7497	1.1009
62050	Wholesaling bakery or pastry products or distributing those products, wholesale or retail; retailing imported specialities, dietetic or natural food, delicatessen, pastries or seafood products	0.5919	0.7524	0.5437
62060	Wholesaling food, not specified in other units	0.6713	0.5840	0.4599
62070	Wholesaling carbonated beverages or water; distributing carbonated beverages or water, wholesale or retail	0.9589	0.6667	0.5543
62080	Wholesaling beer	0.7286	0.6737	0.5522
62090	Wholesaling toiletries or drug sundries	0.2123	0.2853	0.2227
62110	Operating a grocery store	0.6421	0.4159	0.3942
62120	Operating a convenience store with or without gasoline sales	0.3425	0.4197	0.2642
62130	Operating a grocery-butcher shop	0.7218	0.6414	0.4636
62140	Operating a butcher shop	1.0628	0.8290	0.8058
62150	Making and retailing bakery or pastry products	0.5933	0.6663	0.2952
62160	Fruit and vegetables retail business	0.5127	0.7433	0.5435
62170	Alcoholic beverages retail business	0.3108	0.4429	0.2761
62180	Operating a drugstore; operating a tobacco store; herbalist's shop; chocolate, delicacies or cookies shop, beauty products or cosmetics shop, or selling lottery tickets; operating a bus terminal or a contract post office	0.2270	0.1755	0.1396
63010	Wholesaling household, commercial or service industry furniture, or electrical household appliances; wholesaling floor coverings; leasing, wholesaling or retailing office equipment or furniture; leasing electrical household appliances or electronic household equipment	0.2527	0.2364	0.2094
63020	Wholesaling household dishware, pottery, glassware or similar household goods; wholesaling electronic household appliances	0.3361	0.4695	0.3051
63030	Wholesaling metals or alloys, including handling	0.8998	0.8324	0.7361
63040	Wholesaling hardware, plumbing or heating equipment and supplies, not specified in other units; wholesaling and installing safes, with or without repair; wholesaling sanitation equipment	0.2978	0.2663	0.1608

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
63050	Wholesaling or retailing lumber or building supplies; wholesaling or retailing firewood, coal or charcoal	0.7550	0.8394	0.5897
63060	Wholesaling doors, windows, exterior siding or garage equipment	1.1772	1.0816	0.7046
63070	Wholesaling or repairing farm or garden implements or equipment	0.4780	0.4312	0.4797
63080	Wholesaling, renting or leasing heavy machinery, with or without repair; renting or leasing handling equipment, trailers or containers, with or without repair	0.4735	0.5705	0.4001
63090	Wholesaling industrial handling equipment, with or without installation and repair; wholesaling or repairing welding equipment	0.5452	0.4122	0.4109
63100	Wholesaling, renting or leasing manufacturing machinery, with installation or repair; wholesaling, renting or leasing commercial or industrial ovens or kilns, with or without installation, repair or maintenance	0.3687	0.3571	0.1666
63110	Wholesaling, renting, leasing, installing or repairing stage or discotheque lighting equipment, electric or diesel engines, electric generation equipment, swimming-pool accessories, pumping facilities or equipment for water treatment	0.5010	0.5421	0.3546
63120	Wholesaling, renting or leasing analytic and laboratory apparatus, medical or scientific equipment, measuring, calibrating or control instruments or communication equipment other than for automobiles, with or without repair or installation; wholesaling electronic parts or electrical supplies	0.1163	0.1359	0.1117
63130	Wholesaling industrial or commercial scales; wholesaling or retailing kitchen cabinets; retailing doors or windows	0.7911	0.4433	0.2106
64010	Wholesaling or retailing trucks or buses with or without repair	0.7942	0.9103	0.5797
64020	Vulcanizing; wholesaling and retailing tires or tubes, with or without repair or installation	0.8309	0.7981	0.4973
64030	Wholesaling transportation equipment or equipment parts; wholesaling or retailing new, reconditioned or used automobile parts or accessories	0.2823	0.3503	0.2261
64040	Wholesaling or retailing automobiles with or without repair; renting or leasing automobiles with or without repair; retailing and installing automobile windows or radios; upholstering and repairing of motor vehicle seats	0.4604	0.4103	0.3163

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
64050	Retailing, renting or leasing mobile homes, snowmobiles, motorcycles, travel trailers, tent trailers, including repair or service; retailing boats, outboard motors or boating accessories; renting or leasing, including service, small craft or recreational vehicles, not specified in other units; wholesaling snowmobiles, motorcycles, boats, outboard motors, boating accessories, ship's supplies, trailers or containers; wholesaling, without repair, semitrailers, travel trailers or tent trailers	0.6929	0.5583	0.4761
64060	Operating a service station with or without self-service; operating an automatic car wash; washing and cleaning motor vehicles and trucks	0.5454	0.5700	0.3874
64070	Retailing gasoline, with or without service	0.3291	0.5027	0.2599
64090	Repairing motor vehicles, motor vehicle parts or industrial machinery parts, not specified in other units; motor vehicle towing service	0.8349	0.8406	0.6636
64100	Repairing motor vehicle bodies	0.9718	0.7743	0.6976
64110	Retailing and installing motor vehicle mufflers; repairing and installing motor vehicle suspension parts	1.3096	1.2490	1.1371
64120	Reclaiming and wholesaling used automobile parts and accessories	0.8725	0.7893	0.4521
65010	Retailing furniture, with or without household furnishings; retailing household electrical appliances, with or without electronic appliances or household electrical furnishings; retailing antique objects or furniture	0.5118	0.5368	0.4157
65020	Retailing or repairing sound or video equipment, electronic appliances, electrical furnishings, small (portable) electrical household appliances or electrical personal care appliances; retailing sewing machines	0.1171	0.1809	0.1758
65030	Retailing floor coverings	0.4762	0.4642	0.3223
65041	Retailing household furnishings or interior decoration accessories, not specified in other units; wholesaling piece goods, notions and other dry goods, draperies, household linen or other textile household furnishings	0.2488	0.3469	0.2225
65044	Retailing lighting fixtures	0.2488	0.3469	0.2225
66020	Wholesaling and distributing petroleum products, with or without maintenance or installation of related facilities	0.3084	0.3386	0.2083
66030	Wrecking automobiles; wholesaling metal waste	1.7170	1.5035	0.9301
66040	Selling non-metallic waste	1.5148	2.0632	0.9866

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
66050	Wholesaling or distributing newspapers, magazines, books or handbills; wholesaling paper or paper products	0.3349	0.3249	0.2209
66060	Wholesaling animal feeds, fertilizers, grain or cereals; wholesaling tobacco products; grain elevator service	0.4640	0.4973	0.4138
66070	Wholesaling games, toys, sporting goods and equipment; retailing, renting or leasing sporting goods and equipment, with or without service	0.1891	0.2785	0.1183
66080	Wholesaling chemical products or cleaning products; wholesaling or maintaining chemical fire extinguishers	0.2074	0.2408	0.1652
66100	Wholesaling leather or imitation-leather products not specified in other units; wholesaling footwear or garment products; retailing footwear, garments, underwear, knitting products, fabrics, yarn, sewing products, handbags, luggage or other leather or imitation-leather products; manufacturing or storing fur garments or articles; linen rental service without washing equipment; costume or ceremonial apparel rental service	0.2321	0.2544	0.1790
66110	Operating a department store; operating a general merchandise store; operating a general store; operating a direct consumer distributing warehouse; display services; interior decoration design service; retailing home and automobile supplies	0.4211	0.4640	0.3048
66120	Retailing small goods, not specified in other units; retailing paint or wallpaper; retailing or repairing musical instruments or accessories or photography equipment; retailing domesticating animals; photography; wholesaling jewellery items or photography equipment and supplies	0.1688	0.1733	0.1230
66130	Retailing hardware products or garden supplies; retailing lawn mowers, snow blowers, chain saws or similar equipment, with repair; wholesaling or retailing trees, shrubs, plants, flowers, supplies for lawn or garden or other nursery products	0.4319	0.4505	0.3004
66150	Retailing lumber and building supplies with hardware	0.5446	0.5708	0.3596
66160	Monuments and tombstones dealer; undertaking services, with or without ambulance services; operating a cemetery	0.4947	0.4532	0.2965
66170	Wholesaling or retailing, installing or cleaning swimming pools; constructing and installing in-ground pools	0.7120	0.6278	0.5250
70010	Insurance brokerage; operating a collection agency or a credit bureau; currency or securities brokerage, consulting or negotiation services; commodities exchanges or securities exchanges; financial institutions and financial intermediaries not specified in other units	0.0510	0.0559	0.0428
70020	Operating an insurance business; insurance services of the provincial administration	0.0571	0.0602	0.0397

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
70030	Operating residential or other buildings, including parking lots or parking garages; municipal housing bureau; disinfection, fumigation or extermination work	0.4175	0.4224	0.2740
70040	Insurance adjustment or evaluation services; operating a real estate agency; information, poll or research services; bailiff services; reprography services, typing services or other clerical work services supplied to firms or individuals	0.1338	0.1091	0.0740
71010	Operating a forwarding agency; freight inspection service; sales agent services; broker services not specified in other units	0.0912	0.0977	0.0748
71020	Operating a manpower agency; leasing the services of professional or technical personnel or other scientific or technical professionals such as draftsmen, biologists, biochemists, botanists, chemists, engineers, graphic designers and laboratory technicians; auctioneering or organizing auctions or merchandise liquidation services	0.1219	0.1246	0.1022
71030	Leasing truckers services, driver-delivery persons, assistant delivery persons or movers	1.3238	1.5017	0.9252
71040	Operating a marine agency or a marine piloting firm; International Air Transport Association or Airline Communications and Information Services; operating a news agency or an advertising agency; drafting or practising architecture; urban planning services or business or management consulting services; law practice (advocate's or notary's office); accounting services (accountant's office); actuarial practice; operating a travel agency or wholesale tour business; wholesaling, renting or repairing computer systems; computer services, excluding the leasing of the services of data processing personnel; trustee in bankruptcy; taxation services or income tax return preparation services; graphic design services	0.0380	0.0346	0.0280
71050	Consulting engineer's office; energy consulting services; operating a pure or applied research laboratory; operating a laboratory for analysis and testing; agricultural research services; geotechnical studies prior to construction work; land surveyor services; interpretation of aerial photographs; archaeological research	0.0949	0.0764	0.0485
71060	Operating a security or an investigation agency	0.4268	0.4046	0.2373
71070	Managing subsidiaries or branches outside Québec (head office); writing or publishing a weekly, not including printing; electronic typesetting	0.0393	0.0328	0.0165
71080	Leasing the services of handling manoeuvres, wrappers, merchandise reception or expedition employees, warehouse employees, solderers or automobile mechanics or industrial machinery employees, technical installation or machinery maintenance personnel	1.4658	1.9043	1.1387

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
71090	Leasing the services of manufacturing industries' workers or commerce or catering or maintenance chores personnel with the exception of those mentioned in another unit	0.7949	1.0326	0.6175
72010	Sûreté du Québec services; detention services	0.2722	0.2782	0.2192
72020	Provincial administrative services not specified in other units; administration of a regional county municipality; administration of an urban community, without police services	0.0476	0.0460	0.0322
72030	Job creation programs	0.1931	0.1499	0.1151
72040	Provincial agriculture, fisheries, feeding, natural resources services or services relating to construction workers	0.1052	0.0999	0.0920
72060	Provincial recreation and sports program management services	0.2609	0.2942	0.1490
72070	Transportation program management services	0.2730	0.2139	0.1736
72080	Managing, with service, a municipality or a municipal or an intermunicipal commission, a band council, an urban community including police services	0.4192	0.4044	0.2884
73010	Teaching services (except universities or general and vocational colleges, and except all level student trainees); operating a private museum; operating a historic site; library services	0.1268	0.1204	0.0883
73020	Teaching services (student trainees)	n/a	n/a	n/a
73030	Operating a general hospital	0.2831	0.2341	0.1377
73040	Operating a psychiatric hospital	0.3773	0.3249	0.2212
73050	Operating a home-care and extended care centre; nursing services; leasing the services of nurses or auxiliary of nurses care and therapeutics	0.7457	0.7299	0.5288
73060	Operating a drop-in centre; operating a rehabilitation centre for alcoholics or drug addicts; operating a social or community service agency; operating a health or social services promotion body	0.2746	0.3846	0.2424
73070	Operating a rehabilitation centre for the physically handicapped or the socially maladjusted	0.4285	0.4568	0.2966
73080	Operating a rehabilitation centre for the mentally handicapped	0.6830	0.6630	0.4190
73100	Operating a local community service centre	0.3030	0.2852	0.1907
73110	Child day-care centre	0.6686	0.5382	0.3938
73120	Operating a sheltered workshop; operating a work rehabilitation centre	0.8593	1.0199	0.6475

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
73130	Practising medicine and other specialties in the health-care field, not specified in other units; health or social services not specified in other units; hearing aid specialist's services; prescription optician's services; manufacturing dentures and braces (dental laboratories); retailing orthopedic aids, wigs or hair pieces	0.0937	0.1015	0.0561
73140	Ambulance service	2.8009	2.8152	1.5642
73150	University or vocational teaching services (except student trainees)	0.0588	0.0582	0.0414
74010	Operating a hotel, a motel, a hotel-motel, a youth hostel, a student residence or a rooming house	0.6643	0.6629	0.4632
74020	Operating a hunting or fishing outfitting operation; operating or managing a hunting or fishing area; operating a camping ground, a trailer park, a vacation camp or a recreation area	0.7007	0.6521	0.5211
74030	Operating a brasserie or a restaurant serving meals, without delivery	0.5570	0.5230	0.3626
74040	Operating a brasserie or a restaurant serving meals, with delivery	0.6529	0.5740	0.3773
74050	Operating a cafeteria	0.7033	0.6361	0.5146
74060	Take-out food services	0.5339	0.5679	0.4031
74070	Operating a mobile canteen; catering services	1.0099	0.7705	0.7055
74080	Operating a tavern, a bar, a discotheque or a night club	0.4386	0.3361	0.2041
75010	Operating a barber shop or a hairdressing salon; operating a beauty salon	0.3616	0.3516	0.1927
75020	Domestic-use laundry or dry-cleaning service; clothing maintenance, pressing or repair service	0.5151	0.5618	0.2704
75030	Operating an industrial laundry with or without linen rental service; linen supply service, including washing	1.0218	1.1134	0.6778
75040	Commercial, industrial or residential building maintenance; carpet, rug, upholstery or fabric furniture cleaning service; lawn or shrub maintenance service; green areas fertilization services	0.8091	0.6852	0.5497
76010	Veterinary services; artificial insemination services; egg candling or grading service; poultry sexing or debeaking; operating a hatchery; raising animals in laboratories	0.3566	0.5815	0.2634
76020	Wholesaling or operating vending machines; renting, leasing or operating coin-operated amusement machines, with or without service	0.4964	0.2918	0.2604

Unit	Description	Experience Ratio of the Unit		
		1993	1994	1995
76030	Transporting animals; operating animal-drawn vehicles; wholesaling or auctioneering animals; operating a racing or horse-rental stable; operating a horseback-riding centre; operating a zoo; society for the protection of animals; raising or training pets; animal lodging and care services not specified in other units	1.0048	1.1646	0.7354
76040	Religious community	0.5696	0.6491	0.4781
76050	Managing, with service, a parish fabric, a church or a diocese; religious association or organization	0.2851	0.2137	0.1435
76060	Joint sector-based occupational health and safety association; association or organism, not specified in other units	0.0901	0.0918	0.0479
76070	Renting or leasing portable equipment or tools for industry, construction, hobbies or household activities, including service	0.6646	0.9717	0.6832
76080	Oil burner and furnace maintenance service; chimney sweeping; boiler cleaning	1.0095	0.6692	0.6608
1074				

Gouvernement du Québec

O.C. 1485-96, 27 November 1996

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Insurances premiums for 1997

Regulation respecting the insurance premiums for 1997

WHEREAS under subparagraph 10 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), the Commission de la santé et de la sécurité du travail may make regulations determining the insurance premiums necessary for the final retrospective adjustment of the annual assessment of an employer;

WHEREAS in accordance with section 455 of the Act and with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 10 July 1996, with a notice that, upon the expiry of 60 days following that notice, it would be adopted by the Commission with or without amendments and submitted to the Government for approval;

WHEREAS at its meeting of 19 September 1996, the Commission adopted the Regulation respecting the insurance premiums for 1997;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of the Act respecting industrial accidents and occupational diseases:

THAT the Regulation respecting the insurance premiums for 1997, attached hereto, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the insurance premiums for 1997

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpar. 10)

1. The insurance premiums necessary for the final retrospective adjustment of the annual assessment for the assessment year 1997 shall be calculated in accordance with the table in Schedule I.

2. The premiums shall be determined by applying the percentage calculated to the part of the assessment calculated in terms of the risk, taking into account the limit applicable to the employer with respect to the assumption of the cost of benefits.

3. The percentages appearing in the table are applicable to the precise amounts of assessment distributed in terms of the risk corresponding to those percentages. Where the amount of assessment falls between two levels of assessment in the table, the percentage shall be calculated by linear interpolation, and the result shall be rounded to the nearest tenth of a per cent.

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and has effect for the assessment year 1997.

SCHEDULE I

TABLE OF PREMIUMS

Part of the assessment in terms of the risk	Limit of the assumption in terms of the maximum annual insurable amount			
	$\frac{1}{2}$ times	once	twice	three times
280 450 \$ or less	43,5 %	26,0 %	17,7 %	17,4 %
373 900 \$	40,9	21,7	12,2	11,5
560 800 \$	38,7	17,9	7,4	6,3
747 750 \$	37,8	16,3	5,3	4,2
1 121 650 \$	37,1	15,1	3,7	2,5
1 495 600 \$	36,9	14,8	3,0	1,8
1 869 450 \$	36,8	14,6	2,7	1,5
2 617 200 \$	36,7	14,5	2,4	1,2
3 738 950 or more	36,6	14,4	2,2	1,0

1075

Gouvernement du Québec

O.C. 1486-96, 27 November 1996

Labour Code
(R.S.Q., c. C-27)

Remuneration of arbitrators

Regulation respecting the remuneration of arbitrators

WHEREAS under section 103 of the Labour Code (R.S.Q., c. C-27), the Government, by Order in Council 475-90 dated 4 July 1990, made the Regulation respecting the remuneration of arbitrators;

WHEREAS the regulatory framework of that provision respecting the remuneration of arbitrators was broadened by section 26 of Chapter 6 of the Statutes of 1994;

WHEREAS section 103 now prescribes that the Government may determine, by regulation, who shall assume the payment of the remuneration and expenses of an arbitrator, and, where applicable, in what proportion, as well as the cases where an agreement on different remuneration or expenses may be made and the conditions governing such an agreement;

WHEREAS it is expedient to replace the Regulation respecting the remuneration of arbitrators in order to adjust certain arbitrator fees and to allow for the negotiation of such fees;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 March 1996 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the 45-day period has elapsed;

WHEREAS the comments received have been examined;

WHEREAS it is expedient to make the Regulation attached to this Order in Council, with amendments;

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

THAT the Regulation respecting the remuneration of arbitrators, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the remuneration of arbitrators

Labour Code
(R.S.Q., c. C-27, s. 103)

1. For arbitration sittings and, subject to section 2, for each hour of deliberation and drafting of awards, a grievance and disputes arbitrator is entitled to fees of \$80 per hour. He is also entitled to a lump sum remuneration of \$80 for all expenses related to arbitration, particularly those expenses incurred for the opening of files, telephone calls, correspondence and the drafting and filing of duplicates or copies of the arbitration award.

He is entitled to fees of at least \$300 per day of hearing.

He may, before agreeing to act as arbitrator of grievances or disputes other than a dispute referred under sections 93.3 and 97 of the Labour Code (R.S.Q., c. C-27), conclude an agreement with the parties on different fees. Similarly, a grievances arbitrator who is remunerated by a single party under a collective agreement may agree upon different fees with the party. Failing an agreement, the first two paragraphs apply.

2. For deliberation and the drafting of awards, a disputes arbitrator is entitled to the fees fixed by or agreed to under section 1 for a maximum of 20 hours, while a grievances arbitrator is entitled to those fees for a maximum of 10 hours. The period of time for deliberation and drafting for an arbitrator of grievances or disputes other than a dispute referred under sections 93.3 and 97 of the Labour Code does not include the hours that an arbitrator spends in deliberation with the assessors.

An arbitrator of grievances or disputes other than a dispute referred under sections 93.3 and 97 of the Labour Code may agree with the parties on the period of deliberation and drafting before the beginning of deliberation. Failing an agreement, the first paragraph applies.

Upon request, the Minister of Labour may, considering the particular complexity of a case, pay additional fees to the arbitrator of a dispute referred under sections 93.3 and 97 of the Labour Code, up to a maximum of 20 hours.

3. Transportation costs and meal and accommodation expenses shall be reimbursed to an arbitrator in accordance with Directive 7-74 of the Conseil du trésor concerning the Règles sur les frais de déplacement des personnes engagées à honoraires (C.T. 182100 dated 13 January 1993), as amended on the day when they must be applied.

4. A travel allowance shall also be granted to an arbitrator who, because of his duties, must travel beyond a radius of 80 kilometres from his place of business.

The amount of this allowance corresponds to the amount obtained by multiplying the rate fixed by or agreed to under section 1 by the number of hours required for the trip using the fastest means of transportation.

5. When a case is discontinued or fully settled more than 30 days before the date of the hearing, the arbitrator is entitled to one hour of fees at the rate fixed by or agreed to under section 1 as compensation for all expenses related to the discontinuance or settling of the case.

6. When a case is discontinued, fully settled or postponed at the request of a party 30 days or less before the date of the hearing, the arbitrator may charge an amount of \$300 or three hours of fees at the rate agreed to under section 1. Notwithstanding the foregoing, he is not entitled to the expenses related to arbitration provided for in section 1.

7. An arbitrator is entitled to reimbursement of the actual costs incurred in renting a room for a hearing.

8. Unless otherwise provided for in the collective agreement, the parties shall assume jointly and equally the payment of the fees, expenses and allowances of a grievances arbitrator.

The parties shall assume jointly and equally the payment of the fees, expenses and allowances of a disputes arbitrator where the arbitration is requested under section 74 of the Labour Code or where the collective agreement prescribes that the dispute must be referred to arbitration.

The Minister of Labour shall assume the payment of the fees, expenses and allowances of the arbitrator of a dispute referred under sections 93.3 and 97 of the Labour Code.

9. An arbitrator shall submit a detailed account of his fees, making it possible to verify the validity of the fees, allowances or expenses claimed per day.

10. This Regulation replaces the Regulation respecting the remuneration of arbitrators, made by Order in Council 975-90 dated 4 July 1990.

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

1083

Gouvernement du Québec

O.C. 1497-96, 4 December 1996

Financial Administration Act
(R.S.Q., c. A-6)

**Conditions of contracts of government departments and public bodies
— Amendments**

Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by

regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, a public body whose operating budget is voted wholly or in part by the National Assembly or any other public body;

WHEREAS it is expedient to amend the General Regulation respecting the conditions of contracts of government departments and public bodies, made by Order in Council 1166-93 dated 18 August 1993, in particular to introduce requirements respecting quality insurance for the suppliers of certain professional services related to the environment and of auxiliary services related to document printing and reproduction;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies was published in Part 2 of the *Gazette officielle du Québec* of 21 August 1996 with a notice that it could be made by the Government, with or without amendments, upon the expiry of a 45-day period following the date of that publication;

WHEREAS it is expedient to make the Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies with amendments, that Regulation having been the object of a recommendation by the Conseil du trésor;

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

THAT the Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the General Regulation respecting the conditions of contracts of government departments and public bodies

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The General Regulation respecting the conditions of contracts of government departments and public bodies, made by Order in Council 1166-93 dated 18 August

1993 and amended by the Regulations made by Orders in Council 1565-94 dated 9 November 1994, 492-95 dated 12 April 1995 and 233-96 dated 28 February 1996, is further amended by substituting the following for section 7.1:

“**7.1** No contract pertaining primarily to any of the specialties listed in Schedules 1 and 2 may be awarded to a supplier unless he meets the following conditions and the conditions set out in those Schedules:

(1) with respect to the specialties listed in Schedule 1, the supplier must hold a registration certificate issued by a registrar accredited by the Standards Council of Canada or by an accrediting agency recognized by it, to the effect that the supplier has a quality system for the field covered by the specialty in question, complying with the required ISO standard;

(2) with respect to the specialties listed in Schedule 2, the supplier must hold accreditation based on the ISO/IEC Guide 25 and issued by the Minister of the Environment and Wildlife for each of the fields of accreditation covered by the contract.

The definitions of the specialties listed in Schedules 1 and 2 correspond to the definitions set out in the Répertoire des spécialités established by the Conseil du trésor for the specialties included therein.

Where a contract is awarded following a call for tenders, the amount of the contract specified in Schedules 1 and 2 shall be construed as the estimated amount of the contract.”.

2. The following is substituted for section 10:

“**10.** In the case of a call for bids, the contract shall be awarded to the supplier who submitted the lowest qualifying bid, as calculated in accordance with the method provided for in the tender documents, or to the supplier who becomes such a supplier in accordance with the provisions of section 82.3 of the Regulation respecting services contracts of government departments and public bodies. If equal bids are submitted, the contract shall be awarded by drawing lots among the suppliers concerned. The amount of the contract shall not exceed the price tendered.”.

3. Schedule 1 to the Regulation is amended

(1) by inserting the following category after the category “Soil and materials engineering” under the “Construction and physical sciences” group:

“Category — Environment:

11645 — Characterization of potentially contaminated sites	≥\$10 000	96 12 26	ISO 9002
11646 — Restoration of contaminated sites”; and	≥\$10 000	96 12 26	ISO 9001

(2) by inserting the following at the end:

“Auxiliary services:

— Cheque form printing	≥\$1	96 12 26	ISO 9002
— Document printing and reproduction			
• Quality level “Fine” or “Prestige”	≥\$1	96 12 26	ISO 9002
• Quality level “Information” or “Office”	≥\$50 000	96 12 31	ISO 9003

4. The following is added after Schedule 1:

“SCHEDULE 2

LIST OF THE SPECIALTIES FOR WHICH A SUPPLIER MUST BE ACCREDITED BY THE MINISTER OF THE ENVIRONMENT AND WILDLIFE

(s. 7.1)

Specialty	Amount of contract	Date of coming into force
Professional services:		
Group — Construction and physical sciences:		
Category — Environment:		
11610 — Microbiological analysis	≥\$10 000	96 12 26
11642 — Inorganic chemical analysis	≥\$10 000	96 12 26
11643 — Organic chemical analysis	≥\$10 000	96 12 26
11644 — Inorganic and organic chemical analysis”.	≥\$10 000	96 12 26

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

1091

Gouvernement du Québec

O.C. 1498-96, 4 December 1996

Financial Administration Act
(R.S.Q., c. A-6)

**Services contracts of government departments and public bodies
— Amendments**

Regulation to amend the Regulation respecting services contracts of government departments and public bodies

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, by a public body whose operating budget is voted wholly or in part by the National Assembly or by any other public body;

WHEREAS it is expedient to amend the Regulation respecting services contracts of government departments and public bodies, made by Order in Council 1169-93 dated 18 August 1993, in particular to replace the criteria for registration under certain environmental specialties in the central register of suppliers of services and goods to the Government by a certification requirement in the area of ISO international standards for quality management or accreditation issued on the basis of the ISO/IEC Guide 25 by the Minister of the Environment and Wildlife and to prescribe special provisions applicable to general maintenance contracts valued at \$50 000 or more and to travel services contracts valued at less than \$100 000;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft Regulation to amend the Regulation respecting services contracts of government departments and public bodies was published in Part 2 of the *Gazette officielle du Québec* of 21 August 1996 with a notice that it could be made by the Government, with or without amendments, upon the expiry of a 45-day period following the date of that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting services contracts of

government departments and public bodies with amendments, that Regulation having been the object of a recommendation by the Conseil du trésor;

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

THAT the Regulation to amend the Regulation respecting services contracts of government departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting services contracts of government departments and public bodies

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

An Act respecting the Service des achats
du gouvernement
(R.S.Q., c. S-4)

1. The Regulation respecting services contracts of government departments and public bodies, made by Order in Council 1169-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 1810-93 dated 15 December 1993, 557-94 dated 20 April 1994, 1107-94 dated 20 July 1994, 783-95 dated 14 June 1995 and 236-96 dated 28 February 1996, is further amended, in section 2,

(1) by substituting the following for the definition of “Services contract”:

“Services contract” means a services contract within the meaning of the General Regulation respecting the conditions of contracts of government departments and public bodies, except a snow removal services contract within the meaning of the Regulation respecting snow removal services contracts of government departments and public bodies or a services contract entered into with an individual; (*contrat de services*); and

(2) by inserting the following after the definition of “Subregion”:

“Travel services” means services connected with the issue of airline passenger tickets. Such services may include, in particular, advice on the organization of a

trip, hotel reservations, car rental, and the reservation, issue and delivery of ground transportation tickets. (*services relatifs aux voyages*)”.

2. Section 7 is amended by inserting the following after paragraph 3:

“(4) for an auxiliary services contract pertaining to the “general maintenance” specialty, for an estimated amount of \$50 000 or more.”.

3. The following is inserted after section 82:

“DIVISION 4 AUXILIARY SERVICES CONTRACTS PERTAINING TO THE “GENERAL MAINTENANCE” SPECIALTY

82.1 This Division applies to auxiliary services contracts pertaining to the “general maintenance” specialty, for an estimated amount of \$50 000 or more.

82.2 The instructions to suppliers contained in the tender documents shall indicate that the call for tenders is open only to suppliers working in the specialty and holding an ISO 9003 registration certificate and that the contract will be awarded to the supplier who submits the lowest qualifying bid as computed in accordance with the method described in the tender documents.

82.3 Notwithstanding section 82.2, where there are less than 3 suppliers holding an ISO 9003 registration certificate in the region concerned, the instructions to suppliers may indicate that:

(1) the call for tenders is open only to suppliers working in the specialty and holding an ISO 9003 registration certificate and that, in such case, the contract will be awarded to the supplier who submits the lowest qualifying bid as computed in accordance with the method described in the tender documents; or

(2) the call for tenders is open to all suppliers working in the specialty and that, in such case, the contract will be awarded to the supplier who submits the lowest qualifying bid as computed in accordance with the method described in the tender documents, taking into account, where the bid is submitted by a supplier holding an ISO 9003 registration certificate, that the lowest qualifying bid is determined after subtracting from such supplier’s bid 10 % of the price he submitted.

82.4 In this Division, “ISO 9003 registration certificate” means a registration certificate issued by a registrar accredited by the Standards Council of Canada or by an accrediting agency recognized by it, to the effect that the supplier concerned has a quality system for the field

covered by the “general maintenance” specialty complying with Standard ISO 9003.

DIVISION 5

TRAVEL SERVICES CONTRACTS

82.5 This Division applies to travel services contracts for an estimated amount of less than \$100 000.

§1. Registration in the central register

82.6 Suppliers shall be registered in the central register, on a regional basis, under the “travel within Canada” or “travel to other destinations” specialty. To be registered in the register, a supplier shall meet the following conditions in respect of the place of business covered by the registration:

- (1) the place of business shall be situated in the region;
- (2) the supplier shall have staff available during regular business hours;
- (3) for the “travel within Canada” specialty, the supplier shall have recorded sales of not less than \$500 000 for his last fiscal year;
- (4) for the “travel to other destinations” specialty, the supplier shall have recorded sales of not less than \$3 000 000 for his last fiscal year and shall have in his employ 2 travel consultants having a minimum of 5 years of experience each;
- (5) the supplier shall hold the required permit from the Office de la protection du consommateur; and
- (6) the supplier shall be accredited by the International Air Transport Association.

82.7 In a region where no supplier meets all the conditions for registration in the specialty concerned, temporary registration may be offered to a supplier who applies therefor and who meets the conditions set out in paragraphs 1, 2, 5 and 6 of section 82.6.

Notwithstanding the foregoing, for the purposes of temporary registration in the “travel to other destinations” specialty, a supplier shall also have recorded sales of not less than \$2 000 000 for the last fiscal year and shall have in his employ one travel consultant having a minimum of five years of experience.

82.8 To remain registered in the central register, a supplier shall at all times meet the conditions prevailing at the time of his registration.

82.9 Each year, the Minister shall send to the departments and bodies a list of the suppliers registered before 1 April of that year under each specialty in the central register. That list shall be valid from 1 April until 31 March of the following year.

§2. Contract award

82.10 Every contract shall be signed with a supplier:

- (1) whose name appears on the list referred to in section 82.9, under the specialty concerned;
- (2) who is located in the region from which the traveller originates.

82.11 Notwithstanding paragraph 2 of section 82.10, a contract may be signed with a supplier located in a region other than that of the traveller:

- (1) in the case of a trip north of the 55th parallel or of travellers posted outside Québec;
- (2) where the department or body groups together travellers going to the same destination but originating from different regions, or where the Attorney General of Québec summons persons to appear;
- (3) where, during the two years preceding the signing of the contract, each supplier registered in the central register in a given region and under a given specialty is the subject of an unsatisfactory performance report from the department or body concerned.

In the situations provided for in subparagraph 1 of the first paragraph, the contract may also be signed directly with an air carrier.”

4. The following is substituted for section 89:

“**89.** If the supplier’s name was referred from the central register, the deputy minister or the chief executive officer of the body shall send to the Minister a copy of any unsatisfactory performance report, except a report pertaining to a supplier registered under a specialty in the “travel services” group.”

5. The following is substituted for section 143:

“**143.** To be registered at level 1 or 2 under the “microbiological analysis”, “inorganic chemical analysis” or “organic chemical analysis” specialty, a supplier shall be accredited by the Minister of the Environment and Wildlife on the basis of the ISO/IEC Guide 25, in at least one field of accreditation in the specialty concerned. The supplier shall also work in the specialty

under which he wishes to be registered and shall have in his employ the staff required for that purpose.”.

6. Section 144 is revoked.

7. The following is substituted for sections 146 and 147:

“**146.** To be registered at level 1 or 2 under the “characterization of potentially contaminated sites” specialty, a supplier shall hold a registration certificate issued by a registrar accredited by the Standards Council of Canada or by an accrediting agency recognized by it, to the effect that the supplier has a quality system for the field covered by the specialty concerned, complying with Standard ISO 9002.

147. To be registered at level 1 or 2 under the “restoration of contaminated sites” specialty, a supplier shall hold a registration certificate issued by a registrar accredited by the Standards Council of Canada or by an accrediting agency recognized by it, to the effect that the supplier has a quality system for the field covered by the specialty concerned complying with Standard ISO 9001.”.

8. Section 148 is revoked.

9. The provisions of this Regulation come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 1, the provisions pertaining to Division 5, introduced by section 3, and section 4, which come into force on 1 April 1997.

1089

Gouvernement du Québec

O.C. 1499-96, 4 December 1996

Financial Administration Act
(R.S.Q., c. A-6)

**Travel services contracts of government departments and public bodies
– Revocation**

Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, a public body

whose operating budget is voted wholly or in part by the National Assembly or any other public body;

WHEREAS it is expedient to revoke the Regulation respecting travel services contracts of government departments and public bodies, made by Order in Council 1171-93 dated 18 August 1993, in order that the rules applicable to travel services contracts for an amount of less than \$100 000 be included in the Regulation respecting services contracts of government departments and public bodies;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies was published in Part 2 of the *Gazette officielle du Québec* of 21 August 1996 with a notice that it could be made by the Government, with or without amendments, upon the expiry of a 45-day period following the date of that publication;

WHEREAS it is expedient to make the Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies without amendment, that Regulation having been the object of a recommendation by the Conseil du trésor;

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

THAT the Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to revoke the Regulation respecting travel services contracts of government departments and public bodies

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The Regulation respecting travel services contracts of government departments and public bodies, made by Order in Council 1171-93 dated 18 August 1993 and amended by the Regulation made by Order in Council 238-96 dated 28 February 1996, is revoked.

2. This Regulation comes into force on 1 April 1997.

1092

Gouvernement du Québec

O.C. 1500-96, 4 December 1996

Financial Administration Act
(R.S.Q., c. A-6, s.49)

Snow removal services contracts of government departments and public bodies — Amendments

Regulation to amend the Regulation respecting snow removal services contracts of government departments and public bodies

WHEREAS under section 49 of the Financial Administration Act (R.S.Q., c. A-6), the Government may, by regulation, upon the recommendation of the Conseil du trésor, determine the conditions of contracts made in the name of the Government by a department, a public body whose operating budget is voted wholly or in part by the National Assembly or any other public body;

WHEREAS it is expedient to amend the Regulation respecting snow removal services contracts of government departments and public bodies, made by Order in Council 1170-93 dated 18 August 1993, so that experience acquired in carrying out work for Hydro-Québec, the Société d'énergie de la Baie James or the federal government be considered for the purpose of registration in the central register of snow removal contractors;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft Regulation to amend the Regulation respecting snow removal services contracts of government departments and public bodies was published in Part 2 of the *Gazette officielle du Québec* of 21 August 1996 with a notice that it could be made by the Government, with or without amendments, upon the expiry of a 45-day period following the date of that publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting snow removal services contracts of government departments and public bodies without amendments, that Regulation having been the object of a recommendation by the Conseil du trésor;

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

THAT the Regulation to amend the Regulation respecting snow removal services contracts of govern-

ment departments and public bodies, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting snow removal services contracts of government departments and public bodies

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The Regulation respecting snow removal services contracts of government departments and public bodies, made by Order in Council 1170-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 448-94 dated 30 March 1994, 222-95 dated 22 February 1995, 784-95 dated 14 June 1995 and 237-96 dated 28 February 1996, is further amended by substituting the following for section 39:

“**39.** To be registered in level 1 of the central register, a contractor shall have an establishment located in the subregion covered by the registration, shall file a statement concerning his equipment pursuant to section 41.3 and shall have carried out, during 2 of the 8 years preceding registration, snow removal contracts for the Ministère des Transports, a municipality, Hydro-Québec, the Société d'énergie de la Baie James or the federal government or have in his employ a person with at least 4 years of experience in snow removal work for any of those organizations.”.

2. The following is substituted for section 41:

“**41.** To be registered in level 2 of the central register, a contractor shall have an establishment in Québec or, where an intergovernmental agreement is applicable, in Québec or in a province or territory covered by that agreement, shall file a statement concerning his equipment pursuant to section 41.3 and shall have carried out, during 5 of the 8 years preceding registration, snow removal contracts for the Ministère des Transports, a municipality, Hydro-Québec, the Société d'énergie de la Baie James or the federal government.”.

3. The following is substituted for subparagraph *b* of paragraph 2 of section 42:

“(b) that, where he is registered in level 2 of the central register, he has carried out, during 5 of the 10 preceding years, snow removal contracts for the Ministère

des Transports, a municipality, Hydro-Québec, the Société d'énergie de la Baie James or the federal government; and".

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

1090

Gouvernement du Québec

O.C. 1519-96, 4 December 1996

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32)

Basic prescription drug insurance plan

Regulation respecting the basic prescription drug insurance plan

WHEREAS under the first paragraph of section 19 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32), persons to whom paragraph 4 of section 15 of that Act applies must register with the Régie de l'assurance-maladie du Québec on the conditions and in the manner prescribed by government regulation;

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 reasons justifying the absence of such publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of publication of sections 7 and 8 of the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council:

— those provisions provide for the information that a person must provide to the Board to register in the basic prescription drug insurance plan or to register his child or a person suffering from a functional impairment who is domiciled with him;

— eligible persons who are not required to become members of a group insurance contract or employee benefit plan applicable to a group of persons determined

on the basis of current or former employment status, profession or habitual occupation, and in whose respect no person is required to ensure coverage as beneficiaries under such a contract or plan must register in the basic prescription drug insurance plan of the Régie de l'assurance-maladie du Québec as soon as the plan comes into force. The plan will come into force on 1 January 1997;

— the information required to allow a person to fulfil his requirement to register in the basic prescription plan or to register another person from 1 January 1997 must necessarily apply from that date;

WHEREAS under subparagraphs 1, 2 and 4 to 6 of the first paragraph of section 78 of the Act respecting prescription drug insurance and amending various legislative provisions, in addition to the regulatory powers otherwise conferred on it by the Act, the Government may, after consulting the Régie de l'assurance-maladie du Québec, make regulations in respect of the subjects mentioned therein;

WHEREAS under section 112 of that Act, the Government may, not later than 31 December 1996, make a regulation under section 78 or section 113 of the Act even if the regulation has not been published as required by section 8 of the Regulations Act. Such a regulation shall come into force, notwithstanding section 17 of that Act, on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed in the regulation and it may, if it so provides, apply to any class of eligible persons it determines and from any date not prior to 20 June 1996;

WHEREAS under paragraph 6 of section 113 of the Act respecting prescription drug insurance and amending various legislative provisions, the Government may make any transitional provision in respect of the subjects mentioned therein, with regard to the persons or classes of persons referred to in Division I of Chapter III of this Act, for the reference period it determines therein;

WHEREAS under the first paragraph of section 116 of that Act, the Government may, by regulation, not later than 1 August 1997, make any other transitional provision to remedy any omission and ensure the implementation of the basic prescription drug insurance plan as soon as possible after the plan is established by the Act;

WHEREAS under the second paragraph of section 116 of that Act, a regulation made under that section is not subject to the publication requirements set out in section 8 of the Regulations Act. The Regulation shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed in the

regulation, notwithstanding section 17 of that Act and it may, once published and where it so provides, apply from any date not prior to 1 August 1996;

WHEREAS by Order in Council 846-96 dated 3 July 1996, the Government made the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions;

WHEREAS it is expedient to replace that Regulation and to make the Regulation respecting the basic prescription drug insurance plan;

WHEREAS in accordance with section 78 of the Act respecting prescription drug insurance and amending various legislative provisions, the Régie de l'assurance-maladie du Québec has been consulted;

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

THAT the Regulation respecting the basic prescription drug insurance plan, the text of which is attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the basic prescription drug insurance plan

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32, s. 78, 1st par., subpars. 1, 2 and 4 to 6, s. 112, s. 113, par. 6 and s. 116)

DIVISION I COVERAGE EQUIVALENT TO THE BASIC PRESCRIPTION DRUG INSURANCE PLAN COVERAGE

1. The following classes of persons are entitled to coverage equivalent to the coverage of the basic plan established by the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32) under another Act of Québec or under a program administered by the government or by a government department or agency but are not covered by this plan:

(1) beneficiaries of the "Agreement" within the meaning of the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C-67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C-67.1);

(2) users or beneficiaries sheltered in a facility maintained by a public or private institution under agreement operating a residential and long-term care centre governed by the Act respecting health services and social services (R.S.Q., c. S-4.2) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., c. S-5).

DIVISION II COVERAGE UNDER THE BASIC PRESCRIPTION DRUG INSURANCE PLAN

§1. Coverage of pharmaceutical services

2. In addition to the cost of the services rendered to fill or renew a prescription, the following pharmaceutical services are covered under the basic prescription drug insurance plan for which the Régie de l'assurance-maladie du Québec provides coverage, in accordance with section 22 of the Act respecting prescription drug insurance and amending various legislative provisions:

(1) refusal to fill or renew a prescription;

(2) a pharmaceutical opinion, that is, the reasoned opinion of a pharmacist on the pharmacological and therapeutic history of an eligible person drawn up under the authority of that pharmacist or on the therapeutic value of one or a combination of treatments prescribed, given in writing to the prescriber.

§2. Medications provided as part of the services provided by an institution

3. The medications entered on the list of medications drawn up by the Minister of Health and Social Services under section 60 of that Act are part of the coverage under the basic plan referred to in the third paragraph of section 8 of that Act where they are provided by an institution referred to in the Regulation made under paragraph *b* of section 37 of the Pharmacy Act (R.S.Q., c. P-10) to persons other than the persons admitted to or registered at that institution.

Coverage of the cost of medications in accordance with the prices determined in accordance with the terms and conditions established in the list of medications for institutions governed by the Act respecting health services and social services or by the Act respecting health services and social services for Cree and Inuit Native persons.

DIVISION III EXEMPTION FROM PAYMENT OF PREMIUM

4. Any eligible person referred to in section 15 of the Act respecting prescription drug insurance and amend-

ing various legislative provisions shall be exempted from payment of the premium during an entire calendar year where he remains outside Québec for that entire year and shall retain his status as resident of Québec under the Health Insurance Act (R.S.Q., c. A-29), provided that he notifies the Board of his absence from Québec.

DIVISION IV FUNCTIONAL IMPAIRMENTS

5. For the purposes of section 17 of the Act respecting prescription drug insurance and amending various legislative provisions, the following are the functional impairments from which an eligible person may suffer:

(1) an intellectual impairment, with an intelligence quotient or a development quotient of less than 70, as demonstrated in an evaluation using standardized tests; the development quotient is determined by multiplying by 100 the ratio between the person's developmental age and his chronological age;

(2) a severe, permanent psychiatric, organic or motor impairment which, despite technological assistance in the case of a motor impairment, considerably hinders the person in carrying out normal day-to-day activities and compromises his social integration;

(3) a severe, permanent multiple impairment, with two or more of the following impairments the combination of which considerably hinders the person in carrying out normal day-to-day activities and compromises his social integration:

(a) an intellectual impairment;

(b) a psychiatric impairment;

(c) an organic impairment;

(d) a motor impairment;

(e) a speech and language impairment;

(f) a hearing impairment for which an audiometric evaluation, before correction, indicates an average acuity threshold of 40 decibels or more at a frequency of 500, 1 000 and 2 000 hertz in the ear having the greater hearing capability;

(g) a visual impairment which, after correction by means of appropriate ophthalmic lenses, is characterized by visual acuity in each eye of not more than 6/21 or by a field of vision in each eye that is less than 60 degrees in the 180- and 90- degree meridians or that requires the use of special optical systems of over +4.00 dioptries.

6. The functional impairment described in paragraph 1 of section 5 shall be stated in an attestation containing the results obtained and issued by a person authorized to carry out such evaluations. The impairments described in paragraphs 2 and 3 of that section shall be stated in a medical certificate issued by a physician.

The attestation or the medical certificate shall be submitted to the Board and, where applicable, on request, to the insurer or to the administrator of an employee benefit plan.

DIVISION V REGISTRATION

7. Every person to whom paragraph 4 of section 15 of the Act respecting prescription drug insurance and amending various legislative provisions applies shall, to register in the basic prescription drug insurance plan, provide the Board with the following information:

(1) his full name;

(2) his sex;

(3) his date of birth;

(4) his health insurance number;

(5) his social insurance number, where applicable

(6) his home address;

(7) in the case of a person referred to in the second paragraph of section 11, a statement according to which the group insurance contract or the employee benefit plan to which he is required to become a member on the basis of current or former employment status, profession or habitual occupation is applicable solely outside Québec;

(8) a statement according to which he is not required to become a member of a group insurance contract or an employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession or habitual occupation;

(9) his civil status, whether he is single, married, a common-law spouse, separated, divorced, widowed or a member of a religious order;

(10) a statement according to which his spouse is not obliged to ensure his coverage as a beneficiary taking into account that he is not himself required to become a member of a group insurance contract or an employee benefit plan applicable to a group of persons determined

on the basis of current or former employment status, profession or habitual occupation, where applicable;

(11) in the case of a person under 18 years of age, a statement according to which he is emancipated and the reason of the emancipation;

(12) in the case of a person of 25 years of age or under who is duly registered as a student, a statement according to which he attends an educational institution on a part-time basis or that he has a spouse.

8. Every person to whom paragraphs 1, 3 and 4 of section 15 of that Act apply shall, to register his child or a person suffering from a functional impairment and domiciled with him in the basic prescription drug insurance plan, provide the Board with the following information in respect of each person that he must register in accordance with section 20 of that Act;

- (1) his full name;
- (2) his sex;
- (3) his date of birth;
- (4) his health insurance number;
- (5) his social insurance number, where applicable;
- (6) his home address;

(7) in what capacity, father, mother or tutor, he is registering the child or the person suffering from a functional impairment;

(8) his civil status, whether he is single, married, a common-law spouse, separated, divorced, widowed or a member of a religious order;

(9) in the case of a child under 18 years of age, a statement according to which his child is not emancipated;

(10) in the case of a spouseless child 25 years of age or under, a statement according to which his child attends an educational institution on a full-time basis as a duly registered student;

(11) in the case of a spouseless person suffering from a functional impairment, a statement according to which the person is a person of full age, that the impairment occurred before he reached the age of 18, that he receives no benefits under the last resort assistance program provided for in the Act respecting income security (R.S.Q., c. S-3.1.1) and that he is domiciled with that person;

(12) a statement according to which neither he, nor his spouse, nor any other person referred to in section 18 of the Act respecting prescription drug insurance and amending various legislative provisions must ensure coverage for that child or the person suffering from a functional impairment that is domiciled with him and in respect of whom an application for registration is made taking into account that neither one nor the other is required to become a member of a group insurance contract or an employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession or habitual occupation, where applicable.

Notwithstanding the foregoing, in the case of a birth that occurred in Québec, the father or mother who declares the birth of a child to the registrar of civil status in accordance with article 113 of the Civil Code of Québec shall be deemed to have made an application for the registration of that child in the basic prescription drug insurance plan with the Board where that person is a person to whom paragraphs 1, 3 or 4 of section 15 of the Act respecting prescription drug insurance and amending various legislative provisions apply and that he is registered himself.

DIVISION VI **TRANSITIONAL PROVISIONS**

9. Notwithstanding section 5 of that Act, any person who settles in another Canadian province shall cease to be a person eligible for the basic prescription drug insurance plan from the day of his settlement in that other province.

10. Notwithstanding section 5 of that Act, any person legally authorized to remain in Canada and who settles in Québec shall become a person eligible for the basic prescription drug insurance plan as soon as he or his family receives benefits under the last resort assistance program pursuant to the Act respecting income security and holds a valid claim booklet issued by the Minister of Income Security pursuant to section 70 of the Health Insurance Act.

11. Any group insurance contract or employee benefit plan applicable solely outside Québec is deemed to include at least the coverage of the basic prescription drug insurance plan, where the eligible person is required to become a member on the basis of current or former employment status, profession or habitual habit.

However, that person may register in the basic prescription drug insurance plan in accordance with section 7, if he may not otherwise benefit from drug insurance coverage as a beneficiary of the group insurance

contract or employee benefit plan of an eligible person referred to in section 18 of the Act respecting prescription drug insurance and amending various legislative provisions. He is then presumed not to benefit from the coverage provided for by the basic prescription drug insurance plan, pursuant to his group insurance contract or his employment benefit plan.

12. Any eligible person of 65 years of age or over who receives the maximum amount of guaranteed monthly income supplement under the Old Age Security Act (R.S.C., 1985, c. O-9), or any eligible person to whom paragraph 2 or 3 of section 15 of the Act respecting prescription drug insurance and amending various legislative provisions applies and who suffers from severe mental illness shall, unless he is exempted therefrom, contribute to the payment of the cost of pharmaceutical services and medications covered by the basic prescription drug insurance plan paid by the Board in accordance with section 22 of that Act, for the filling or renewal of a prescription, up to the amount of the maximum monthly contribution referred to in the second paragraph, with respect to all the medications provided to him, where that person obtains for the treatment of his mental illness an antipsychotic medication entered on the list of medications drawn up by the Minister of Health and Social Services under section 60 of that Act and, where applicable, an antipsychotic medication referred to in a regulation made by the Government under subparagraph *u* of the first paragraph of section 69 of the Health Insurance Act and that continues to have effect in accordance with section 114 of the Act respecting prescription drug insurance and amending various legislative provisions.

The deductible amount of \$100 per year and the amount of the maximum contribution of \$200 per year provided for in sections 26 and 28 of that Act are divided into equal parts for each month.

13. Sections 30, 32 and 33 of that Act apply to the person referred to in section 12, *mutatis mutandis*.

14. A pharmacist shall remit to any beneficiary to whom he has provided pharmaceutical services and medications the coverage of which is paid by the Board, a receipt indicating, in particular, the following information with respect to each medication thus provided:

- (1) with respect to the cost:
 - (a) the cost of the prescription;
 - (b) the amount insured; and
 - (c) the uninsured surplus that may be required from the beneficiary, where applicable;

(2) with respect to the contribution to the payment of the cost of pharmaceutical services and medications exigible from the beneficiary:

- (a) the deductible amount;
- (b) the 25 % coinsurance amount;
- (3) the amount paid by the Board;
- (4) with respect to the state of the beneficiary's maximum contribution for the reference period:
 - (a) the amount of the contributions paid to date;
 - (b) the remaining amount of the maximum contribution he must pay;
- (5) the reference number awarded by the Board.

15. The maintenance period for the coverage of the basic plan provided for in section 49 of the Act respecting prescription drug insurance and amending various legislative provisions shall not apply to lockouts, strikes or other work stoppages which began before the date of coming into force of this Regulation.

16. This Regulation replaces the Regulation respecting the application of the Act respecting prescription drug insurance and amending various legislative provisions, made by Order in Council 646-93 dated 3 July 1996.

17. This Regulation comes into force on 1 January 1997.

1087

Gouvernement du Québec

O.C. 1520-96, 4 December 1996

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

**Eligibility and registration of persons
— Amendments**

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec

WHEREAS under subparagraph *a* 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, prescribe anything that may be prescribed under that Act;

WHEREAS under subparagraph *j.2* of the first paragraph of section 69 of that Act, the Government may, in the same manner, determine the cases, conditions and circumstances in which a person who is a resident of Québec retains his status as a resident of Québec despite his absence;

WHEREAS by Order in Council 1470-92 dated 30 September 1992, the Government made the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec;

WHEREAS it is expedient to amend that Regulation;

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 reasons justifying the absence of such publication shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of publication of the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, attached to this Order in Council;

— the basic prescription drug insurance plan will come into force on 1 January 1997;

— section 4 of the Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996, provides that an eligible person referred to in section 15 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32) is exempt from payment of the premium for a calendar year where he stays outside Québec for the entire year and where he retains his status as a resident of Québec under the Health Insurance Act provided that he notifies the Régie de l'assurance-maladie du Québec of his absence;

— the measures proposed do not intend to require that the person return to Québec at least once every 12 months to retain his status as a resident of Québec so that he may benefit from the exemption of the premium is he is absent from Québec for an entire calendar year;

— the publication of the draft regulation would have the effect of delaying the application to a date later than

the date of coming into force of the provisions of section 4 of the Regulation respecting the basic prescription drug insurance plan making the provisions of that section inapplicable for the entire year 1997, since the current Regulation respecting eligibility and registration of persons in respect of the Board obliges such a person to return to Québec at least once every 12 months to retain his status as a resident of Québec;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec;

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

THAT the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpars *a* and *j.2*)

1. The Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance-maladie du Québec, made by Order in Council 1470-92 dated 30 September 1992, and amended by the Regulations made by Orders in Council 67-94 dated 10 January 1994, 533-95 dated 12 April 1995, 68-96 dated 16 January 1996 and 505-96 dated 24 April 1996, is further amended in section 7 by striking out, in subparagraph 5 of the first paragraph, the words "and returns to Québec at least once every 12 months".

2. This Regulation comes into force on 1 January 1997.

Gouvernement du Québec

O.C. 1521-96, 4 December 1996

An Act respecting the Régie de l'assurance-maladie du Québec
(R.S.Q., c. R-5)

Submission of document by electronic data processing or telecommunication — Amendments

By-law to amend the By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication

WHEREAS under section 16.1 of the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., c. R-5), the Board may authorize a person who submits to the Board a notice, report, declaration, statement of fees, claim for payment, statement of account or any other document to do so by means of an electronic data processing system or by telecommunication, on the conditions it determines by by-law, according to the classes of documents indicated therein;

WHEREAS under the same provision, such a by-law must be approved by the Government to come into force;

WHEREAS on 1 June 1994, the Régie de l'assurance-maladie du Québec made the By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication and it was approved by Order in Council 534-95 dated 12 April 1995;

WHEREAS on 7 November 1996, the Régie de l'assurance-maladie du Québec made the By-law to amend the By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication;

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

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and

the date applicable under section 17 of that Act, where the authority that has approved it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such a coming into force:

— the proposed regulatory provisions are necessary for the implementation as of 1 January 1997 of the basic prescription drug insurance plan established by the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32);

WHEREAS it is expedient to approve that By-law;

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

THAT the By-law to amend the By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

By-law to amend the By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication

An Act respecting the Régie de l'assurance-maladie du Québec
(R.S.Q., c. R-5, s. 16.1)

1. The By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication, made by Order in Council 534-95 dated 12 April 1995 and amended by the By-law made by Order in Council 504-96 dated 24 April 1996, is further amended by adding the following before section 1:

“DIVISION I

AUTHENTICATED APPLICATION FOR RENEWAL OF REGISTRATION OR FOR REPLACEMENT OF A HEALTH INSURANCE CARD”.

2. Section 1 is amended by substituting the words “by this Division” for the words “by this By-law”.

3. The By-law is amended by inserting the following after section 6:

“DIVISION II

PHARMACIST’S STATEMENT OF FEES OR CLAIM FOR PAYMENT

6.1 The transmitting of a pharmacist’s statement of fees or claim for payment by interactive electronic means, in accordance with the third paragraph of section 22.1.0.1 of the Health Insurance Act (R.S.Q., c. A-29; 1996, c. 32, s. 95), must be done in accordance with the conditions determined in this Division.

6.2 The pharmacist must be authorized by the Board to transmit a statement of fees or a claim for payment to the Board by interactive electronic means. The interactive communication system shall consist in a telecommunication exchange between the pharmacist and the Board at the time of the provision of the insured service. In communicating with the Board by interactive electronic means, the pharmacist must use the identification code assigned to him by the Board.

The pharmacist is responsible for any transmission sent by interactive electronic means with his identification code by any user of his billing system in the pharmacy, and for any ensuing payment that is claimed or received.

6.3 To be authorized by the Board to send his statements of fees or his claims for payment to the Board in such manner, a pharmacist must make a request by completing a form supplied by the Board and in which:

(1) he demonstrates that he uses billing software recognized by the Board and enabling him to access the Board’s interactive communication system;

(2) he acknowledges that the transmitting to the Board, by interactive electronic means, of a statement of fees or a claim for payment with his identification code has the same legal effect as if the transmitting were done by means of a written document that he himself signed;

(3) he acknowledges that the Board’s reproducing on paper of information reflecting the accepted data processing transaction attests to its content for billing and payment purposes.

6.4 A pharmacist who changes his billing software must, before using it, so inform the Board in order to enable the Board to indicate to him whether the software will enable him to access the Board’s interactive communication system.

6.5 The following information, corresponding to the identification and transmission coordinates, must accompany each transaction:

(1) the Board’s identification number in the interactive communication system;

(2) the number of the version used of the Canadian Pharmaceutical Association’s (CPhA) claim standard;

(3) the software developer’s identification number;

(4) the version number of the software used in the pharmacy;

(5) the pharmacy number;

(6) a control number identifying each claim for payment or statement of fees submitted to the Board;

(7) a transaction code.”.

4. A pharmacist who, from 1 January 1997, must transmit his statements of fees or his claims for payment to the Board by interactive electronic means must file his application prior to 13 December 1996.

5. This By-law comes into force on the date of its publication in the *Gazette officielle du Québec*.

1085

Gouvernement du Québec

O.C. 1522-96, 4 December 1996

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

**Forms and statement of fees
— Amendments**

Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

WHEREAS under subparagraph *a* of the first paragraph of section 72 of the Health Insurance Act (R.S.Q., c. A-29), the Régie de l’assurance-maladie du Québec may make regulations to prescribe the content of the statement of fees or of any other form of the Board which may or must be used by a professional in the field of health, a beneficiary, a resident or deemed resident of Québec, an institution or a laboratory;

WHEREAS in accordance with the second paragraph of section 72 of the Health Insurance Act, such a regulation must be approved by the Government before coming into force;

WHEREAS the Régie de l'assurance-maladie du Québec made the Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2) and it was approved by the Government;

WHEREAS on 7 November 1996, the Board made the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act;

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

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* or between that date and the date applicable under section 17 of that Act, where the authority that has approved it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such a coming into force:

— the proposed regulatory provisions are necessary for the implementation as of 1 January 1997 of the basic prescription drug insurance plan established by the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32);

WHEREAS it is expedient that the Regulation be approved by the Government;

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

THAT the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act, attached to this Order in Council, be approved.

Le greffier du Conseil exécutif,
MICHEL CARPENTIER

Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

Health Insurance Act
(R.S.Q., c. A-29, s. 72, 1st par., subpar. a)

1. The Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2), amended by the Regulations approved by Orders in Council 56-82 dated 13 January 1982 (Suppl., p. 123), 1126-82 dated 12 May 1982 (Suppl., p. 126), 3017-82 dated 20 December 1982, 2284-83 dated 16 November 1983, 794-84 dated 4 April 1984, 413-85 dated 6 March 1985, 2331-85 dated 7 November 1985, 655-86 dated 14 May 1986, 1178-86 dated 30 July 1986, 553-87 dated 8 April 1987, 761-88 dated 18 May 1988, 859-90 dated 20 June 1990, 1471-92 and 1472-92 dated 30 September 1992, 1756-92 dated 2 December 1992, 1116-93 dated 11 August 1993, 68-94 dated 10 January 1994, 1040-94 dated 6 July 1994, 1218-95 dated 6 September 1995 and 1289-96 dated 9 October 1996, is further amended by substituting the following for section 9.1:

“**9.1** Every pharmacist entitled to remuneration by the Board for insured services must transmit to the Board a claim for payment or a statement of fees containing the following elements:

- (1) a control number identifying each claim for payment or each statement of fees submitted to the Board;
- (2) the beneficiary's health insurance number and the sequential number of his health insurance card or, where applicable, his name at birth, date of birth and sex;
- (3) where applicable, the beneficiary's relationship to the health insurance card holder;
- (4) where applicable, the code of the program to which the claim for payment or statement of fees is related;
- (5) where applicable, the code identifying a specific group of beneficiaries;
- (6) the pharmacy number;
- (7) the dispensing pharmacist's number;
- (8) the prescriber type, the prescriber number and, where applicable, the initials of his first and last names;
- (9) where applicable, the number of the designated pharmacy contacted;

(10) the prescription number, the service code and, where applicable, the intervention or exception code describing a specific situation or service;

(11) where applicable, an indication that the prescription is a new prescription or a refill, the code indicating whether the prescription is a written or a verbal prescription, the number of authorized refills, the last date on which the prescription is valid, and the duration of the treatment;

(12) where applicable, the medication code or supplier code, an indication to the effect that the pharmacist has dispensed an equivalent medication or that the prescriber has indicated not to substitute, the quantity dispensed, the source of supply, the acquisition format number, and the type of magistral medication;

(13) the date of dispensation of the professional service;

(14) the amount of the fees claimed, by type of service, and, where applicable, the amount charged for the medication or service;

(15) where applicable, the transaction date of the cancelled claim for payment or cancelled statement of fees, and its control number;

(16) the signature of the pharmacist covered by the agreement or the signature of his duly authorized mandatary or his identification code where the statement of fees or claim for payment is transmitted by interactive electronic means in accordance with the By-law respecting the conditions for submitting a document to the Régie de l'assurance-maladie du Québec by means of an electronic data processing system or by telecommunication (Order in Council 534-95 dated 12 April 1995, as amended)."

2. Section 11 is amended:

(1) in the first paragraph of paragraph 4.1 by substituting the following for everything preceding subparagraph *a*: "Every beneficiary who has not presented his health insurance card or claim booklet, as the case may be, every person who resides in Québec, as well as a person who is referred to in paragraph 4 of section 15 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32), who is not registered with the Board under section 19 of that Act and who requires that the Board reimburse him for the cost of insured services provided to him in Québec by a pharmacist covered by the agreement must send the Board an application for reimbursement containing the following information:";

(2) by striking out " , except the mention of the amount of the fees exactable collected from a person for whom the Board assumes the cost of the medications" in subparagraph *a* of the first paragraph of paragraph 4.1;

(3) by substituting the following for subparagraph *b* of the first paragraph of paragraph 4.1:

"(b) in a section of the application reserved for the beneficiary, the address of the beneficiary's domicile and, if different, the address at which he wishes to receive the reimbursement;"

(4) by inserting the following after subparagraph *f* of the first paragraph of paragraph 4.1:

"(f.1) an indication by the beneficiary to the effect that he is not registered for the prescription drug insurance plan;"

(5) by substituting the following for the second paragraph of section 4.1:

"The beneficiary's application for reimbursement must also contain the following mention above the space reserved for the beneficiary's signature:

"I certify that the above information is accurate and I request a reimbursement for the cost of the services received.""

3. The Regulation is amended by inserting the following section immediately after the title of Division VIII:

"**15.0.1** This Division does not apply to a pharmacist in respect of a service rendered after 1 January 1997."

4. Section 19 is amended by striking out "or section 32, as the case may be," in the first paragraph.

5. Section 27 is amended by striking out "or 32, as the case may be".

6. The Regulation is amended by revoking section 32.

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

Decision CCQ-962139, 27 November 1996

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

Complementary social benefit plans — Amendments

Notice is hereby given that by Decision CCQ-962139 of 27 November 1996, the Commission de la construction du Québec has enacted the Regulation to amend the regulation respecting complementary social benefit plans in the construction industry. This regulation brings some changes to the insurance and pension benefits of the employees of the construction industry.

This regulation is enacted under the authority of section 92 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20); it brings into effect sections 28.01 to 28.07 of the Construction Decree enacted by Order in Council 172-87 of 4 February 1987. The provisions of said sections are deemed to constitute common clauses applicable to collective agreements for each of the sectors of the construction industry, pursuant to section 84 of the Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and to amend other legal provisions (1993, c. 61).

A draft of this regulation has been published in Part 2 of the *Gazette officielle du Québec* of 23 October 1996, in accordance with sections 8, 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) with a notice to the effect that this regulation could be enacted 30 days following that publication; since that publication, no comments were received by the Commission.

However, some provision of this regulation were not included in the draft published as aforementioned; these provisions concern the determination of the pension rates for the year 1997. The Commission de la construction du Québec is of the opinion that the urgency of the situation requires that, in accordance with section 12 of the Regulations Act, these provisions be enacted without prior publication of a draft, since these rates cannot be determined without an actuarial study which has to be conducted at a date nearest to the time when the new provisions come into force, to ensure optimal reliability of said study.

The draft regulation was submitted by the Commission to the Joint Committee on Construction, in accordance with section 123.3 of the Act respecting labour relations, vocational training and manpower management in the construction industry. The Joint Committee

has issued a notice to the effect that it was in favor of adopting the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry.

HUGUES FERRON,
Secretary

Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 92; 1995, c. 8, s. 42)

1. The Regulation respecting complementary social benefit plans in the construction industry enacted by decision CCQ-951991 of 25 October 1995 and amended by regulations enacted by decisions CCQ-962072 of 24 April 1996 and CCQ-962086 of 29 May 1996, is further amended in section 1:

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

“(2) is not married and is cohabiting with an unmarried subscriber for at least 1 year;

(3) is not married and is cohabiting with an unmarried subscriber in one of the following cases:

a) at least one child is born or is conceived from this union;

b) they have jointly adopted at least one child during their cohabitation;

c) either one of them has adopted at least one of the other spouse's children during that period of time.”;

(2) by substituting in subsection 2 of the third paragraph the words “25 years of age or less” for the words “less than 25 years of age”;

(3) by substituting in subsection 3 of the third paragraph the word “subsection” for the word “subparagraph”.

2. This regulation is amended by inserting the following after section 4:

“**4.1** A person affected by subsection 1 of the first paragraph of section 3 may elect to contribute solely to insurance plans, under the following conditions:

(1) his contribution is limited to 1400 hours of work per year;

(2) his employer shall issue to the Commission, with his monthly report, the portion of the dues allocated under Schedule I to the collective reserve fund, for each one of the hours worked, on top of the fees provided for in section 126.0.1 of the act;

(3) this person shall submit to the Commission a document stating that he and his employer agree to conform to the obligations provided for in this section.”.

3. Section 5 of this regulation is amended:

(1) by substituting, in the first paragraph, the words “Regulation on the register, monthly report and notices from employers, and on the designation of a representative enacted by decision (*indicate here the reference to this regulation*)” for the words “Regulation respecting the keeping of a register and the sending of a monthly report enacted by decision 875-93 of 16 June 1993”;

(2) by deleting the words “and contributions” in the last sentence of the first paragraph.

4. Section 6 of this regulation is amended by substituting, in the second paragraph, the words “Regulation on the register, monthly report and notices from employers, and on the designation of a representative” for the words “Regulation respecting the keeping of a register and the sending of a monthly report”.

5. Section 14 of this regulation is amended by inserting, after the word “affected” in the third paragraph, the words “by section 4.1 or”.

6. Section 15 of this regulation is affected by adding the following after the second paragraph:

“The Commission shall not accept contributions from a person affected by section 3 with regard to a period earlier than 6 months.”.

7. Section 19 of this regulation is amended by substituting, in the second paragraph, “12 of the Regulation on the register, monthly report and notices from employers, and on the designation of a representative” for everything that follows the word “section”.

8. Section 29 of this regulation is amended by substituting, in the first paragraph, the word “fourth” for the word “third”.

9. Section 32 of this regulation is amended by adding the following at the end:

“A correction decreasing the number of hours worked by an employee affected by the first paragraph, made after the date of his retirement, shall not affect his right to be insured under this section.”.

10. Section 33 of this regulation is amended:

(1) by substituting the following for the first paragraph:

“**33.** Retired employees shall be covered by their insurance plan by paying the premium provided for in schedule IV, or part of that premium considering the provisions in the second paragraph. A retired employee shall be covered from the date of the insurance period that corresponds to the qualifying period during which he retired.”;

(2) by inserting in the second paragraph, after the words “The hours accumulated” the words “, the hours credited and the hours worked during the qualifying period”;

(3) by adding the following after the second paragraph:

“The retired employee aged 65 and over shall obtain full coverage from the plan; he shall elect to choose a coverage that does not include prescription drug insurance. The retired employee aged 80 and over shall only obtain coverage for prescription drug insurance.”.

11. Section 34 of this regulation is replaced by the following:

“**34. Plan selection.** The retired employee whose hours accumulated and hours worked during the qualifying period allow him to obtain coverage under plans B, C or D shall elect to choose either this coverage or the one from the insurance plan for retired employees. The retired employee eligible for coverage under plan A shall not select the one from the insurance plan for retired employees.

Deemed selection. The person who had the choice between the insurance plan for retired employees and one of the basic plans is deemed to have selected coverage under the insurance plan for retired employees, if he had this coverage during the preceding period and if he has accumulated a sufficient number of hours to pay the premium required according to the second paragraph of section 33 or, failing that, under the most beneficial basic plan for which he is eligible, unless he has notified the Commission of his selection, no later than the first Monday of the month preceding the insurance period affected by his decision.

Loss of eligibility. The retired employee who is not insured under plan A or plan B, who does not select coverage under the insurance plan for retired employees, as well as the retired employee who fails to pay the required premium, shall not obtain coverage under the insurance plan for retired employees.

Notwithstanding the second paragraph of section 21, all hours worked by an insured employee affected by section 32 are cumulative; section 23 does not apply to this insured employee.”.

12. Section 37 of this regulation is amended :

(1) by substituting, in the second paragraph, the words “52 weeks” for the words “12 months”;

(2) by deleting the third paragraph.

13. Section 38 of this regulation is replaced by the following :

“**38. Disability period.** For the purposes of this chapter, a disability period begins with a total disability, and continues:

(1) as long as the person affected remains totally disabled, even when a new cause of incapacity occurs;

(2) as long as the person affected has not been able to resume full-time work, performing the usual tasks pertaining to his function;

(3) even in the case whereby the interruption is less than 21 days during the first 52 weeks of the disability period, and even in the case of an interruption of less than 3 months afterwards, unless the new incapacity is caused by an illness or an accident that is totally unrelated to the cause of the first incapacity.

For the purposes of section 3 of the first paragraph, an interruption means a period of time during which the person affected is working full-time, or during which the person becomes able to perform full-time work, or during which the person is performing a lucrative occupation.”.

14. Section 39 of this regulation is amended by adding, at the end of section 4, the words “, and if it has been certified by a physician”.

15. This regulation is amended by inserting the following after section 39:

“**39.1** The insured employee must pass a physical examination when the Commission has the right to ask

for one because of the nature of the disability; he must also submit evidence and medical reports of the disability.”.

16. Section 40 of this regulation is amended:

(1) by substituting the following for the first two paragraphs:

“**Hours credited for disability.** The insured employee is credited the number of hours provided for in section 41 for each week or part of the week during which he is totally disabled. The right to those credits remains even if the insurance coverage has expired.

The same credits are granted:

(1) to the insured employee who is in a situation of preventive deprivation;

(2) to the insured employee who is on maternity leave paid by the CSST;

(3) to the insured employee who receives benefits from Human Resources Development Canada during her maternity leave.”;

(2) by adding the following subsections after subsection 3 of the third paragraph:

“(4) for a week prior to the beginning of insurance coverage;

(5) beyond the 52nd week, in the case of a person who is being treated on a daily basis in a specialized clinic for alcoholism and other substance abuse;

(6) to a person who is being treated for alcoholism or another substance abuse, when this treatment has been ordered by a court of common law;

(7) to a person who is not entitled to salary insurance benefits following the application of the provisions from one or the other exclusion provided for in subsections 1, 2, 3, 7, 8 or 9 of section 73.”;

(3) by adding the following after the fourth paragraph:

“The person who is entitled to hours credited in accordance with this section retains coverage under the life insurance plan and the health insurance plan he adheres to when total disability occurs or superior coverage he subsequently obtains. Maintenance of this coverage ceases on the first of the following dates: the first day of the insurance period which corresponds to the

period of reference during which the insured employee has retired, or when the insured employee dies. An amendment to coverage offered through the plans, to deductibles or to any other provision from these plans applies as soon as it comes into effect to the insured employee whose coverage is still valid.”.

17. Section 42 of this regulation is replaced by the following:

“**42.** The insured employee affected by the first paragraph of section 40 is entitled to hours credited only if he furnishes proof of his disability to the Commission, and periodically, proof of the persistence of the disability.”.

18. Section 43 of this regulation is amended by substituting, in the first paragraph, the words “if it is positive” for the words “as the case may be”.

19. Section 56 of this regulation is amended by substituting, in the first paragraph, the words “52nd week of the disability period” for the words “qualifying period”.

20. Section 57 of this regulation is amended:

(1) by substituting, in the first paragraph, the words “as long as he remains totally disabled and up to 52 weeks after the beginning of the disability period” for the words “during the disability period and up to 52 weeks after it has begun”;

(2) by replacing the second paragraph with the following:

“The long-term salary insurance entitles the insured employee affected with total disability to receive, after the 52nd week of the disability period, as long as he remains totally disabled, the monthly indemnity provided for in this section.”.

21. Section 59 of this regulation is amended by adding the following after the third paragraph:

“The person affected by the first paragraph is deemed to be totally disabled while he undergoes treatment.”.

22. Section 60 of this regulation is replaced with the following:

“**60.** The weekly indemnity ceases with the payment of the indemnity relative to the last full week during which the insured employee reaches the age of 65.”.

23. Section 61 of this regulation is amended:

(1) by substituting the word “indemnity” for the word “disability”;

(2) by deleting, in the third paragraph, the words “or 69”.

24. Section 66 of this regulation is amended by deleting subsection 3.

25. Sections 68 and 69 of this regulation are replaced by the following:

“**68. Advances on indemnities.** The insured employee who contests the refusal from the CSST, the SAAQ or the organization having jurisdiction to indemnify him following an industrial accident, an occupational disease or a car accident, is entitled to the benefits under this section until the dispute is resolved, for the period during which he would have been eligible to receive benefits under this section, had his disability not been affected by subsections 4 and 5 of section 73.

The same applies to the insured employee covered by a short term insurance plan, who is totally disabled according to the definition in the first paragraph of section 37, but who cannot receive benefits under this section for a reason other than an exclusion in accordance with subsections 1 to 3 or 7 to 13 of section 73, or who ceases to receive his benefits because his disability prevents him from performing a lucrative occupation which is reasonably suitable for his education, training or experience.

In the cases affected by the second paragraph, the advances payable are \$1 000 per month or, if the insured employee is covered by the supplemental plan for electricians, \$1 300 per month, up to a maximum of 12 months including the months during which the insured employee has received advances on indemnities under the first paragraph. If the indemnity is applied to a period of less than a month, it is equal to 3/65 of these amounts for each day of disability. The provisions of sections 65 to 67 and 72 apply to these advances, in view of the necessary adjustments. The payment of these advances does not entitle the insured employee to be credited with hours under section 41. No advance shall be paid under the second paragraph following the payment of the advance for the month during which the insured employee has reached the age of 65.

The insured employee is entitled to advances on indemnities if he furnishes proof that the refusal from the organization and his contestation are related to whether he is disabled, and as long as he is covered under a salary insurance plan:

(1) when the accident occurs or at the beginning of the disease, in the case whereby the organization has refused to indemnify the insured employee;

(2) when the organization has decided to cease payment of indemnity;

(3) when he is totally disabled and the Commission notices that the organization's decision is a long time coming.

The person who becomes covered under the salary insurance plan after an event entitling to advances on indemnities provided for in this section shall receive these advances as soon as the insurance coverage comes into effect, as long as he is totally disabled between the moment the event occurs and the moment coverage comes into effect.

69. The insured employee who receives advances on indemnities under section 68 shall surrogate the Commission in his rights against the organization mentioned. However, he does not have to reimburse the benefits received from the Commission if he does not win the case, in part or in all, to these organizations or in case of an appeal or a revision. Also, he shall neither reimburse the sum of the benefits exceeding the sum of the indemnities awarded by the organization, nor the benefits received for a period during which he was not entitled to.

In order to receive the advances, the insured employee shall furnish proof of his total disability.”.

26. Section 71 of this regulation is deleted.

27. Section 73 of this regulation is amended:

(1) by substituting, in subsections 4, 5 and 13 of the first paragraph, the words “benefits related to the disability” for the words “periodic disability benefits”;

(2) by adding, at the end of subsection 6 of the first paragraph, the words “when the accident occurs or at the beginning of the disease”;

(3) by inserting, in subsection 10 of the first paragraph, and after the word “salary”, the words “or performs a lucrative activity”.

28. Section 81 of this regulation is amended:

(1) by substituting the following for the first paragraph:

“**81. Medication.** Expenses related to medication which may only be obtained upon written prescription from a doctor, a dentist or a podiatrist are reimbursable

in the proportion of 75 %, as well as expenses related to pharmaceutical services and medication affected by section 8 of the Act respecting prescription drug insurance and amending various legal provisions (1996, c. 32).”;

(2) by substituting, in the second paragraph, “of 75 %” for “mention in section 82”.

29. Section 82 of this regulation is replaced by the following:

“**82.** Expenses reimbursable under section 81 are those exceeding a deductible of \$15 per family and per insurance period for the insured employee who is covered under plan A, \$30 for the insured employee covered under plan B, \$45 for the insured employee covered under plan C, and \$60 for the insured employee covered under plan D.

However, the annual total contribution of the insured employee, whether as a deductible or as mutual insurance, is limited to \$750 per family.

In the case of an insured employee covered by the insurance plan for retired employees, expenses reimbursable under section 81 are those exceeding a deductible of \$3 per medication every time a prescription is being given or renewed; the annual total contribution of the insured employee, whether as a deductible or as mutual insurance, is limited to \$750 for himself and his dependents excluding his spouse, and \$750 per year for his spouse.”.

30. Section 84 of this regulation is amended by substituting, in subparagraph *h* of subsection 4, the words “hospital-type” for the word “orthopedic”.

31. Section 85 of this regulation is amended by inserting, in the second paragraph and after the word “plan”, the words “A and who is covered under the plan”.

32. Section 87 of this regulation is amended:

(1) by inserting, in the second paragraph and after “Québec”, the words “if this person is insured under the Canadian Act on health (R.S.C., 1985, c. C-6), and”

(2) by replacing the fifth paragraph by the following:

“Medical expenses incurred without emergency are reimbursed, as the case may be, in accordance with other relevant provisions of this section, subject to the limit provided for in section 97.”.

33. Section 88 of this regulation is amended:

(1) by substituting the following for subparagraph *a* of subsection 1:

“*a*) complete oral examinations, subject to a maximum of once every 36 months;

a.1) preventive oral examinations, including polishing of teeth, subject to a maximum of once every 6 months;”;

(2) by substituting, in subparagraph *d* of section 1, number “36” for number “6”;

(3) by substituting, in subparagraph *e* of section 1, the words “prematured loss of first teeth and installation of devices designed to control oral habits” for everything following the word “the”;;

(4) by substituting the following for subparagraph *f* of section 1:

“*f*) diagnostic X-rays and laboratory tests and examinations;”;

(5) by substituting the following for subparagraph *h* of section 1:

“*h*) simple extractions of teeth;”;

(6) by deleting the word “impacted” in subparagraph *i* of section 1;

(7) by substituting, in subparagraph *k* of section 1, the words “purposes, up to a maximum of \$300 per visit” for the words “surgery, up to a maximum of \$56 per treatment”;

(8) by substituting the following for section 2:

“(2) in a proportion of 80 %, endodontic treatments;

(3) in a proportion of 80 %, periodontic treatments, subject to:

a) a maximum of 4 units of time per 4 months for scaling;

b) a maximum of one treatment per tooth for a period of 24 months for gingival curetting and radicular surfacing.”.

34. Section 89 of this regulation is amended by substituting the following for subparagraphs *a* to *d* of subsection 1:

“*a*) fillings with gold, compounds and inlays, if such restorations cannot be done with another substance; the

replacement of these elements only if they have been in place for at least 5 years and have become unusable.

b) the initial installation of a complete or partial removable prosthesis;

c) the initial installation a fixed prosthesis supported by natural teeth (conventional bridge, butterfly bridge, casting, crown), as long as the prosthesis is permanent and such installation is part of a process of extraction and replacement, within a reasonable delay following the extraction;

d) the replacement of a permanent prosthesis, fixed or removable, if this prosthesis has been in place for at least five (5) years and has become unusable;

e) the rebase or the repair of a fixed or removable prosthesis, as well as the addition of teeth or of a structure to a prosthesis.”.

35. Section 94 of this regulation is amended:

(1) by deleting, in subsection 3, the words “for ear examination or”;

(2) by substituting, in subsection 7, “1 September 1996” for “31 December 1995”;

(3) by adding, in subsection 12, after the word “prosthesis”, the words “and orthodontic or periodontic devices”;

(4) by substituting the following for subsection 15:

“(15) for which the insured person is entitled to an indemnity pursuant to the Act respecting industrial accidents and occupational diseases, the Act respecting the indemnisation of crime victims, the Act respecting automobile insurance, or any other provincial, federal or foreign law to the same effect;”;

(5) by inserting, in subsection 18 and the word “fertility”, the words “or impotence”;

(6) by adding the following after subsection 19:

“(20) for medication obtained for a person affected by section 15 of the Act respecting prescription drug insurance and amending various legal provisions.”.

36. Section 97 of this regulation is replaced by the following:

“**97.** Medical expenses reimbursable under this section, with the exception of those reimbursable following a medical emergency under section 87, are limited to the

sum payable for expenses incurred in Québec for a beneficiary under the Health Insurance Act (R.S.Q., c. A-29).”.

37. Section 115 of this regulation is amended by substituting, in subsection 2, the number “111” for the number “112”.

38. Section 118 of this regulation is amended by deleting, in subsection 2 of the second paragraph, the words “in accordance with Division III”.

39. Section 119 of this regulation is amended by substituting, in the first sentence, the words “The actuary provides the Commission with hypotheses leading to the calculation of” for everything that precedes the word “factors”.

40. Section 120 of this regulation is amended by substituting the following for subsection 5 of the first paragraph:

“(5) a reserve for unfavourable differences is included for the benefit of the pensioners account as follows :

(a) when the value of the assets of the pensioners account is superior to the value of the liabilities of the same account, the reserve is equal to a percentage, which cannot be superior to 7 %, of the value of the liabilities, calculated as follows:

$$A + E \times \frac{(B - C)}{D}$$

where A represents the highest percentage for unfavourable differences in prior years;

B represents the value of the assets of the pensioners account;

C represents the value of the liabilities of this account, multiplied by (1 + A);

D represents the value of the liabilities of this account;

E represents a percentage of at least 50 % as determined by the actuary;

(b) when the value of the liabilities of the pensioners account, increased by the highest percentage calculated for prior years, is superior to the value of the assets of this account, the reserve is equal to a percentage, which cannot be negative, calculated as follows:

$$\frac{(B - D)}{D}$$

where B and D represent the same values as in subparagraph a;”.

41. Section 121 of this regulation is amended by inserting the following after the first paragraph:

“However, the residual difference of the general account cannot be inferior to the least of the following amounts:

(1) the provisional difference of this account at the effective date of the evaluation;

(2) a amount calculated as follows:

$$(7 \% - A) \times B$$

where A represents the percentage of the reserve for unfavourable differences at the effective date of evaluation, as determined in accordance with the provisions of subsection 5 of the first paragraph of section 120;

B represents the value of the liabilities of the pensioners account at the effective date of evaluation.”.

42. Section 128 of this regulation is amended:

(1) by substituting, in the first paragraph, the words “declares in writing that he has ceased to perform work subject to the Act” for the words “ceases to be a salaried employee under this regulation”;

(2) by substituting in subparagraph *b* of subsection 1 of the first paragraph, the words “is at least” for the word “exceeds”;

(3) by substituting in subparagraph *b* of subsection 2 of the first paragraph, the words “is at least” for the word “exceeds”;

(4) by substituting the following for the second paragraph:

“For the purposes of this section, the number of years worked entitling to the early pension without reduction corresponds to the total number of years during which the employee has contributed to the pension plan, excluding the years during which he has received a separation benefit under section 139.”.

43. Section 129 of this regulation is amended by substituting the following for everything preceding subsection 1:

43. **Early retirement.** The subscriber who has accumulated at least 2 800 hours worked and who declares in writing that he has ceased to perform work subject to the act is eligible to early retirement in the following cases:"

44. Section 130 of this regulation is amended by deleting, in the second paragraph, the words "the first paragraph of".

45. Section 132 of this regulation is amended by substituting the following for the second paragraph:

"The pension of the subscriber who continues to perform work subject to the Act after having reached the age of retirement is delayed until the day he submits a request to the Commission under section 158."

46. Section 134 of this regulation is amended by substituting the following for subsection 1 of the first paragraph:

"(1) the basic pension determined in subsection 1 of section 131, reduced by 1/4 % per month included between the date of retirement and the earliest date on which the subscriber would have been eligible for an early pension without reduction;"

47. Section 135 of this regulation is amended by substituting, in the second paragraph, the words "determined by means of the factors calculated from the hypotheses transmitted" for the words "calculated according to the factors transmitted".

48. Section 139 of this regulation is amended by inserting the word "salary" before the word "contributions".

49. Section 144 of this regulation is amended by substituting, in the second paragraph, the words "of the rights accumulated by the subscriber to the plan following the dissolution, separation or cessation of cohabitation" for the words "or disposing of the rights in accordance with Division VII,".

50. Section 148 of this regulation is amended by inserting the word "unmarried" before the word "spouse".

51. Section 150 of this regulation is amended:

(1) by inserting, in the first paragraph and after the word "request", the words "by means of the form issued by the Commission";

(2) by substituting, in the second paragraph, the word "unmarried" for the words "common law".

52. Section 153 of this regulation is amended by substituting the following for everything that precedes subsection 1 of the first paragraph:

"**153.** A request for sharing out or transfer of the rights sent to the Commission by the means of the form issued by the Commission, accompanied with a copy of the following documents:"

53. Section 154 of this regulation is amended:

(1) by inserting the words "by means of the form issued by the Commission" after the word "Commission";

(2) by deleting the words "without reduction".

54. Section 156 of this regulation is replaced by the following:

"**156.** The Commission transfers the sum reimbursable or the actuarial value of the benefit to which the spouse affected by section 147 or 148 is entitled to, in a pension plan affected by the third paragraph of section 98 of the Act respecting complementary pension plans which was selected by his spouse or by him."

55. Section 158 of this regulation is amended by substituting, in the second paragraph, the number "69" for the number "71".

56. Section 160 of this regulation is amended by adding the following paragraph:

"The substitution performed in accordance with the provisions of the first paragraph is not debated when the hours worked are subsequently reported by the subscriber in question, or when a correction is made to his file."

57. Section 162 of this regulation is amended by adding the following of the second paragraph:

"A subsequent correction to the increase has no effect on the amount of the benefit, up to the decrease which would have been applied without the application of the first paragraph."

58. Section 163 of this regulation is amended by deleting, in what precedes subsection 1, the words " , for whom hours worked have been compiled over the past 3 years,".

59. Section 164 of this regulation is amended by substituting the following for what precedes subsection 1:

“164. The statement provided for in section 163 also contains the following information with regard to the complementary account of the subscriber:”.

60. Section 165 of this regulation is amended by substituting the following for the first paragraph and everything preceding subsection 1 of the second paragraph:

“165. The Commission issues to every subscriber affected by section 139 or 140 and who formulates the request, a statement providing the following information, besides the one provided for in sections 163 and 164:”.

61. Section 169 of this regulation is amended by adding the following after the second paragraph:

“Coverage under the prescription drug insurance which the insured employee affected by the first paragraph is entitled to, is amended as of 1 January 1997, in such a way that the cost of medication which can only be obtained through a prescription from a physician, a dentist or a podiatrist, as well as the cost of pharmaceutical services and medication affected by section 8 of the Act respecting prescription drug insurance and amending various legal provisions, which exceed a deductible of \$30 per family and per insurance period, be reimbursable in a proportion of 75 %, subject to an annual maximum contribution of \$750 per family.”.

62. This regulation is amended by substituting, in section 170 and in the second and third paragraphs of section 171, the number “30” for the number “24”.

63. This regulation is amended by substituting the words “whose maintenance of coverage because of a disability has begun” for the words “whose coverage is maintained because of a disability that happened” throughout sections 176, 177 and 178.

64. This regulation is amended by inserting the following after section 178:

“178.1 For the purposes of sections 25 and 33, the share of the contributions paid to the collective reserve fund with regard to the hours worked between 1 January 1994, and 28 December 1996, is \$0.20 less than the one in Schedule I.”.

65. Section 181 of this regulation is replaced by the following:

“181. The subscriber who, on the day preceding the application of section 140, has accumulated less than 7 000 hours worked and is entitled to receive a separa-

tion benefit under Division VI of the replaced regulation, retains this privilege as long as he files a request with the Commission no later than 12 months after the Commission has issued a notice informing him of his rights with regard to the separation benefit.

181.1 The fact that the provisions of section 180 come into force has no effect with regard to the rights of a subscriber and his spouse, when a request for sharing or disposing under Division VII of Chapter III has been submitted to the Commission before 1 January 1997, or when the agreement or the judgement relative to this request has intervened after the Commission has issued, before 1 January 1997, of the statement affected by section 150.”.

The French version of the Schedule I of this regulation is amended:

(1) by deleting, in subparagraph b of subsection 2 of section 5, the word “des”;

(2) by substituting, in section 12, the word “au” for the word “du”.

66. Schedule I of this regulation is amended:

(1) by substituting, in subparagraph a of subsection 1 of section 1, the number “0.70” for the number “0.90”;

(2) by substituting, in subparagraph b of subsection 1 of section 1, the number “1.055” for the number “0.855”;

(3) by deleting, in subparagraph b of subsection 2 of section 5 of the French version, the word “des”;

(4) by substituting, in section 12 of the French version, the word “au” for the word “du”;

(5) by substituting, in subparagraph a of subsection 1 of section 13, the number “1.055” for the number “0.855”;

(6) by substituting, in subparagraph b of subsection 1 of section 13, the number “0.70” for the number “0.90”.

67. Schedule II of this regulation is replaced by the following:

“SCHEDULE II

(ss. 120, 131, 133 and 134)

ANNUAL PENSION RATE

The basic pension rate pursuant to the general account is increased by 2 % as of 1 January 1997.

The annual pension rate per 1 000 adjusted hours worked are therefore as follows:

1° before to 1 January 1971:	93,43 \$
2° from 1 January 1971 to 31 December 1973:	110,57 \$
3° from 1 January to 30 April 1974:	190,81 \$
4° from 1 May to 31 December 1974:	342,88 \$
5° from 1 January 1975 to 31 December 1976:	463,02 \$
6° from 1 January 1977 to 31 December 1978:	304,96 \$
7° from 1 January 1979 to 31 December 1983:	279,43 \$
8° from 1 January to 31 December 1984:	263,54 \$
9° from 1 January to 31 December 1985:	241,31 \$
10° from 1 January to 31 December 1986:	214,76 \$
11° from 1 January to 30 April 1987:	335,61 \$
12° from 1 May to 31 December 1987:	484,02 \$
13° from 1 January to 5 November 1988:	465,42 \$
14° from 6 November to 31 December 1988:	484,02 \$
15° from 1 January to 31 December 1989:	465,42 \$
16° from 1 January to 31 December 1990:	447,51 \$
17° from 1 January to 31 December 1991:	419,27 \$
18° from 1 January to 31 December 1992:	399,31 \$
19° from 1 January to 31 December 1993:	396,63 \$
20° from 1 January 1994 to 31 December 1996:	392,70 \$
21° since 1 January 1997:	385,00 \$

The supplement used for the calculation of a pension pursuant to the general account and commencing during the year 1997 is 15 %.

Pensions pursuant to the general account that commenced before 1 January 1997 are increased by 1 %.”.

68. Schedule III of this regulation is amended by replacing the subsection 13 by the following:

“(13) \$1.655 for hours worked from 1 January 1994 to 31 December 1996;

(14) \$1.855 for hours worked after 31 December 1996.”.

69. This regulation is amended by adding the following after Schedule III:

“SCHEDULE IV
(s. 33)

**PLAN FOR PENSIONERS PREMIUMS
FOR THE INSURANCE**

The premiums payable to obtain coverage from the insurance plan for pensioners are as follows:

For the pensioner aged under 65: \$380.73 for 1997 and \$412.84 for 1998.

For the pensioner aged 65 and over, but under 70, for the insurance period beginning 1 January 1997:

for complete coverage under the plan: \$839.45 or \$876.15 in the case of a pensioner covered under the supplemental plan for electricians;

for coverage without prescription drug: \$316.51 or \$353.21 in the case of a pensioner covered under the supplemental plan for electricians;

For the pensioner aged 70 and over, but under 80, for the insurance period beginning 1 January 1997:

for complete coverage under the plan: \$912.84

for coverage without prescription drug: \$389.91.

For the pensioner aged 80 and over, for coverage for prescription drug only, for the insurance period beginning 1 January 1997: \$522.94.”.

70. Subsection 3 of section 16 is in effect since 1 January 1996.

71. Subsection 2 of section 35 is in effect since 1 September 1996.

72. This regulation shall come into force on 1 January 1997, except for subsections 1, 2, 5 and 6 of section 66, which shall come into force on 29 December 1996.

Draft Regulations

Draft Regulation

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

Notaries

— Trust accounting
— 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 trust accounting by notaries”, adopted by the Bureau of the Chambre des notaires du Québec, the text of which appears below, may be submitted to the government for approval upon the expiry of forty-five days following the present publication. The government may approve it with or without amendment.

The Chambre des notaires du Québec believes that this regulation has a double purpose. It puts into place measures aiming at preventing the utilization of a trust account as a tax shelter or for money laundering, on the one hand; and, it transposes in a regulation a standard of professional practice applied for a long time in the keeping of trust accounting by notaries, on the other hand.

The Chambre des notaires du Québec believes that this regulation will have positive impacts as well towards citizens as for enterprises, particularly for small and medium size companies by stressing and supporting the existing legislative provisions on these subjects.

Additional information may be obtained by contacting M^e Michel Poulin, Secretary of the Chambre des notaires du Québec, 800, Place-Victoria, bureau 700, C.P. 162, Montréal (Québec), H4Z 1L8; telephone no.: (514) 879-2908; fax no.: (514) 879-1923.

All interested persons wishing to comment on this draft regulation may do so in writing, 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^{er} étage, Québec (Québec), G1K 8G5. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation concerning the professions; they

may also be forwarded to the order professional that made the Regulation as well as to the persons, departments and agencies concerned.

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

Regulation to amend the Regulation respecting trust accounting by notaries

Professional Code
(R.S.Q., c. C-26 s. 89; 1994, c. 40, s. 77)

1. The Regulation respecting trust accounting by notaries, approved by O.C. 823-95 dated June 14, 1995 and amended by the regulation approved by O.C. 1256-96 dated October 2, 1996 is again amended by inserting the following after section 6:

“**6.1** The notary may not receive funds in trust unless such funds are related to the execution of a clearly defined and lawful contract of service.”

2. Section 25 of the Regulation is amended by adding the following after paragraph 6°:

“7° in the case of a file concerning the sale of an immovable under construction, use the first disbursement from the trust account for the purchase of the immovable and for the payment of any charge, priority or hypothec affecting it and that has not been assumed by the purchaser”.

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

Municipal Affairs

Gouvernement du Québec

O.C. 1465-96, 27 November 1996

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of the Village de Weedon Centre and
the Canton de Weedon

WHEREAS each of the municipal councils of the Village de Weedon Centre and the Canton de Weedon adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality resulting from the amalgamation of both municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs;

WHEREAS no objections were sent to the Minister of Municipal Affairs, and he did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act, it is expedient to grant the joint application;

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

THAT the application be granted and that a local municipality resulting from the amalgamation of the Village de Weedon Centre and the Canton de Weedon be constituted, under the following conditions:

(1) The name of the new municipality is "Municipalité de Weedon".

(2) The description of the territory of the new municipality is the description drawn up by the Minister of Natural Resources on 27 September 1996; that description is attached as a Schedule to this Order in Council.

(3) The new municipality is governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

(4) The new municipality will be part of the Municipalité régionale de comté du Haut-Saint-François.

(5) A provisional council shall remain in office until the first general election. It shall be composed of all the members of both councils existing at the time of the coming into force of this Order in Council. The quorum will be one-half of the members in office, plus one. The current mayors will alternate as mayor of the provisional council for each one-month period beginning on the date of the coming into force of this Order in Council. The mayor of the former Village de Weedon Centre will serve as mayor of the new municipality for the first period and the mayor of the former Canton de Weedon will serve as mayor of the new municipality for the second period.

If a seat is vacant upon the coming into force of this Order in Council or becomes vacant during the period of the provisional council, one additional vote per vacant seat shall be allotted to the mayor of the former municipality in the territory of which the seat became vacant.

For the duration of the term of the provisional council, the council members shall continue to receive the same remuneration they were receiving prior to the coming into force of this Order in Council.

(6) The first general election shall be held on the first Sunday of the fourth month following the month of the coming into force of this Order in Council. If that date falls on the first Sunday in January, the first general election shall be postponed until the first Sunday in February. The second general election shall be held on the first Sunday in November 2000. The council of the new municipality shall be composed of 7 members, that is, a mayor and 6 councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

(7) For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), if such election were an election of the council members of the former Village de Weedon Centre, will be eligible for seats 1, 2 and 3, and only those persons who would be eligible under the aforementioned Act, if such election were an election of the council members of the former Canton de Weedon, will be eligible for seats 4, 5 and 6.

(8) The officers and employees of the former municipalities will become, without reduction in salary, the officers and employees of the new municipality and

shall keep their seniority and fringe benefits. They may not be laid off or dismissed be reason only of the amalgamation.

(9) Any budget adopted by each of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality, and the expenditures and revenues shall be accounted for separately as if those municipalities had continued to exist. Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budgets of each of the former municipalities in proportion to their standardized real estate values, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Order in Council 719-94 dated 18 May 1994), as appearing in the financial reports of those former municipalities for the last fiscal year that ended before the coming into force of this Order in Council.

(10) The terms and conditions for apportioning the cost of the joint services provided for in the intermunicipal agreements in force before the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

(11) Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used in the following manner:

— An amount of \$30 000 shall be deducted from the surplus of each former municipality and shall be added to the general fund of the new municipality; where a surplus is less than \$30 000, the amount deducted from each surplus shall be equal to the amount of the lowest surplus accumulated, or to zero where there is no surplus accumulated for at least one of the two former municipalities.

— The balance of the surplus accumulated shall be used for the benefit of the ratepayers of the former municipality in whose name it was accumulated; those sums may be allotted for the carrying out of public works in the sector made up of the territory of that former municipality, for tax reductions applicable to all the taxable immovables in that sector or for the repayment of debts payable by that sector.

(12) Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall remain charged to all the taxable immovables of that former municipality.

(13) Any tax levied under the following by-laws shall be replaced by a tax levied on all the taxable immovables of the new municipality. A special tax shall therefore be imposed and levied on all the taxable immovables of the new municipality on the basis of their value as it appears on the assessment roll in force each year:

— For the former Village de Weedon Centre, by-laws 186 and 279;

— For the former Canton de Weedon, by-law 287.

The taxation clauses provided for in those by-laws are amended accordingly.

(14) The annual repayment of the maturities in principal and interest on the loans made under by-law 283 of the former Village de Weedon Centre and the share payable to the Société québécoise d'assainissement des eaux by that former municipality, shall become chargeable to the users of the water supply and sewer system in the sector made up of the territory of that former municipality and shall be paid by means of a compensation tariff that the council of the new municipality shall fix each year.

The taxation clause provided for in by-law 283 is amended accordingly. The new municipality may amend the by-law in accordance with the Act if it carries out work to extend the system.

(15) The annual repayment of maturities in principal and interest on all loans made under the by-laws adopted by a former municipality before the coming into force of this Order in Council and not covered by sections 13 and 14 shall remain chargeable to the sector made up of the territory of the former municipality that contracted them, in accordance with the taxation clauses provided for in those by-laws. If the new municipality decides to amend the taxation clauses of those by-laws in accordance with the Act, those amendments may cover only the taxable immovables located in the sector made up of the territory of that former municipality.

(16) The available balance of loan by-laws 311 and 313 of the former Village de Weedon Centre shall be allotted to the repayment of annual maturities in principal and interest of those loans or, if the securities were issued for a term shorter than the term originally set, to the reduction of the balance of those loans.

If the surplus is used for paying the annual maturities on loans, the rate of the tax levied to pay the said maturities shall be reduced so that the revenue from the tax is equal to the balance to be paid, deduction made of the surplus.

(17) Any debt or gain that may result from legal proceedings for any act performed by a former municipality will continue to be charged or credited to all the taxable immovables in the sector made up of the territory of that municipality.

(18) The new municipality shall have the rights, obligations and responsibilities of the former municipalities. It shall become, without continuance of suit, a party to any proceeding in place and stead of those former municipalities.

The by-laws, resolutions, minutes, assessment rolls, collection rolls and other acts of each of the former municipalities shall remain in force in the territory for which they were drawn up, until they are amended, cancelled or revoked, and insofar as they are compatible with this Order in Council.

(19) The council of the new municipality may, within two years of the coming into force of this Order in Council, revise zoning, subdivision and building by-laws, by-laws provided for in section 116 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) and by-laws respecting minor exemptions from planning by-laws, respecting comprehensive development programs, site planning and architectural integration programs or respecting municipal works agreements of each of the former municipalities, in accordance with the following terms and conditions:

— for the consultation purposes provided for by sections 124 to 126 of the Act respecting land use planning and development, those revised by-laws shall be deemed to be by-laws affecting all of the territory of the new municipality;

— those revised by-laws shall be approved by all the qualified voters in the territory of the new municipality in accordance with the Act respecting elections and referendums in municipalities;

— sections 128 to 137 of the Act respecting land use planning and development shall not apply to those revised by-laws.

(20) All the movable and immovable property belonging to each of the former municipalities shall become the property of the new municipality.

(21) This Order in Council comes into force on the date of its publication in the *Gazette officielle du Québec*.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE MUNICIPALITÉ DE WEEDON, IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-SAINT-FRANÇOIS

The current territory of the Canton de Weedon and the Village de Weedon-Centre, in the Municipalité régionale de comté du Haut-Saint-François, comprising, in reference to the cadastres of the Canton de Weedon, of the Village du Lac-Weedon and of the Canton de Dudswell, the lots or parts of lots and their present and future subdivisions, as well as the roads, routes, streets, railway rights of way, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting from the apex of the northern angle of lot 230 of the cadastre of the Village du Lac-Weedon; thence, successively, the following lines and demarcations: the northeast line of lots 230, 197, 198, 169 and 25, up to the shore of lac Louise, that line extended across the route (number 112) and the railway right of way (lot 236) that it meets; southwesterly, that shore to the line dividing ranges 5 and 6 of the cadastre of the Canton de Weedon; northeasterly, the line dividing the cadastres of the Village du Lac-Weedon and the Canton de Weedon, extended across lac Louise and passing northwest of the islands of lac Louise bearing lot numbers 34, 33, 32, 31, 35 and 36 of the cadastre of the Canton de Weedon, then southeast of the island bearing lot number 36 of the cadastre of the Village du Lac-Weedon to the apex of the southern angle of lot 37 of the cadastre of the Village du Lac-Weedon; the northwest line of lots 24 to 28 of range 5 of the cadastre of the Canton de Weedon, that line extended across the public road that it meets; in reference to the cadastre of the said township, the northeast line of lot 28 of ranges 5 and 4, that line extended across the public roads that it meets; part of the southeast line of range 4 to the southwest line of lot 16B of range 3; part of the said southwest line of lot 16B to the northwest line of lots 15D, 15C, 29 and 14A of range 3; the northwest line of the said lots to the northeast line of lot 13C of range 3, that line extended across rivière au Saumon and the public road that it meets; the said northeast line of lot 13C and the northeast line of lots 13H and 13D of range 2 and 13B of range 1, those lines extended across the public roads that they meet; southwesterly, part of the line dividing the townships of Weedon and Lingwick to the line dividing the townships of Weedon and Dudswell, that line extended across the public roads that it meets; part of the northeast line of lot 28B of range 1 of the cadastre of the Canton de Dudswell northwesterly to the line dividing ranges 1 and 2 of the cadastre of the said township; in reference to that cadastre, part of the line dividing the said ranges to the southwest line of lots 28A and 28B of range 2; the southwest line of the said lots; the northwest line of lots 28B, 28C and 28F of range 2; northwesterly part of the southwest line

of the Canton de Weedon to the line dividing ranges 9 and 10 of the said township, that line extended across rivière Saint-François, the railroad (lot 29) and the route (number 112) that it meets; the line dividing the said ranges to the apex of the western angle of lot 235 of the cadastre of the Village du Lac-Weedon, that line extended across the public road that it meets; finally, part of the line dividing the cadastres of the Village du Lac-Weedon and the Canton de Weedon, northeasterly to the starting point, that line extended across rivière aux Canards that it meets; the said limits define the territory of the Municipalité de Weedon.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 27 September 1996

Prepared by: PIERRE BÉGIN,
Land Surveyor

W-57

1078

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Amendment to Schedule II.1 to the Act (An Act respecting Government and Public Employees Retirement Plan, R.S.Q., c. R-10)	4908	M
Basic prescription drug insurance plan (An Act respecting prescription drug insurance and amending various legislative provisions, 1996, c. 32)	4941	N
Complementary social benefit plans (An Act respecting labour relations, vocational training and manpower management in the construction industry, R.S.Q., c. R-20)	4951	M
Conditions of contracts of government departments and public bodies (Financial Administration Act, R.S.Q., c. A-6)	4934	N
Eligibility and registration of persons (Health Insurance Act, R.S.Q., c. A-29)	4945	M
Experience ratios for 1997 (An Act respecting industrial accidents and occupational diseases, R.S.Q., c. A-3.001)	4913	N
Financial Administration Act — Conditions of contracts of government departments and public bodies (R.S.Q., c. A-6)	4934	N
Financial Administration Act — Services contracts of government departments and public bodies (R.S.Q., c. A-6)	4936	M
Financial Administration Act — Snow removal services contracts of government departments and public bodies (R.S.Q., c. A-6)	4940	M
Financial Administration Act — Travel services contracts of government departments and public bodies — Revocation (R.S.Q., c. A-6)	4939	A
Forms and Statement of fees (Health Insurance Act, R.S.Q., c. A-6)	4948	M
Government and Public Employees Retirement Plan, An Act respecting the... — Amendment to Schedule II.1 to the Act (R.S.Q., c. R-10)	4908	M
Health Insurance Act — Eligibility and registration of persons (R.S.Q., c. A-29)	4945	M
Health Insurance Act — Forms and Statement of fees (R.S.Q., c. A-6)	4948	M
Income security (An Act respecting income security, R.S.Q., c. S-3.1.1)	4912	M
Income security, An Act respecting... — Income security (R.S.Q., c. S-3.1.1)	4912	M

Industrial accidents and occupational diseases, An Act respecting... — Experience ratios for 1997 (R.S.Q., c. A-3.001)	4913	N
Industrial accidents and occupational diseases, An Act respecting... — Insurance premiums for 1997 (R.S.Q., c. A-3.001)	4932	N
Insurance premiums for 1997 (An Act respecting industrial accidents and occupational diseases, R.S.Q., c. A-3.001)	4932	N
Labour Code — Remuneration of arbitrators (R.S.Q., c. C-27)	4933	N
Labour relations, vocational training and manpower management in the construction industry, An Act respecting... — Complementary social benefit plans (R.S.Q., c. R-20)	4951	M
Market intermediaries in damage insurance (An Act respecting market intermediaries, R.S.Q., c. I-15.1)	4909	M
Market intermediaries, An Act respecting... — Market intermediaries in damage insurance (R.S.Q., c. I-15.1)	4909	M
Mineral substances, other than petroleum, natural gas and brine (Mining Act, R.S.Q., c. M-13.1)	4911	M
Mining Act — Mineral substances, other than petroleum, natural gas and brine (R.S.Q., c. M-13.1)	4911	M
Ministère du Conseil exécutif, An Act respecting the... — Signing of certain documents (R.S.Q., c. M-30)	4907	N
Notaries — Trust accounting (Professional Code, R.S.Q., c. C-26)	4961	Draft
Prescription drug insurance and amending various legislative provisions, An Act respecting... — Basic prescription drug insurance plan (1996, c. 32)	4941	N
Professional Code — Notaries — Trust accounting (R.S.Q., c. C-26)	4961	Draft
Régie de l'assurance-maladie du Québec, An Act respecting the... — Submission of a document by electronic data processing or telecommunication (R.S.Q., c. R-5)	4947	N
Remuneration of arbitrators (Labour Code, R.S.Q., c. C-27)	4933	N
Services contracts of government departments and public bodies (Financial Administration Act, R.S.Q., c. A-6)	4936	M
Signing of certain documents (An Act respecting the Ministère du Conseil exécutif, R.S.Q., c. M-30)	4907	N

Snow removal services contracts of government departments and public bodies (Financial Administration Act, R.S.Q., c. A-6)	4940	M
Submission of a document by electronic data processing or telecommunication . . . (An Act respecting the Régie de l'assurance-maladie du Québec, R.S.Q., c. R-5)	4947	N
Travel services contracts of government departments and public bodies — Revocation (Financial Administration Act, R.S.Q., c. A-6)	4939	A
Weedon Centre, Village de... — Amalgamation with the Canton de Weedon . . .	4963	
Weedon, Canton de... — Amalgamation with the Village de Weedon Centre . . .	4963	

