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Part 2 Laws and Regulations

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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 350-98, 25 March 1998

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1)

Accreditation of Québec distributors and the method of calculating sales prices — Amendments

Regulation to amend the Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices

WHEREAS under section 15 of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1), the Government may, by regulation, determine the norms and conditions for eligibility for accreditation of every person who carries on distribution activities in Québec;

WHEREAS under paragraphs 2 and 4 of section 38 of the Act, the Government may also determine the form and tenor of the documents to be transmitted by those applying for accreditation and dispense, in whole or in part, a category of persons, of undertakings or of activities from the application of the Act and the regulations;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices was published in Part 2 of the *Gazette officielle du Québec* of 24 December 1997, on page 5905, with a notice that it could be submitted to the Government for adoption upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices*

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1, s. 15 and s. 38, pars. 2 and 4)

1. The Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices is amended by substituting the following for section 3:

“**3.** This Regulation does not apply, in respect of accreditation, to government departments, agencies or mandataries or to the bodies listed in the Schedule to the Act. Legal persons and partnerships in which a government department, agency or body holds stocks, shares or assets are also exempted from its application.

In addition, this Regulation does not apply, in respect of accreditation, to publishers governed by the Regulation respecting the accreditation of publishers in Québec (R.R.Q., 1981, c. D-8.1, r.3) who distribute their production themselves, if accredited publishers fully comply at all times with the requirements of this Regulation and the Regulation respecting the acquisition of books by certain persons from accredited bookstores (R.R.Q., 1981, c. D-8.1, r.1).

Notwithstanding the above, this Regulation applies to a publisher who distributes the production of another publisher in addition to his own.”

2. The following is substituted for the heading of Division V:

“DETERMINATION OF SALES PRICES”.

3. The following is substituted for Schedule B:

* The Regulation respecting the accreditation of Québec distributors and the method of calculating sales prices (R.R.Q., 1981, c. D-8.1, r.2) was last amended by the Regulation made by Order in Council 832-92 dated 10 June 1992 (1992, *G.O.* 2, 2909). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

“SCHEDULE B
(s. 16)

DISCOUNTS

A distributor shall grant the following minimum discounts to an accredited bookstore:

Book categories

1. Any book not listed under Category 2 40 %

2. Dictionaries, encyclopedias, law books, medical books, books providing an introduction to a science or technology, including the humanities and social sciences, and whose format and presentation are such that the books constitute instructional material 30 %”.

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

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Gouvernement du Québec

O.C. 351-98, 25 March 1998

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1)

Accreditation of publishers in Québec — Amendments

Regulation to amend the Regulation respecting the accreditation of publishers in Québec

WHEREAS under section 15 of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1), the Government may, by regulation, determine the norms and conditions for the eligibility for accreditation of every person provided that he carries on in Québec publishing activities;

WHEREAS under paragraphs 2 and 4 of section 38 of the Act, the Government may, by regulation, determine the form and tenor of the documents to be transmitted by those applying for accreditation and dispense, in whole or in part, a category of persons, of undertakings and of activities from the application of the act and the regulations;

WHEREAS in accordance with sections 10 and 11 of the Regulations (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the accreditation of publishers in Québec, was published in Part 2 of the *Gazette officielle du Québec* of 24 December 1997, on page 5904, with a notice that it could be submitted to the Government for adoption, upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting the accreditation of publishers in Québec, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the accreditation of publishers in Québec(*)

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1, s. 15 and s. 38, pars. 2 and 4)

1. The Regulation respecting the accreditation of publishers in Québec is amended by substituting the following for section 1:

“**1.** This Regulation does not apply to government departments, agencies or mandataries or to the bodies listed in the Schedule to the Act. Legal persons and partnerships in which a government department, agency or body holds stocks, shares or assets are also exempted from its application.

This Regulation does not apply to publishers of periodicals, who remain eligible for financial aid from the Government without being holders of a certificate of accreditation or eligible therefor.”.

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

* The Regulation respecting the accreditation of publishers in Québec (R.R.Q., 1981, c. D-8.1, r.3) was amended once by the Regulation made by Order in Council 2798-84 dated 19 December 1984 (1985, *G.O.* 2, 59).

“For the purposes of subparagraph 5 of the first paragraph, the titles published must be by at least 3 different authors, in the case of titles under clauses *a* and *c*, and by at least 2 different authors, in the case of titles under clause *b*.”

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

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Gouvernement du Québec

O.C. 352-98, 25 March 1998

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1)

Accreditation of bookstores — Amendments

Regulation to amend the Regulation respecting the accreditation of bookstores

WHEREAS under section 3 of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1), any acquisition of books on behalf of a government department, a government agency or mandatary, must be made from a bookseller holding a certificate of accreditation and that acquisition must be made in conformity with the procedure, conditions, norms and scales determined by government regulation;

WHEREAS under section 15 of the Act, the Government may determine, by regulation, the norms and conditions of eligibility for accreditation for every person who carries on in Québec bookselling activities;

WHEREAS under paragraphs 1 and 2 of section 38 of the Act, the Government may, by regulation, define what is meant by school manual, discount and tabulated statement and determine the form and tenor of the documents to be transmitted by those applying for accreditation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the accreditation of bookstores was published in Part 2 of the *Gazette officielle du Québec* of 24 December 1997, on page 5907, with a notice that it could be submitted to the Government for adoption upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting the accreditation of bookstores, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the accreditation of bookstores^(*)

An Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1, ss. 3, 15, 17, 20 and 38, pars. 1 and 2)

1. The Regulation respecting the accreditation of bookstores is amended by substituting the following for section 1:

“**1.** For the purposes of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1) and the regulations thereunder, the following term means:

“school manual”: any printed document designed for the instructional objectives of the kindergarten, elementary and secondary program of studies, and including complementary material and workbooks; regular dictionaries used for those teaching levels are also included.”

2. Section 4 is amended

(1) by substituting “\$300 000 or not less than 50 %” for “\$200 000 or not less than 30 %” in paragraph 6;

(2) by substituting “\$150 000 or not less than 50 %” for “\$100 000 or not less than 30 %” in paragraph 7; and

(3) by adding the words “or have access to that material in the establishment” at the end of paragraph 11.

* The Regulation respecting the accreditation of bookstores (R.R.Q., 1981, c. D-8.1, r.4) was last amended by the Regulation made by Order in Council 2798-84 dated 19 December 1984 (1985, *G.O.* 2, 59). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, updated to 1 September 1997.

3. Section 5 is amended by adding “, except where the person is accredited under this Regulation for another establishment” at the end of the first paragraph.

4. Section 6 is amended by substituting the following for paragraph 8:

“(8) keep, for the entire bookstore and irrespective of the date on which the person was accredited, an inventory of at least 2 000 different titles of books published in Québec and 4 000 different titles of books published elsewhere, divided into categories the names and minimum numbers of which are listed in Schedule B. To reach the total of 2 000 different titles of books published in Québec and 4 000 different titles of books published elsewhere, as the case may be, the person shall add the number of different additional book titles required in the categories of his choice to the minimum numbers of different book titles listed in Schedule B.”.

5. Section 8 is amended by substituting the following for subparagraph 1 of the second paragraph:

“(1) always have a sufficient number of titles representative of all the titles published in the field;”.

6. Section 19 is amended by adding the following after subparagraph 8 of the first paragraph:

“(9) proof of subscription to the bibliographic material listed in Schedule A.”.

7. Schedule A is amended

(1) by substituting the following for section 1:

“(1) French-language accredited bookstores must have the following bibliographic material or bibliographic material containing similar information:

(1) La Bibliographie du Québec, Bibliothèque nationale du Québec;

(2) Livres d’ici;

(3) Les livres disponibles, Electre (*Auteurs* and *Titres*);

(4) Livres de France or Livres Hebdo;

(5) Le Répertoire des livres au format de poche;

(6) Les livres disponibles canadiens de langue française (*Bibliodata*).

The above bibliographic material may be kept in paper form, in electronic form, in optical, magnetic or magnetic-optical form, or in microform.”; and

(2) by revoking section 3.

8. The following is substituted for Schedule B:

“**SCHEDULE B**
(s. 6)

INVENTORY OF DIFFERENT BOOK TITLES:
DISTRIBUTION BY CATEGORY AND MINIMUM
NUMBERS PER CATEGORY

Categories	Minimum number 6 000	
	Published in Québec	Published elsewhere
	2 000	4 000
1. Fiction		
Novels, tales, short stories, drama, poetry, humour, literary criticism and essays	500	800
2. Fine Arts		
Art books, art history, architecture and town planning, folk art, music and performing arts, dance, cinema	50	75
3. Humanities and Social Sciences		
Philosophy, psychology, esoterica, religion, sociology, politics, anthropology, ethnology, economics, finance, law, education, geography, documentaries, history, biographies, memoirs, linguistics	200	300
4. Encyclopedias and dictionaries		
General encyclopedias, dictionaries, atlases	15	50
5. Scientific and technical books		
Any dictionary, encyclopedia, law and medicine book and any book providing an introduction to a science or technology, including the humanities, and whose format and presentation are such that the book constitutes instructional material appropriate for use in occupational training, in: mathematics, physics, chemistry, astronomy, earth sciences, paleontology, life sciences, botany, zoology, medicine, engineering, applied sciences, agriculture, home economics, management, etc.	100	125

Categories	Minimum number 6 000	
	Published in Québec	Published elsewhere
	2 000	4 000
6. Popular scientific works	100	200
7. Children's literature		
Literature, illustrated books, narrative, comics	300	450
	1 265	2 000

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 4, which will come into force on 9 April 1999.

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Gouvernement du Québec

O.C. 353-98, 25 March 1998

An Act respecting the development of Québec firms in the book industry
(R.S.Q., c. D-8.1)

Application of section 2 of the Act

Regulation to amend the Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry

WHEREAS under paragraph 4 of section 38 of the Act respecting the development of Québec firms in the book industry (R.S.Q., c. D-8.1), the Government may, by regulation, dispense, in whole or in part, a category of persons, of undertakings or of activities from the application of this Act and the regulations;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry was published in Part 2 of the *Gazette officielle du Québec* of 24 December 1997, on page 5906, with a notice that it could be submitted to the Government for adoption upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting section 2 of the Act respecting the development of Québec firms in the book industry, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry^(*)

An Act respecting the development of Québec firms in the book industry
(R.S.Q., c. D-8.1, s. 38, par. 4)

1. The Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry is amended by substituting the following for paragraph 1 of section 1 of Schedule A:

“(1) financial aid granted by a government department, agency or mandatary, in the area of publishing, distribution or bookselling, for the purposes of starting up a firm or of establishing a firm outside Québec;”

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

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* The Regulation respecting the application of section 2 of the Act respecting the development of Québec firms in the book industry (R.R.Q., 1981, c. D-8.1, r.5) has not been amended since it was revised.

Gouvernement du Québec

O.C. 359-98, 25 March 1998

An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63)

Signing of certain documents

Signing of certain documents of the Ministère de l'Emploi et de la Solidarité

WHEREAS under the second paragraph of section 52 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63), no deed, document or writing may bind the Minister or be attributed to him unless it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position, and, in the latter two cases, only to the extent determined by the Government;

WHEREAS under the third paragraph of section 52 of the Act, a member of the personnel of an organization is, to the extent that he is assigned to the administration of a program that the Minister has delegated by agreement to that organization, considered to be a member of the personnel of the department for the purposes of the second paragraph;

WHEREAS under such an agreement, the Ville de Montréal administers income security programs on its territory;

WHEREAS the management of the fund to combat poverty through reintegration into the labour market was entrusted to the Minister of Employment and Solidarity under the Act to establish a fund to combat poverty through reintegration into the labour market (1997, c. 28);

WHEREAS, for the purposes of the Act respecting income security (R.S.Q., c. S-3.1.1), the operation of the fund to combat poverty through reintegration into the labour market constitutes a designated measure;

WHEREAS it is expedient to replace the Regulation respecting the signing of certain documents of the Ministère de la Sécurité du revenu, made by Order in Council 1428-94 dated 7 September 1994 and Order in Council 1338-97 dated 15 October 1997 concerning the signing of certain documents relating to the fund to combat poverty through reintegration into the labour market to reflect the new administrative situation within the department;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Employment and Solidarity and Minister of Employment and Solidarity:

THAT the terms and conditions for the signing of certain documents of the Ministère de l'Emploi et de la Solidarité, attached to this Order in Council, be made;

THAT the terms and conditions come into force on 1 April 1998;

THAT this Order in Council replace, as of 1 April 1998, the Regulation respecting the signing of certain documents of the Ministère de la Sécurité du revenu, made by Order in Council 1428-94 dated 7 September 1994 and Order in Council 1338-97 dated 15 October 1997 concerning the signing of certain documents relating to the fund to combat poverty through reintegration into the labour market.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

SCHEDULE

TERMS AND CONDITIONS FOR THE SIGNING OF CERTAIN DOCUMENTS OF THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ

1. Subject to other conditions of validity that may be prescribed by law, any document signed in accordance with the authorizations given hereafter by the personnel of the Ministère de l'Emploi et de la Solidarité and, to the extent provided for in sections 23 and 24, of the Ville de Montréal, and who hold the positions listed hereafter, or, as the case may be, persons authorized to hold the positions on an interim basis, binds the Minister of Employment and Solidarity in the same way as if it had been signed by the Minister.

2. The Associate Deputy Minister responsible for Emploi-Québec and an assistant deputy minister are authorized to sign, in respect of the administrative units assigned to their responsibility:

- (1) supply contracts;
- (2) services contracts, except those pertaining to manpower development activities;
- (3) leases for rooms for administrative purposes;
- (4) leases for space with the Société immobilière du Québec.

Further to the powers referred to in the first paragraph, the Associate Deputy Minister responsible for Emploi-Québec is authorized to sign, in respect of the administrative units assigned to his responsibility:

(1) supply contracts pertaining to manpower development activities;

(2) agreements pertaining to the granting of subsidies the principles and guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du trésor;

(3) agreements pertaining to the granting of subsidies to Carrefours Jeunesse Emploi for which the terms of allocation or the eligibility criteria have been approved by the Government or the Conseil du trésor;

(4) agreements pertaining to the granting of subsidies in the scope of the implementation of the funds allocation plan for the Fonds national de formation de la main-d'oeuvre, prepared annually by the Commission des partenaires du marché du travail and approved by the Minister.

Further to the powers referred to in the first paragraph, the Assistant Deputy Minister for Income Security is authorized to sign, in respect of the administrative units assigned to his responsibility, the agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor.

3. An assistant director general is authorized to sign, in respect of the administrative units assigned to his responsibility:

(1) supply contracts;

(2) services contracts for less than \$100 000, except those pertaining to advertising and manpower development activities;

(3) leases for rooms for administrative purposes;

(4) leases for space signed with the Société immobilière du Québec.

Further to the powers referred to in the first paragraph, an assistant director general of Emploi-Québec is authorized to sign, in respect of the administrative units assigned to his responsibility:

(1) supply contracts pertaining to manpower development activities;

(2) the agreements pertaining to the granting of subsidies the principles and guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du trésor, up to \$500 000.

Further to the powers referred to in the first paragraph, an assistant director general of income security is authorized to sign, in respect of the administrative units assigned to his responsibility, the agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor.

4. The Minister's secretary, in respect of his administrative unit and for the Deputy Minister's office, the Minister's chief of staff, a division director, the director of the Bureau des renseignements et plaintes, the director of the Service de révision, the director of the Centre de recouvrement, the director of the Bureau de la coordination de la mise en place du ministère and the director of the Suivi de l'entente Canada-Québec are authorized to sign, in respect of the administrative units assigned to their responsibility:

(1) supply contracts resulting from open contracts or with respect to subscriptions, contributions to associations, the purchase of books, or acquisitions from government funds;

(2) supply contracts for less than \$25 000, other than those prescribed in paragraph 1;

(3) supply contracts for less than \$25 000, except those with respect to advertising and pertaining to manpower development activities;

(4) leases for rooms for administrative purposes.

5. A service head is authorized to sign, in respect of the administrative unit assigned to his responsibility:

(1) supply contracts resulting from open contracts or with respect to subscriptions, contributions to associations, the purchase of books, or acquisitions from government funds;

(2) supply contracts for less than \$10 000, other than those prescribed in paragraph 1;

(3) supply contracts for less than \$10 000, except those with respect to advertising and pertaining to manpower development activities;

(4) leases for rooms for administrative purposes.

6. A regional director and an assistant regional director are authorized to sign, in respect of the administrative unit assigned to their responsibility:

(1) supply contracts resulting from open contracts or with respect to subscriptions, contributions to associations, the purchase of books, or acquisitions from government funds;

(2) supply contracts for less than \$25 000, other than those prescribed in paragraph 1;

(3) supply contracts for less than \$25 000, except those with respect to advertising and pertaining to manpower development activities;

(4) leases for rooms for administrative purposes;

(5) leases for space with the Société immobilière du Québec.

Further to the powers referred to in the first paragraph, a regional director and an assistant regional director of Emploi-Québec are authorized to sign, in respect of the administrative units under their jurisdiction:

(1) services contracts up to \$350 000 pertaining manpower development activities;

(2) agreements pertaining to the granting of subsidies the principles and guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du Trésor, up to \$350 000.

Further to the powers referred to in the first paragraph, the regional director for income security is authorized to sign, in respect of the administrative units assigned to his responsibility, the agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor.

Further to the powers referred to in the first paragraph, an assistant regional director for income security is authorized to sign, in respect of the administrative units assigned to his responsibility, the agreements per-

taining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor, up to \$150 000.

7. A director of a local employment centre and an assistant director of a local employment centre are authorized to sign, in respect of the administrative unit assigned to their responsibility:

(1) supply contracts resulting from open contracts or with respect to subscriptions, contributions to associations, the purchase of books, or acquisitions from government funds;

(2) supply contracts for less than \$10 000, other than those prescribed in paragraph 1;

(3) supply contracts for less than \$10 000, except those with respect to advertising and pertaining to manpower development activities;

(4) leases for rooms for administrative purposes;

(5) leases for space with the Société immobilière du Québec.

Further to the powers referred to in the first paragraph, a director of a local employment centre and an assistant director of a local employment centre for the module Emploi-Québec are authorized to sign, in respect of the administrative unit assigned to their responsibility:

(1) supply contracts for manpower development activities up to \$150 000;

(2) agreements pertaining to the granting of subsidies the principles and guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du Trésor, up to \$150 000.

8. A manpower and employment development counsellor is authorized to sign, in respect of the administrative units to which he is assigned:

(1) supply contracts for manpower development activities up to \$5 000;

(2) agreements pertaining to the granting of subsidies the principles and guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du Trésor, up to \$75 000.

9. An employment agent is authorized to sign, in respect of the administrative unit to which he is assigned:

(1) supply contracts for manpower development activities up to \$1 000;

(2) agreements pertaining to the granting of subsidies the principles and the guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du Trésor, up to \$50 000.

10. An acquisitions officer for central or regional directions and local employment centres is authorized to sign, in respect of the administrative unit to which he is assigned:

(1) supply contracts for less than \$1 000;

(2) supply contracts for less than \$1 000, except those with respect to advertising and manpower development activities.

11. An administrative assistant of the Minister's staff is authorized to sign, for that administrative unit, supply contracts for less than \$500.

12. The director of human resources is authorized to sign, for all the activities of the department pertaining to human resources:

(1) supply contracts;

(2) services contracts for less than \$25 000, except those pertaining to advertising and manpower development activities;

(3) leases for rooms for administrative purposes.

13. The head of the Service analyse et coordination, the head of the Services à la gestion - Métropole and the head of the Services à la gestion - Québec of the Direction des ressources humaines are authorized to sign, for all the departmental activities pertaining to human resources development:

(1) supply contracts resulting from open contracts or with respect to subscriptions, contributions to associations, the purchase of books, or acquisitions from government funds;

(2) supply contracts for less than \$10 000, other than those prescribed in paragraph 1;

(3) supply contracts for less than \$10 000, except those with respect to advertising and pertaining to manpower development activities;

(4) leases for rooms for administrative purposes.

14. The director of communications is authorized to sign, for that direction, services contracts for less than \$25 000, except those pertaining to manpower development activities.

15. The head of the Service des communications Emploi-Québec of the Direction des communications is authorized to sign, for that direction, services contracts for less than \$15 000, except those pertaining to manpower development activities.

16. The Assistant Deputy Minister for operational and strategic planning is authorized to sign, for the department:

(1) supply contracts;

(2) services contracts;

(3) leases for rooms for administrative purposes;

(4) leases for space with the Société immobilière du Québec;

(5) agreements pertaining to the granting of subsidies the principles and guidelines of which have been established by the Minister in collaboration with the Commission des partenaires du marché du travail and approved by the Conseil du Trésor;

(6) agreements pertaining to the granting of subsidies to Carrefours Jeunesse Emploi for which the norms of allocation or the eligibility criteria have been approved by the Government or the Conseil du trésor;

(7) agreements pertaining to the granting of subsidies in the scope of the implementation of the funds allocation plan for the Fonds national de formation de la main-d'oeuvre, prepared annually by the Commission des partenaires du marché du travail and approved by the Minister;

(8) agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor.

17. The director of material resources, the director of the budget and financial operations and the head of the Service des opérations financières of the Direction du budget et des opérations financières are authorized to sign, for the department:

- (1) supply contracts;
- (2) services contracts for less than \$100 000, except those pertaining to advertising and manpower development activities;

Further to the powers referred to in the first paragraph, the director of physical resources is authorized to sign, for the department:

- (1) leases for rooms for administrative purposes;
- (2) leases for space with the Société immobilière du Québec.

18. The person responsible for the Division des contrats, supports et conseils of the Service des opérations financières of the Direction du budget et des opérations financières is authorized to sign, for the department:

- (1) supply contracts;
- (2) services contracts for less than \$100 000, except those pertaining to advertising and manpower development activities;

19. The head of the Service de la gestion des espaces of the Direction des ressources matérielles is authorized to sign, for the department:

- (1) services contracts for less than \$100 000 pertaining to the physical reorganization of departmental administrative units;
- (2) leases for rooms for administrative purposes;
- (3) leases for space with the Société immobilière du Québec.

20. The assistant director general of Apprentissage et formation de la main-d'oeuvre, is authorized to sign, in respect of the administrative units assigned to his responsibility:

- (1) supply contracts for manpower development activities;
- (2) agreements pertaining to the granting of subsidies in the scope of the implementation of the funds allocation plan for the Fonds national de formation de la

main-d'oeuvre, prepared annually by the Commission des partenaires du marché du travail and approved by the Minister, up to \$500 000.

21. The director of the fund to combat poverty through reintegration into the labour market and the Assistant Deputy Minister for employment policies are authorized to sign, for the department, agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor.

22. The Assistant Deputy Minister for employment policies is authorized to sign, for the department, agreements pertaining to the granting of subsidies within the scope of the program entitled Fonds ministériel d'aide à l'innovation et à l'expérimentation, of which the terms of allocation or eligibility requirements have been approved by the Government or the Conseil du trésor.

23. The director of the Service de la sécurité du revenu of Ville de Montréal is authorized to sign, in respect of the administrative units assigned to his responsibility, agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor.

24. The head of the Division des opérations, the head of the Division des programmes and the head of the Division des services régionalisés of the Service de la sécurité du revenu of Ville de Montréal are authorized to sign, in respect of the administrative units assigned to their responsibility, agreements pertaining to the granting of subsidies or other financial contributions within the scope of the fund to combat poverty through reintegration into the labour market for which the terms of allocation, by means of working standards or otherwise, have been approved by the Government or the Conseil du trésor, up to \$150 000.

25. The Assistant Deputy Minister for operational and strategic planning, the Assistant Deputy Minister for income security, an assistant director general of income security, a regional director of income security, the assistant director general of control, equity and centralized services and the director of internal verification and administrative inquiries and the director of the Service de la sécurité du revenu of the Ville de Montréal are authorized to sign, in respect of the administrative units assigned to their responsibility:

(1) a written document designating a person to act as an investigator under section 14 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, c. 63) or section 72 of the Act respecting income security (R.S.Q., c. S-3.1.1);

(2) a written document designating a person to act as an examiner under section 70 of the Act respecting income security;

(3) a certificate attesting a person's capacity as an examiner or investigator issued under section 74 of the Act respecting income security.

26. The director of the Centre de recouvrement is authorized to sign, in respect of the administrative units assigned to his responsibility:

(1) a written document designating a person to act as an examiner under section 70 of the Act respecting income security;

(2) a certificate attesting a person's capacity as an examiner issued under section 74 of the Act respecting income security.

27. The director of the Service de révision is authorized to sign, in respect of the administrative unit assigned to his responsibility, a document designating a person to carry out a review under section 77 of the Act respecting income security.

28. The Assistant Deputy Minister for operational and strategic planning, the director of the Centre de recouvrement and the head of the Service des mesures légales et soutien opérationnel of the Centre de recouvrement are authorized to sign any document required set up a hypothec or to otherwise guarantee a claim by the department and any related document.

29. The directors referred to in this Order in Council are authorized to certify as true documents and copies of documents issued by the department or belonging to its archives, and that they are authorized to sign under the provisions applying to them or in accordance with the powers inherent to their positions. They may also certify as true any document or copies of documents, including the transcription of a decision, certificate or any other data stored by the department in a computer or on any other magnetic medium, with respect to the records pertaining to their sector of activity or administrative unit.

30. The Assistant Deputy Minister for operational and strategic planning, the secretary of the department,

the director of internal verification and administrative inquiries and the director of the Centre de recouvrement are authorized to certify as true, for the department, any document or copies of documents issued by the department or belonging to its archives, including a transcription of a decision, certificate or any other data stored by the department in a computer or on any other magnetic medium.

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Gouvernement du Québec

O.C. 364-98, 25 March 1998

An Act respecting family benefits
(1997, c. 57)

Family benefits — Amendments

Regulation to amend the Regulation respecting family benefits

WHEREAS subparagraph 2 of the first paragraph of section 8 of the Act respecting family benefits (1997, c. 57) enables the Government to determine, by regulation, the method for determining the income used to establish the amount of family allowance;

WHEREAS section 77 of the Act provides that in addition to the transitional provisions set out in the Act, the Government may, by a regulation made before 1 September 1998, make any other transitional provision needed to provide for the application of the Act, and that such a regulation may, if it so provides, apply from any date not prior to 1 August 1997;

WHEREAS section 12 of the Regulations Act (R.S.Q., c. R-18.1) provides that a regulation may be made notwithstanding the publication requirement of section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS section 18 of that Act provides that a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS sections 13 and 18 of that Act provide that 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 coming into force:

— the Act respecting family benefits, which came into force on 1 September 1997, put an end to the allowance paid for children less than six years of age;

— in order to help the persons most affected by the cancellation of that allowance, a family allowance increase will be granted to persons who are responsible for at least 4 children, until those born before 1 August 1997 reach the age of six;

— it is expedient to implement that measure as soon as possible so that the persons concerned are not disadvantaged;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Child and Family Welfare:

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

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting family benefits(*)

An Act respecting family benefits
(1997, c. 57, s. 8, 1st par., subpar. 2 and s. 77)

1. Section 20.1 of the Regulation respecting family benefits is amended by substituting the following for the first paragraph:

“**20.1** For any reference year prior to 1998 referred to in the second paragraph of section 1, the following amounts shall be subtracted from the income referred to in the second paragraph of section 7:

(1) the amount reimbursed during the year as the overpayment of an amount described in section 311.1 of the Taxation Act included in determining the income for the year or a preceding taxation year;

(2) the amount reimbursed during the year in accordance with section 35 of the Act respecting income

security (R.S.Q., c. S-3.1.1) or with a similar statute of any Canadian province, insofar as the amount was included in determining the income for the year or a preceding taxation year.

If the result of that subtraction is less than zero, the income is deemed to be zero.”.

2. The Regulation is amended by inserting the following after section 20.1:

“**20.2** A family allowance increase shall be granted to the person who is responsible for at least 4 children, until those born before 1 August 1997 reach the age of six.

The amount of the increase, determined according to Schedule I, shall be added to those referred to in the third paragraph of section 9 and in subparagraph 1 of the first paragraph of section 10.

This section has effect from 1 August 1997.”.

3. The Regulation is amended by adding Schedule I at the end.

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

SCHEDULE I

(s. 20.2)

FAMILY ALLOWANCE INCREASE

Number of dependent children	Number of children less than 6 years of age born before 1 August 1997	Amount of the family allowance increase
4	1	\$270
	2	\$856
	3	\$1 091
	4	\$1 208
5	1	\$134
	2	\$720
	3	\$1 306
	4	\$1 540
	5	\$1 657
6	2	\$583
	3	\$1 169
	4	\$1 755
	5	\$1 989
	5	\$1 989
	6	\$2 107

* The Regulation respecting family benefits, made by Order in Council 1018-97 dated 13 August 1997 (1997, *G.O.* 2, p. 4363), was amended by the Regulation made by Order in Council 1612-97 dated 10 December 1997 (1997, *G.O.* 2, p. 5894).

Number of dependent children	Number of children less than 6 years of age born before 1 August 1997	Amount of the family allowance increase
7	2	\$446
	3	\$1 032
	4	\$1 618
	5	\$2 204
	6 or more	\$2 439
8	2	\$310
	3	\$896
	4	\$1 482
	5	\$2 068
	6 or more	\$2 654
9	2	\$173
	3	\$759
	4	\$1 345
	5	\$1 931
	6 or more	\$2 517
10	2	\$36
	3	\$622
	4	\$1 208
	5	\$1 794
	6 or more	\$2 380
11	3	\$486
	4	\$1 072
	5	\$1 658
	6 or more	\$2 244
	12	3
4		\$935
5		\$1 521
6 or more		\$2 107
13		3
	4	\$798
	5	\$1 384
	6 or more	\$1 970
	14	3
4		\$662
5		\$1 248
6 or more		\$1 834
15 or more		4
	5	\$1 111
	6 or more	\$1 697

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Gouvernement du Québec

O.C. 370-98, 25 March 1998

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

Business Financing Assistance Program
— **Amendments**

Regulation to amend the Regulation respecting the Business Financing Assistance Program

WHEREAS under section 5 of the Act respecting the Société de développement industriel du Québec (R.S.Q., c. S-11.01), the Government may establish, by regulation, financial assistance programs designed to promote economic development in Québec;

WHEREAS under subparagraphs *b*, *c* and *n* of the first paragraph of section 47 of that Act, the Government may make regulations, in particular to establish criteria to determine which businesses may receive financial assistance, and to determine the form of such financial assistance and the conditions a business must fulfil to obtain it;

WHEREAS by Order in Council 709-96 dated 12 June 1996, the Government made the Regulation respecting the Business Financing Assistance Program;

WHEREAS in order to support the implementation of fiscal measures promoting job creation within businesses working in information technology development centres announced in the Budget Speech of 25 March 1997, it is expedient to again amend the Regulation respecting the Business Financing Assistance Program;

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 as prescribed in 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* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication of the Regulation and its coming into force on the date of its publication in the *Gazette officielle du Québec*: in a context of strong international competition, it is important to ensure

Québec's beneficial rank in the information technology sector that offers good investment and employment growth prospects.

WHEREAS it is expedient to make that Regulation;

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

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

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the Business Financing Assistance Program(*)

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

1. The Regulation respecting the Business Financing Assistance Program is amended by substituting the following for section 2:

“**2.** Any financial assistance granted under this Program shall be used to carry out an investment project, a technological innovation project, a design innovation project, an export project, a strategic business alliance project, a new economy project, an international convention organization project or a shipbuilding project, or to finance tax credits for scientific research and experimental development and tax credits for businesses grouped in information technology development centres.”.

2. Section 3 is amended by adding the following after paragraph 14:

“14.1 “information technology development centre” means the grouping in the same building of information technology development businesses entitled to refundable tax credits in respect of the salaries paid to eligible employees and of the acquisition of eligible specialized material.”.

* The Regulation respecting the Business Financing Assistance Program, made by Order in Council 709-96 dated 12 June 1996 (1996, *G.O.* 2, 2770) was amended by the Regulations made by Orders in Council 645-97 dated 13 May 1997 (1997, *G.O.* 2, 2211) and 1690-97 dated 17 December 1997 (*G.O.* 2, 6343).

3. The following is substituted for section 12:

“**12.** Financial assistance granted under this Program may not be less than:

(1) \$20 000 where it is granted to an adapted work centre or to a business working in an information technology development centre;

(2) \$1 000 000 where it is granted in the form of buyer credit;

(3) \$50 000 in other cases.”.

4. The following is substituted for section 15:

“**15.** A loan or credit line guaranteed by the Corporation to finance tax credits for scientific research and experimental development and tax credits for businesses grouped in information technology development centres may not exceed 75 % of such credits.”.

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

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Gouvernement du Québec

O.C. 381-98, 25 March 1998

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

Industrial relations counsellors — Code of ethics

Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26) the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, particularly the duty to discharge his professional obligations with integrity;

WHEREAS under the same section of the Professional Code, the code of ethics must contain, *inter alia*:

(1) provisions determining which acts are derogatory to the dignity of the profession;

(2) provisions defining, if applicable, the professions, trades, industries, businesses, offices or duties incompatible with the dignity or practice of the profession;

(3) provisions to preserve the secrecy of confidential information that becomes known to the members of the order in the practice of their profession;

(4) provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Professional Code and provisions concerning a professional's obligation to release documents to his client;

(5) provisions setting out conditions, obligations and, where applicable, prohibitions in respect of advertising by the members of the order;

WHEREAS at its meeting of 10 May 1995, the Bureau of the Ordre des conseillers en relations industrielles du Québec made the Code of ethics of the conseillers en relations industrielles du Québec, to replace the Code of ethics of industrial relations counsellors (R.R.Q., 1981, c. C-26, r. 52);

WHEREAS under section 95.3 of the Professional Code, the secretary of the Order sent a draft of the Regulation to every member of the Order at least 30 days before its adoption by the Bureau through its publication in the newsletter "L'Écriteau", Vol. 1, No. 12, February 1994;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 March 1997 with a notice indicating, in particular, that it could be submitted to the Government which could approve it with or without amendment upon the expiry of 45 days following the date of its publication and inviting any person having comments to make to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec;

WHEREAS following the publication of the Regulation, the Chairman of the Office received comments;

WHEREAS in accordance with section 95 of the Professional Code, the Regulation was sent to the Office which examined it and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Code of ethics of the members of the Ordre des conseillers en relations industrielles du Québec

Professional Code
(R.S.Q., c. C-26, s. 87)

CHAPTER I GENERAL

1. This Code determines, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the duties that any member of the Ordre des conseillers en relations industrielles du Québec must discharge, particularly during a mandate entrusted to him by a client.

It determines acts that are derogatory to the dignity of the profession, provisions to preserve the secrecy of confidential information that becomes known to a member of the Order in the practice of his profession, the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Professional Code as well as the conditions, obligations and prohibitions in respect of advertising by a member of the Order.

CHAPTER II DUTIES TOWARD CLIENTS, THE PROFESSION AND THE PUBLIC

DIVISION I COMPETENCE AND INTEGRITY

2. A member shall discharge his professional obligations with competence and integrity.

He shall provide professional services of a high quality.

3. A member shall practise his profession in keeping with generally recognized standards of practice and the rules of the profession.

He shall take the necessary means to maintain his knowledge up to date.

4. A member shall bear in mind the limitations of his skills, knowledge and the means at his disposal.

He shall avoid, in particular,:

(1) undertaking work for which he is not sufficiently prepared without obtaining the necessary assistance or information;

(2) accepting a mandate in respect of which he has not acquired or is unable to acquire, in the proper time, the necessary competence.

5. In addition to the provision in section 54 of the Professional Code, a member may not practise or perform certain professional acts under conditions or in situations which could impair the dignity of the profession or the quality of services he provides.

6. A member shall, particularly in the performance of duties leading him to manage human resources, bear in mind:

(1) the relative value of the results of the various evaluation tools he uses in the practice of his profession;

(2) the necessary health and safety measures in the work environment in which he practises his profession;

(3) the protection of the physical and mental health of the persons under his authority or supervision;

(4) the importance of the measures for receiving and initiating the persons under his authority or supervision;

(5) the importance of courses and programs for the advancement, training, development or promotion of the persons under his authority or supervision;

(6) the confidentiality of the records of persons under his authority or supervision and of the confidential information concerning these persons and that becomes known to him in the practice of his profession.

7. A member shall prevent the inadequate use and application by others of the tools and techniques he uses and of the interpretation of the information resulting therefrom.

8. A member shall bear in mind the general effect which his research and work may have on society.

9. A member shall promote any measure likely to improve the availability and the quality of the professional services provided by the members of the Order and particularly those of the field in which the member practises his profession.

He shall, in particular, promote any educational or informative measure to advise the public about those services.

He shall also, unless he has valid reasons to the contrary, do whatever is required to provide those educational and informative measures.

DIVISION II BEHAVIOUR

10. A member shall have an irreproachable behaviour.

He shall, in particular, act with courtesy, dignity, moderation and objectivity.

11. A member shall show respect toward any commission of inquiry, body or court or its members.

A member shall not, directly or indirectly, distribute or publish comments or remarks he knows to be false or are overtly false, with respect to a commission of inquiry, a body or a court or one of its members.

A member shall not, directly or indirectly, comment publicly by any means whatsoever, any matter pending before a commission of inquiry, a body or a court and in which he or one of his partners or employees is a party.

12. A member shall avoid any attitude or method which could harm the reputation of the profession and his proficiency to serve the public interest. He shall also avoid discriminatory, fraudulent or illegal practices and shall refuse to participate in such practices.

13. A member shall not, in any case, be guided by greed.

DIVISION III IMPARTIALITY AND INDEPENDENCE

14. A member shall subordinate his personal interest to that of his client.

15. A member shall act with impartiality and objectivity whenever persons other than clients request information from him.

16. A member may represent a client, notwithstanding his personal opinion on the client's position in the matter.

17. Generally, a member shall only act, in the same matter, for a party representing similar interests. If his professional duties require that he act otherwise, the member shall specify the nature of his duties or respon-

sibilities and shall inform the parties concerned that he will cease to act if the situation becomes irreconcilable with his duty to be independent.

18. A member is free to accept or to refuse a mandate.

Notwithstanding the foregoing, he shall not accept a number of mandates in excess of that which the interest of his clients or the respect of his professional obligations may require.

19. A member shall safeguard his professional independence at all times. He shall, in particular:

(1) ignore any intervention by a third party which could influence the fulfilment of his professional obligations to the detriment of his client;

(2) avoid carrying out a task contrary to his conscience or to the principles governing the practice of his profession; or

(3) avoid any situation in which he would be in conflict of interest.

Without restricting the general meaning of subparagraph 3 of the first paragraph, a member is in conflict of interest when the interests in question are such that he might favour some of them over those of the client or whereby his judgment and loyalty towards the latter may be unfavourably affected.

20. A member called upon to work with another person, in particular a member of the Order or a member of another professional order, shall preserve his professional independence.

21. A member shall not receive, other than the remuneration to which he is entitled, any benefit, commission or rebate relative to the practice of his profession. Nor shall he pay, offer to pay or undertake to pay such benefit, commission or rebate.

DIVISION IV DILIGENCE AND AVAILABILITY

22. A member shall display reasonable availability and diligence.

DIVISION V FEES

23. A member shall charge fair and reasonable fees.

Fees are considered fair and reasonable if they are warranted by the circumstances and in proportion to the services provided.

24. To determine the amount of his fees, a member shall, in particular, bear in mind the following factors:

(1) his experience;

(2) the time required to carry out the professional service;

(3) the complexity and extent of the professional service;

(4) the need to perform unusual professional services or services requiring exceptional celerity or competence; and

(5) the degree of responsibility assumed.

25. A member shall not request full payment of his fees in advance.

26. A member may collect interest on an outstanding account of fees only after having notified his client. The interest thus charged must be at a reasonable rate.

27. Before having recourse to legal proceedings, a member must have exhausted all the other means at his disposal for obtaining payment of his fees.

28. A member entrusting the collection of his fees to another person must, as far as possible, ensure that the latter will act with tact and moderation.

29. A member may share his fees with another person if the responsibilities and services are also shared.

30. In payment of a professional service, a member shall receive fees from only one source, unless all the parties concerned explicitly agree otherwise. He shall accept payment of the fees only by his client.

DIVISION VI LIABILITY

31. A member shall have full civil liability. It is prohibited to insert in a contract of professional services any clause excluding, directly or indirectly, in whole or in part, his personal civil liability.

He may not sign a contract containing such a clause.

DIVISION VII ADDITIONAL DUTIES WHILE CARRYING OUT A MANDATE

32. A member shall identify himself to the client as a member of the Ordre des conseillers en relations industrielles du Québec.

33. A member shall try to establish a relationship of mutual trust between himself and the client.

To that end, he shall in particular:

(1) refrain from practising his profession in an impersonal manner; and

(2) respect the personal values and convictions of the client.

34. A member shall refrain from intervening in the personal matters of the client on issues that are not relevant to the profession and that are not relevant to the reasons for which the client gave him the mandate.

35. A member shall recognize at all times the client's right to consult another member of the Order, a member of another professional order or any other competent person.

36. If the good of the client so requires, a member must, with the latter's authorization, consult another member of the Order, a member of another professional order or any other competent person or refer him to one of these persons.

37. As soon as he ascertains that he is in conflict of interest, a member shall notify the client and request his authorization to continue carrying out the mandate.

38. A member shall refrain from giving contradictory opinions or advice to a client. Before expressing an opinion or giving advice to a client, a member shall seek to obtain complete knowledge of the facts.

He shall, as soon as possible, inform the client of the scope of the mandate, the terms and conditions for carrying it out and obtain his consent to do so.

If, during the mandate, a new fact occurs that could alter the scope thereof or the terms and conditions for carrying it out, the member shall inform the client and obtain his consent as soon as possible.

39. A member shall set out, for the client, in a complete and objective manner, the nature and scope of the problem as he sees it on the basis of the facts brought to his knowledge by the client.

He shall also inform the client of the inherent and foreseeable risks associated with a proposed solution to the problem.

40. A member shall, where applicable, make the relevant recommendations to the client concerning the items listed in section 6.

41. In addition to his opinion and advice, a member shall provide any explanation necessary for the client to evaluate and understand the professional services received.

42. A member shall notify the client of the approximate and foreseeable cost of his professional services as regards disbursements and fees.

He shall also provide the client with any explanation necessary to understand his account of fees and the terms and conditions of payment.

43. A member shall avoid performing or multiplying professional acts that are not justified by the nature of the mandate entrusted to him by the client.

44. A member shall submit to his client any offer of settlement relating to the mandate entrusted to him by the client.

45. A member shall, upon the client's request, account for the progress of the mandate entrusted to him by the client.

46. A member shall cease providing professional services to the client if the latter revokes his mandate.

47. A member may not unilaterally terminate a mandate entrusted to him by a client, except for valid and reasonable grounds.

The following shall, in particular, constitute valid and reasonable grounds:

(1) the member is in conflict of interest or a situation in which his professional independence could be questioned;

(2) the client's confidence is lost;

(3) the client has been deceitful or failed to cooperate;

(4) the client has refused to pay the member's fees;

(5) the client has attempted to induce the member to commit a discriminatory, fraudulent or illegal act; and

(6) it is impossible for the member to communicate with the client or to obtain from him the elements deemed necessary to carry out the mandate.

48. A member who, for valid and reasonable grounds, wishes to unilaterally terminate a mandate shall give prior notice to that effect indicating when he will terminate the mandate.

He shall give that notice within a reasonable time and ensure, as far as possible, that it shall not be prejudicial to his client.

49. A member shall appear in person or be represented at the time fixed for any proceeding relative to the practice of his profession unless he is prevented therefrom for good and sufficient reasons and has, where possible, given prior notice of his absence to his client and to the other parties involved.

DIVISION VIII **ACTS DEROGATORY TO THE DIGNITY OF THE PROFESSION**

50. In addition to the acts to which section 59 of the Professional Code applies, the act mentioned in section 59.1 of the Code and what may be determined pursuant to paragraph 1 of the second paragraph of section 152 of the Code, the following acts are derogatory to the dignity of the profession:

(1) communicating with a person who requested that an inquiry be held, without prior written permission of the syndic of the Order or the assistant syndic, where he is informed that he is the object of an inquiry pursuant to section 122 of the Professional Code or where he has been served with a complaint in accordance with section 132 of the Code;

(2) advising or encouraging someone to commit a discriminatory, fraudulent or illegal act;

(3) refusing to counsel or to represent a person on the sole ground that the person requested, in respect of another member of the order, that an inquiry be held pursuant to section 122 of the Professional Code, that the person lodged a complaint against another member of the Order under section 128 of the Code or that the person filed a claim against another member of the Order;

(4) failing to notify the syndic of the Order that he has reasonable grounds to believe that another member of the Order contravenes the Professional Code or a related regulation made pursuant to the Code;

(5) drawing up a declaration or report he knows to be incomplete, without mention of any restriction, or that he knows to be false; and

(6) allowing a person not entered on the roll of the Order to use a title or initials reserved for the members of the Order or to make believe that he is a member of the Order, or not informing the secretary of the Order at the proper time that a person who is not entered on the roll of the Order uses a title or initials reserved for the members of the Order.

DIVISION IX **PROVISIONS TO PRESERVE THE SECRECY OF CONFIDENTIAL INFORMATION**

51. For the purposes of preserving the secrecy of confidential information brought to his knowledge in the practice of his profession, a member shall:

(1) refrain from using such information to the prejudice of his client or with a view to obtaining a direct or indirect benefit for himself or for another person;

(2) take the necessary measures to prevent his colleagues and the persons under his authority or supervision from disclosing or making use of such information that becomes known to them in the performance of their duties; and

(3) avoid holding or participating in indiscreet conversations concerning a client and the services provided to him.

DIVISION X **TERMS AND CONDITIONS OF THE EXERCISE OF THE RIGHTS OF ACCESS AND CORRECTION PROVIDED FOR IN SECTIONS 60.5 AND 60.6 OF THE PROFESSIONAL CODE AND OBLIGATION FOR A MEMBER TO GIVE DOCUMENTS TO A CLIENT**

§1. General

52. A member may require that an application referred to in section 54, 57 or 60 be made and the right be exercised at his place of business, during his regular working hours.

53. If he fails to reply within 20 days of receiving an application to which section 54 or 57 applies, a member is deemed to have refused to grant it.

§2. Terms and conditions of the exercise of the right of access provided for in section 60.5 of the Professional Code

54. In addition to the particular rules prescribed by law, a member shall promptly follow up, at the latest within 20 days of its receipt, on any request made by a client whose purpose is:

(1) to consult documents that concern him in any record made in his regard;

(2) to obtain a copy of the documents that concern him in any record made in his regard.

55. A member may only charge reasonable fees not exceeding the cost for reproducing or transcribing documents or the cost for forwarding a copy, in respect of an application to which paragraph 2 of section 54 applies.

A member requesting such fees shall, before proceeding with the copying, transcribing or sending of the information, inform the client of the approximate amount he will have to pay.

56. A member who, pursuant to the second paragraph of section 60.5 of the Professional Code, denies a client access to the information contained in a record made in his regard shall inform the client in writing that the disclosure would be likely to cause serious harm to the client or to a third party.

He must also, in the same document,

(1) identify the serious harm to the client or to the third party concerned;

(2) identify the third party concerned.

§3. Terms and conditions of the exercise of the right of correction provided for in section 60.6 of the Professional Code

57. In addition to the particular rules prescribed by law, a member shall promptly follow up, at the latest within 20 days of its receipt, on any request made by a client whose purpose is:

(1) to cause to be corrected any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected, contained in a document concerning him in any record established in his respect;

(2) to cause to be deleted any information that is outdated or not justified by the object of the record that concerns him;

(3) to file in the record that concerns him the written comments that he prepared.

58. A member who grants an application referred to in section 57 shall issue to the client, free of charge, a copy of the document or part of the document to allow the client to see for himself that the information was corrected or deleted or, as the case may be, an attestation that the written comments prepared by the client were filed in the record.

59. Upon written request from the client, a member shall forward a copy, free of charge for the client, of corrected information or an attestation that the information was deleted or, as the case may be, that written comments were filed in the record to any person from whom the member received the information that was subject to the correction, deletion or comments and to any person to whom the information was provided.

§4. Obligation for the member to give the documents to the client

60. A member must promptly follow up on any written request made by a client, whose purpose is to take back a document entrusted to him by the client.

A member shall indicate in the client's record, where applicable, the reasons to support the client's application.

DIVISION XI CONDITIONS, OBLIGATIONS AND PROHIBITIONS IN RESPECT OF ADVERTISING

61. A member shall have his name and professional title appear in his advertisement.

62. A member may not, by any means whatsoever, engage in or allow the use of advertising that is false, incomplete, deceptive or liable to mislead.

63. A member who, in his advertising, claims to possess skills or specific qualities, particularly in respect of the effectiveness or scope of his services and of those generally ensured by other members of his profession or of his level of competence, shall be able to substantiate such claim.

A member who, in his advertising, ascribes particular advantages to a product or service or certain performance characteristics, claims that a pecuniary benefit will result from the acquisition or use of a product or service or claims that a product or service complies with determined standards shall also be able to substantiate such claims.

64. A member may not, in his advertising, use nor allow the use of an endorsement or statement of gratitude concerning him, except awards for excellence and other prizes received in recognition of a contribution or an achievement the honour of which is shared by all members of the profession.

65. A member may not resort to advertising practices likely to discredit or denigrate another professional, in particular another member of the Order or a member of another professional order.

66. A member who advertises professional fees must do so in a manner easily understandable by the public and, in particular:

(1) maintain the amount of the fees in force for the period mentioned in the advertisement; that period must not be less than 90 days after the last authorized broadcast or publication;

(2) specify the services included in those fees.

However, a member may agree with a client on an amount lower than the one broadcast or published.

67. In his advertising, a member may not, by any means whatsoever, lay more stress on a special price or discount than on the professional service offered.

68. In the case of an advertisement relating to a special price or discount, a member must mention the period of validity of the price or discount, as the case may be. That period may not be less than 90 days.

69. A member may not, by any means whatsoever, engage in or allow the use of any advertising intended for persons who may be emotionally or physically vulnerable because of the occurrence of a specific event.

70. A member must keep a complete copy of every advertisement in its original form for 3 years following the date on which it was last authorized to be published or broadcast. The copy must be given to the syndic upon request.

71. Where a member uses the graphic symbol of the Order in his advertising, except on a professional card, he shall include the following warning:

“This advertisement does not originate from and does not commit the liability of the Ordre des conseillers en relations industrielles du Québec”.

DIVISION XII

THE MEMBER'S RELATIONS WITH THE ORDER AND THE PERSONS IN THE PRACTICE OF HIS PROFESSION

72. A member asked by the Bureau or administrative committee of the Order to be a member of a professional inspection committee, a committee on discipline, a review committee constituted under section 123.3 of the Professional Code or a council for the arbitration of accounts made pursuant to the provisions of the Regulation made under section 88 of the Code, shall accept that duty unless he has reasonable grounds for refusing it.

73. A member shall reply as soon as possible to any correspondence from the secretary of the Order, the syndic of the Order, where expedient from the assistant syndic, an expert appointed by the syndic, and from a member of the professional inspection committee, an investigator, an expert or an inspector of that committee.

74. A member shall not, with respect to whomever is in relation with him in the practice of his profession, in particular another member of the Order or a member of another professional order, breach his trust, voluntarily mislead him, betray his good faith or use unfair practices.

He shall not take credit for work performed by another person, particularly by another member of the Order.

DIVISION XIII

CONTRIBUTION TO THE DEVELOPMENT OF THE PROFESSION

75. A member shall, as far as he is able, contribute to the development of his profession by sharing his knowledge and experience with other members of the Order and students and by taking part in activities, courses and continuing training sessions organized for the members of the Order.

DIVISION XIV

USING THE NAME OF THE MEMBER OF THE ORDER IN THE PARTNERSHIP NAME

76. A member may have his name in the partnership name only if the partnership name includes the names of other members of the Order who practise together.

A member may have his name appear in the partnership name including the expression “and partner” or any other expression having the same meaning only if another partner practises with him and only if the name of another partner who practises with him does not appear in the partnership name.

A member may have his name appear in the partnership name even if that name includes the name of a deceased or retired partner.

77. A member who withdraws from a partnership must ensure that his name no longer appears in the partnership name or in any advertising of the partnership one year after his withdrawal, unless there is a written agreement to the contrary with the members whose names appear in the partnership name.

DIVISION XV REPRODUCTION OF THE GRAPHIC SYMBOL OF THE ORDER

78. A member who, for any purpose whatsoever, reproduces the graphic symbol of the Order shall ensure that it is identical to the original held by the secretary of the Order.

CHAPTER III FINAL

79. This Regulation replaces the Code of ethics of industrial relations counsellors (R.R.Q., 1981, c. C-26, r. 52) and, in accordance with section 10 of the Act to amend the Professional Code and various Acts constituting professional corporations with respect to professional advertising and certain registers (1990, c. 76), the Regulation respecting advertising by industrial relations counsellors (R.R.Q., 1981, c. C-26, r. 59) ceases to have effect on the date of coming into force of this Regulation.

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

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Gouvernement du Québec

O.C. 387-98, 25 March 1998

Program for the delegation of the management of intramunicipal lands in the public domain to regional county municipalities in the administrative region of Québec

WHEREAS under section 17.13 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2, amended by Chapter 14 of the Statutes of 1996 and Chapter 93 of the Statutes of 1997), the Minister may, with the approval of the Government, prepare programs for the development of lands in the public domain that are under his authority in order to encourage regional development;

WHEREAS under section 17.14 of that Act, the Minister of Natural Resources may, for the purposes of such programs, entrust the management of lands in the public domain to a legal person designated by the Minister which may then carry out the Minister's powers and responsibilities under the Act respecting the lands in the public domain (R.S.Q., c. T-8.1, amended by Chapter 2 of the Statutes of 1996), to the extent and according to the terms and conditions set out in the program;

WHEREAS that section allows the Minister to determine which powers provided for in section 71 of the Act respecting the lands in the public domain may be exercised by the legal person by means of by-laws, to the extent and according to the terms and conditions set out in the program;

WHEREAS under sections 14.11 to 14.12.2 of the Municipal Code of Québec (R.S.Q., c. C-27.1, amended by Chapter 27 of the Statutes of 1996 and Chapter 93 of the Statutes of 1997), every municipality may participate in the programs prepared by the Minister of Natural Resources and has the necessary powers to meet the commitments and assume the responsibilities arising from the programs with respect to any designated land in the public domain;

WHEREAS it is expedient to approve the program which authorizes the Minister of State for Natural Resources, the Minister for Mines and Lands and the Minister for Electoral and Parliamentary Reform, Regional Development and Forests to delegate to the regional county municipalities in the Québec administrative region the management of intramunicipal lands in the public domain identified in the territorial management agreements to be signed under the program;

WHEREAS it is expedient to entrust the management of the program to the Minister of State for Natural Resources, to the Minister for Mines and Lands and to the Minister for Electoral and Parliamentary Reform, Regional Development and Forests;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Natural Resources, the Minister for Mines and Lands and the Minister for Electoral and Parliamentary Reform, Regional Development and Forests:

THAT the Program for the delegation of the management of intramunicipal lands in the public domain to regional county municipalities in the administrative region of Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

PROGRAM FOR THE DELEGATION OF THE
MANAGEMENT OF INTRAMUNICIPAL LANDS
IN THE PUBLIC DOMAIN TO REGIONAL
COUNTY MUNICIPALITIES IN THE
ADMINISTRATIVE REGION OF QUÉBEC

1. OBJECTIVE OF THE PROGRAM

To promote regional development by developing intramunicipal lands in the public domain in the Québec administrative region and by entrusting their management to the regional county municipalities in that region.

2. DEFINITIONS

For the purposes of this Program, unless the context indicates otherwise,

2.1 “territorial management agreement” means a multisectoral act of delegation whereby the Government entrusts management powers and responsibilities to a regional county municipality (RCM), on certain conditions;

2.2 “Minister” means the Minister of State for Natural Resources, the Minister for Mines and Lands and the Minister for Electoral and Parliamentary Reform, Regional Development and Forests;

2.3 “program” means this Program, prepared under Division II.2 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2, amended by Chapter 14 of the Statutes of 1996 and Chapter 93 of the Statutes of 1997);

2.4 “intramunicipal lands in the public domain” means all lots, parts of lots and any other part of the public domain located in the Québec administrative region within the limits of the municipalized territory of that region and appearing on the map entitled “Québec (région 03) Droits et utilisations sur les terres publiques intramunicipales” dated November 1994 and under the authority of the Minister, including the buildings, improvements and movable property.

3. CONDITIONS OF ELIGIBILITY

To be eligible for this Program, a regional county municipality in the Québec administrative region shall

3.1 have obtained a resolution from the Conseil régional de concertation et de développement de la région de Québec (CRCDQ) which recognizes that delegating the management of the intramunicipal lands in the public domain within the limits of the RCM constitutes, in the collective interest, a new method of management

whereby the territory concerned may contribute to the regional and local development and that the delegation project complies with the regional strategic plan of the CRCDQ;

3.2 have adopted a resolution whereby the municipality agrees to all the terms and conditions, commitments and obligations under this Program;

3.3 have established, by by-law, a development fund under section 688.7 et seq. of the Municipal Code of Québec (R.S.Q., c. C-27.1, amended by Chapter 27 of the Statutes of 1996 and Chapter 93 of the Statutes of 1997);

3.4 have created, by by-law, a multiresource committee in charge of advising the RCM and representing all the interests related to the development, use and preservation of natural resources in the territory covered by the delegation. Furthermore, the voting powers of the various groups on the committee should be shared fairly to avoid that the committee’s decision be subject to particular interests. Finally, the local municipalities represented on the committee shall form a minority.

4. TERRITORY COVERED

4.1 The powers and responsibilities delegated to an RCM under this Program shall be exercised on intramunicipal lands in the public domain identified by the Minister on a list attached to the territorial management agreement and forming part of the public domain on the date the agreement is signed.

In addition to those lands, the Minister may, having received advice, include in the management delegation, intramunicipal land in the public domain that would have been omitted in the territorial management agreement or that would have been the subject, after the signing, of a transfer of authority in his favour.

4.2 The following are expressly excluded from the territory covered:

(1) the water domain, that is, the water powers and the beds of lakes and rivers up to the normal high water mark;

(2) lands in the public domain flooded following the construction and maintenance of a dam or any related work;

(3) any right-of-way of a route or highway under the management of the Minister of Transport of Québec, including in particular its infrastructures and all the works useful for its development or management;

(4) land within the limits of a territory covered by a timber supply and forest management agreement;

(5) any other land identified by the Minister.

4.3 Where land under the responsibility of an RCM is required for public utility or interest purposes or for any other purpose ordered by the Government, or where land was wrongly identified as included in intramunicipal lands in the public domain, the Minister may, having been advised, exclude that land from this Program.

Such exclusion by the Minister could eventually lead to a fair compensation for any improvement made on that land by the RCM since the signing of the territorial management agreement, as well as for any actual damage, without further compensation or indemnity for any loss of expected profits or revenues.

5. DELEGATED POWERS AND RESPONSIBILITIES

For the purposes of this Program, the Minister may delegate to an RCM the powers and responsibilities with respect to land planning and management mentioned in sections 5.1 and 5.2. That delegation is subject to the terms and conditions provided for in section 7.

5.1 Planning

With respect to planning, the Minister shall delegate to the RCM the responsibility to plan the development and use of the public territory (intramunicipal lands in the public domain and the related resources) covered by this Program and the territorial management agreement signed by the RCM for at least 5 years. To that end, the RCM shall comply with the deadline fixed by the Minister and take into account the concerns of the population and users of the territory and resources. The RCM shall forward its planning to the Government for advice before any other consultation. If required, the RCM shall review the planning and change it and shall ensure the follow-up.

The Minister may intervene to help find a concerted solution and thus help the adoption of the planning should the RCM be unable to reach a consensus about the carrying out of the planning. If need be, the Minister may impose an arbitration procedure.

5.1.1 The planning shall, obligatorily and as a minimum,

(1) deal with the dominant vocations and with the general rules, terms and conditions for harmonizing and integrating the uses;

(2) include the special interest lands identified by the Government in the public land use plan;

(3) take into account the Government's territory development orientations and its special concerns communicated in the preparation process of the said planning;

(4) take into account the regional strategic plan of the CRCDQ.

5.2 Land management

For the purposes of this Program, the Minister shall entrust the management of intramunicipal lands in the public domain to an RCM that exercises the following powers and responsibilities arising from the Act respecting the lands in the public domain and the regulations thereunder:

(1) manage the land rights already issued other than leases for exploiting water powers. To that end, the RCM shall manage and respect the rights granted until their term, renew them and cancel them if the beneficiary fails to meet his obligations;

(2) grant and manage new land rights other than lands for using water powers, renew them, ensure the follow-up, amend them with the consent of the parties involved and cancel them if the beneficiary fails to meet his obligations;

(3) manage the buildings and improvements located on the lands covered by the delegation and, if need be, dispose of them according to the regulatory provisions;

(4) sell land, grant rights under emphyteutic contracts, transfer land gratuitously for public utility purposes in accordance with the regulations. However, the RCM shall first obtain the Minister's consent before granting rights;

(5) grant servitudes and any other right;

(6) grant occupation and visitor's licences;

(7) collect and keep all income, including expenses arising from the management of lands covered by the delegation;

(8) renounce the right of ownership of the Minister of Natural Resources in favour of the occupant of the land, in the course of a cadastral renovation, in accordance with sections 40.1 et seq. of the Act respecting the lands in the public domain (R.S.Q., c. T-8.1, amended by Chapter 2 of the Statutes of 1996) and according to the criteria defined by the Minister for such renouncement;

(9) rectify any deed of alienation granted by the RCM and waive or amend the restrictive clauses in a deed of alienation granted by the RCM, in accordance with sections 35.1 and 40 of the Act respecting the lands in the public domain, or change the purposes mentioned therein;

(10) acquire by mutual agreement (donation, purchase, trade), for the benefit of the public domain, private lands, buildings, improvements and movable property. However, the RCM shall first obtain the Minister consent prior to such a transaction;

(11) publish, where required, a declaration stating that the land forms part of the public domain, in accordance with sections 19 et seq. of the Act respecting the lands in the public domain;

(12) authorize the construction of roads other than forest and mining roads in accordance with sections 55 et seq. of the Act respecting the lands in the public domain;

(13) control the use and occupation of the territory

— by treating situations of illegal occupation and use, including in particular illegal dumping sites and gates within the meaning of the Act respecting the lands in the public domain, according to the formal rules, terms and conditions in keeping with the principle decided by the Government, that is, no privilege shall be granted to someone who illegally occupies or uses land in the public domain;

— by treating situations of precarious occupation according to the Regulation respecting the regularization of certain kinds of occupation of lands in the public domain, made under the Act respecting the lands in the public domain by Order in Council 233-89, as amended;

(14) institute penal proceedings in its own name for an offence committed on the territory covered by the management delegation, provided for in the Act respecting the lands in the public domain and the regulations thereunder, or in the by-laws that the RCM will have adopted in accordance with section 6;

(15) exercise all the recourses and powers conferred upon the Minister of Natural Resources by sections 60 to 66 of the Act respecting the lands in the public domain;

(16) cause to be determined the limit between the public domain and private property and affix the signature of the owner on documents pertaining to cadastral operations, boundary marking or any motion for the judicial recognition of the right over property concerning the lands in the public domain covered by the man-

agement delegation, following the land survey instructions issued by the Service de l'arpentage of the Ministère des Ressources Naturelles in accordance with section 17 et seq. of the Act respecting the lands in the public domain.

6. REGULATORY POWERS

For the purposes of this Program, the Minister shall determine that an RCM may exercise, by means of by-laws adopted under subparagraph 5 of the second paragraph of section 14.12 of the Municipal Code of Québec and according to the conditions mentioned in section 6.1 of this Program, the powers provided for in subparagraphs 3, 7, 8, 9, 10 and 11 of the first paragraph and the second paragraph of section 71 of the Act respecting the lands in the public domain.

6.1 Conditions applicable to regulatory powers

The by-laws of the RCM, whose coming into force is subject to the rules prescribed by the Municipal Code of Québec, shall be first submitted to the Minister who may approve it, having ascertained that they are in keeping with the Government principles and objectives and their regional consistency. More specifically, the RCM shall comply with the following principles:

(1) it shall keep the delegated intramunicipal lands in the public domain open to the public, in particular by allowing the free movement of persons;

(2) it shall preserve public access to the public water domain;

(3) it shall impose a tariff based on the market value;

(4) it shall grant no privilege to a person who illegally occupies or uses land in the public domain, except to regularize a precarious situation eligible for a title under the Regulation respecting the regularization of certain kinds of occupation of lands in the public domain, made under the Act respecting the lands in the public domain by Order in Council 233-89, as amended.

The by-laws of the RCM respecting administration expenses shall pertain only to the cases already provided for in the regulations made under the Act respecting the lands in the public domain.

7. GENERAL TERMS AND CONDITIONS

7.1 An RCM entrusted with the management of intramunicipal lands in the public domain by the Minister under this Program, shall, in respect of all the following items, comply with the corresponding terms and conditions:

Access to the public domain: the RCM shall maintain public access to the public domain and the water public domain;

Alienation of land: the Minister's agreement to a land alienation may be transmitted either in the course of the development and use planning provided for in section 5.1, or by a specific notice for projects not mentioned in that planning;

Land surveying: any land surveying on lands in the public domain or affecting their limits, including boundary marking, particularly the one required for an alienation, shall be carried out in accordance with sections 17 et seq. of the Act respecting the lands in the public domain and with the instructions of the Service de l'arpentage of the Ministère des Ressources naturelles;

Natives: the land rights granted by the RCM shall comply with the governmental orientations concerning Native people;

Multiresource committee: the RCM shall see that the representation provided for in section 3.4 is preserved. It shall request the committee advice in writing on the following matters, that is, the development and use planning for the territory covered by the delegation, the compliance of the development plans with the said planning and the use of the development fund referred to in section 3.3;

Costs and expenses related to land management: all the costs and expenses related to the land management shall be charged, as the case may be, to the RCM, the acquirer, the applicant or the beneficiary of the right. In particular, those required for land surveying on land in the public domain, cadastral registration, boundary marking and the publication of rights for any transaction carried out by the RCM are included in those costs and expenses;

Land rights granted by the State: the RCM shall respect the rights granted by the State in accordance with the titles issued until they expire, renew them unless the beneficiary of the right is at fault and make sure that, in exercising the powers and responsibilities delegated under the program, not to limit in any way the exercise of a right granted or to be granted by the State;

Land rights related to vacation: land rights related to vacation shall respect the vacation development objectives set out in the Guide de développement de la villégiature sur les terres du domaine public, prepared in April 1994 and in the Plan régional de développement de villégiature de la région de Québec prepared in September 1993 or any other document replacing them;

State and area of intramunicipal lands in the public domain: in exercising delegated powers and responsibilities, the RCM shall accept that lands as they are delimited, designated or surveyed at the time the territorial management agreement is signed, no guarantee being given by the Minister as to their state or area;

Rules and procedures: the operation rules and administrative procedures adopted by the RCM shall make sure that the rights to be granted and that the land to be alienated on the territory covered will be granted and alienated fairly for all those concerned and so as to respect the special principles and rights defined in the territorial management agreement.

7.2 The RCM shall file the following reports with the Minister:

(1) an annual report on its activities and how the income from the management of intramunicipal lands in the public domain have been used;

(2) a five-year activity report in which the management of the lands delegated to the RCM is assessed. In addition, the RCM shall make known to the public the main elements of the report.

The Minister and the RCM shall agree within 12 months of the signing of the territorial management agreement on the objectives to be attained and on evaluation criteria.

7.3 The intramunicipal lands in the public domain covered by the delegation shall be administered and managed by the RCM without compensation from the Government.

7.4 The RCM shall collect and withhold the income from the management of the intramunicipal lands in the public domain covered by the delegation, including administration expenses, from the date the territorial management agreement is signed. However, any amount collected by the Gouvernement du Québec or owed to it on the date of the signing remains its property without adjustment, except the rent for the ski centre of Massif de Petite-Rivière-Saint-François for the 1997-98 year, owing since 1 December 1997, which will be collected by the Municipalité régionale de comté de Charveloix and paid into its development fund.

7.5 The Minister shall register in the Terrier or in any other register designated by him all alienations and rights granted by the RCM on the lands in question and shall issue attestations in writing of the information entered therein; the RCM shall collect all exigible expenses, including interest income, and shall remit them entirely

to the Minister, according to the terms and conditions defined in the territorial management agreement. When the Minister will have implemented a formal procedure to make it possible for the RCM to directly enter rights in the official land register, he will contact the RCM to adapt the terms and conditions to that effect in the territorial management agreement.

7.6 An RCM that exercises the powers and responsibilities provided for in this Program acts in its own name and any action it takes is in no way binding on the Government.

Subject to the special provisions of section 6, the RCM shall comply with the Act respecting the lands in the public domain and the regulations thereunder, as amended.

8. FINAL PROVISIONS

8.1 The territorial management agreement respecting land planning and management has a renewable 5-year term. When the delegation expires, the Minister is again fully responsible for the delegated management of the intramunicipal lands in the public domain. The Minister may also terminate the delegation if the RCM fails to comply with the terms and conditions applicable to the delegation.

8.2 Where the Minister is again responsible for the management of intramunicipal lands in the public domain he delegated, the RCM shall send the Minister all the information that the latter could ask it, including, in particular, the up-to-date books and records kept by the RCM for managing the lands. The RCM shall also give the Minister all the records that the Minister entrusted to it.

8.3 Any contestation from a beneficiary of a right that was granted by the RCM and that results from differences in the methods of management applied by the RCM and the Minister shall be submitted to the Minister.

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Gouvernement du Québec

O.C. 388-98, 25 March 1998

Agreement respecting the transfer to the Municipalité régionale de comté de Charlevoix, on an experimental basis, of responsibilities in the field of public forest management

WHEREAS the Conseil régional de concertation et de développement de la région de Québec (CRCDQ)

adopted a resolution recognizing that the delegation of the management of the intramunicipal public territory located within the limits of the municipality of Petite-Rivière-Saint-François in favour of the Municipalité régionale de comté de Charlevoix constitutes, in the collective interest, a new management method that can help that territory participate in the regional and local development and that the draft delegation complies with the strategic plan of the CRCDQ;

WHEREAS the territory that is subject to this Order in Council shall be included in an inhabited forest demonstration presented by the Municipalité régionale de comté de Charlevoix and recognized by the Ministère;

WHEREAS the delegation of powers and responsibilities in the field of land and natural resources management designated in favour of the Municipalité régionale de comté de Charlevoix contributes to the carrying out of the inhabited forest demonstration;

WHEREAS the Minister of State for Natural Resources granted a financial assistance of \$50 000 to the Municipalité régionale de comté de Charlevoix to support the implementation of the organization necessary for the carrying out of the demonstration as well as the preparation of a development plan and the parties agreed to pursue and carry the demonstration through;

WHEREAS under the Forest Act (R.S.Q., c. F-4.1), the Minister of Natural Resources holds the powers and responsibilities in the field of forest management;

WHEREAS under section 10.5 of the Municipal Code of Québec (1996, c. 27), a regional county municipality may enter into an agreement with the Government under which certain responsibilities, specified in the agreement, that are assigned by an Act or regulation to the Government, to a Minister or to a government body, are transferred to the municipality on an experimental basis;

WHEREAS under section 10.6 of the Municipal Code of Québec, such agreement must set out, in particular, the conditions governing the exercise of the responsibility, the duration and the rules relating to its implementation;

WHEREAS under section 10.8 of the Municipal Code of Québec, such agreement shall prevail over any inconsistent provision of any general law or special Act or any regulation thereunder;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs, the Minister of State for Natural Resources and Minister of Natural Resources and the Minister for Electoral and Parliamentary Reform, Regional Development and Forests:

(1) THAT the Minister of State for Natural Resources be authorized to sign for and on behalf of the Government an agreement with the Municipalité régionale de comté de Charlevoix under which it will be temporarily entrusted with the management responsibilities over public forests presently erected into public forest reserves, on an experimental basis.

Those powers and responsibilities are identified in the Schedule to this Order in Council;

(2) THAT the experimental project have a 5-year term, subject to renewal;

(3) THAT the agreement be entered into on the following conditions:

(a) in exercising the responsibilities transferred to it, the MRC will have to comply with the provisions of the Forest Act (R.S.Q., c. F-4.1) and the regulations made thereunder, as amended, particularly as regards the sustainable development of forests, preservation of forest production and forests;

(b) the MRC will neither adopt provisions making it more difficult for businesses to get their supplies from public forests, nor restrictions favouring the use of the resource on a local level, to the detriment of more promising projects with respect to job creation and future development;

(c) on 31 March of each year, the MRC will submit a report to the Minister of State for Natural Resources of the activities carried out and of the use made of the revenues and royalties or of their equivalent drawn from intramunicipal public lands and designated natural resources;

(d) the MRC will produce and submit to the Minister a 5-year report of activities assessing forest management subject to the delegation to the MRC. Furthermore, the MRC shall communicate the main highlights of that report to the population;

no later than within 12 months following the signing of the territory management agreement, the Minister and the MRC shall agree upon the objectives to attain and the evaluation criteria;

(e) the Minister of State for Natural Resources will continue to assume the powers and responsibilities not expressly transferred to the MRC by the agreement;

(f) if need be, the Minister of State for Natural Resources may specify the scope of the transferred powers in the field of forest management.

SCHEDULE

Powers and responsibilities defined in the Forest Act (R.S.Q., c. F-4.1) and referred to in the agreement with the Municipalité régionale de comté de Charlevoix on the experimental delegation of forest management:

— the granting of forest management permits of the following classes: for the harvest of firewood for domestic or commercial purposes, for the cultivation and operation of a maple grove for the purposes of obtaining maple syrup products, for public utility works, for mining activities and for a wildlife or recreational development project;

— the management of public forest reserves and the sale of timber. Notwithstanding the provisions of the Act, the marketing of timber may be assumed by the MRC without particular terms;

— the conclusion of supply and forest management agreements;

— the granting of permits for the construction or improvement of forest roads and authorizations for the construction or improvement of roads other than forest roads regarding the width of the right-of-way and the destination of timber harvested in connection with such works;

— control of the access to forest roads for reasons of public interest, particularly in cases of fire, in the thaw period or for safety reasons;

— prescribing forest management standards, in accordance with the Regulation respecting standards of forest management for forests in the public domain or with any other standards authorized under the Forest Act;

— the collection of dues payable by holders of authorizations, permits or rights granted by the MRCs under the applicable regulations;

— the supervision and control of forest management activities, in accordance with the Forest Act and the regulations thereunder.

Draft Regulations

Draft Regulation

General and Vocational Colleges Act
(R.S.Q., c. C-29; 1997, c. 87)

Definition of resident in Québec

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 respecting the definition of resident in Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to define the expression “resident in Québec” for the purposes of the General and Vocational Colleges Act. Consequently, a college will have to charge a financial contribution to a student who is not a resident in Québec and who is not exempt from paying it under the budgetary rules established annually by the Minister of Education under sections 25, 26 and 26.0.1 of that Act.

To date, study of the matter has revealed no impact on businesses.

Further information may be obtained by contacting Mr. Jean-Yves Marquis, Director of the Direction de l’enseignement collégial privé et coordination interne, Ministère de l’Éducation, 1035, rue De La Chevrotière, 19^e étage, Québec (Québec) G1R 5A5; tel.: (418) 646-1328.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, rue de la Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

PAULINE MAROIS,
Minister of Education

Regulation respecting the definition of resident in Québec

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 24.4; 1997, c. 87, s. 19)

1. For the purposes of the General and Vocational Colleges Act (R.S.Q., c. C-29), “resident in Québec” means a student who is a Canadian citizen or a permanent resident within the meaning of the Immigration Act (R.S.C., 1985, c. I-2) and who is in one of the following situations:

(1) he was born in Québec or was adopted by a person who was residing in Québec at the time of the adoption;

(2) one of his parents or his sponsor resides in Québec;

(3) his parents or sponsor are deceased and one of his parents or his sponsor was residing in Québec at the time of the death;

(4) he keeps his residence in Québec even though his parents or sponsor no longer reside in Québec;

(5) Québec is the last place where he has resided for 12 consecutive months without pursuing full-time studies during that period;

(6) he holds a selection certificate issued under section 3.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2) or has been residing in Québec for at least 3 months without having resided in another province for more than 3 months and his parents or sponsor do not have their residence elsewhere in Canada; or

(7) his spouse was or is residing in Québec according to the criteria listed in subparagraphs 1 to 6.

For the purposes of the first paragraph, the term “parents” means the student’s father and mother and the term “sponsor” means a Canadian citizen or a permanent resident, excluding the father, mother or spouse, who sponsors the application for landing of a permanent resident within the meaning of the Immigration Act.

2. This Regulation replaces the Regulation respecting tuition fees that a general and vocational college must charge students from outside Québec, made by Order in Council 1130-82 dated 12 May 1982.

3. This Regulation comes into force on 1 July 1998.

2148

Draft Regulation

General and Vocational Colleges Act
(R.S.Q., c. C-29; 1997, c. 87)

Tuition fees and special fees payable

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting

the tuition fees and special fees which a general and vocational college must charge, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to change the cases in which a student is considered a full-time student, for the purposes of the legislative and regulatory provisions respecting tuition and special fees.

To date, study of the matter has revealed no impact on businesses.

Further information may be obtained by contacting Mr. Jean-Yves Marquis, Director of the Direction de l'enseignement collégial privé et coordination interne, Ministère de l'Éducation, 1035, rue De La Chevrotière, 19^e étage, Québec (Québec) G1R 5A5; tel.: (418) 646-1328.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

PAULINE MAROIS,
Minister of Education

Regulation to amend the Regulation respecting the tuition fees and special fees which a general and vocational college must charge (*)

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 24.4; 1997, c. 87, s. 19)

1. Section 1 of the Regulation respecting the tuition fees and special fees which a general and vocational college must charge is amended by substituting the following for paragraph 1:

“(1) a student who, in his last term, was registered for less than 4 courses in a program of college studies or for courses totalling less than 180 periods of instruction in such a program and who has a maximum of 3 courses remaining to complete the training prescribed by the program; or”.

2. This Regulation comes into force on 1 July 1998.

2149

Draft Regulation

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

Fees exigible — 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 fees exigible under the Highway Safety Code and the return of confiscated objects, made by the Société de l'assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

Section 69 of the Highway Safety Code (R.S.Q., c. C-24.2) provides that a person who wants to obtain or renew a driver's licence must pay the Société the fees fixed by regulation. Moreover, the 1 % increase in the Québec sales tax announced in the last budget and in force since 1 January 1998, brings a change in the fees required for a plastic driver's licence with photograph. The fees subject to the sales tax are established, with taxes included, in order to obtain amounts rounded to the nearest dollar.

Section 7 of the Regulation already provides for the cost of issue and renewal of a dealer's licence or a parts recycler's licence. However, no fee was provided for the replacement of such licence during its validity period. The draft Regulation proposes to fix the cost of such replacement at \$25.

Section 11 of the Code, replaced by section 5 of Chapter 49 of the Statutes of 1997, provides that the Société may, on the terms and conditions determined by regulation, issue to a handicapped person or to a public institution that it defines, an identification sticker authorizing the holder to use parking spaces reserved for the exclusive use of handicapped persons. For that purpose, the Regulation fixes \$15 as the fee payable to obtain, renew or replace the sticker and \$4 as the fee payable for replacing the attestation certificate issued at the same time as the sticker.

The Regulation already prescribes the fees to be paid for obtaining information on the validity of a driver's licence by the sole means of a telephone call. In order to allow businesses that use other means of communications such as electronic media or regular mail to obtain information on the validity of several driver's licences at the same time, fees have been fixed. Such fees will be \$1.50 for each piece of information requested in writing and \$1.50 for each piece of information requested by

* The Regulation respecting the tuition fees and special fees which a general and vocational college must charge was made by Order in Council 1016-97 dated 13 August 1997 (1997, G.O. 2, 4358).

electronic means for the first five and \$0.25 for each additional piece of information requested.

Further information may be obtained by contacting Mr. Marcel Lesieur, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, C-4-1, C.P. 19600, Québec (Québec) G1K 8J6, tel.: (418) 528-4417.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the chairman of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec (Québec) G1K 8J6.

JEAN-YVES GAGNON,
*Chairman of the Société
de l'assurance automobile du Québec*

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, par. 1, subpars. 3, 7, 10.3, 14 and 18)

1. Section 4 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects is amended:

(1) by substituting “\$13.74” for “\$13.76” in paragraph 2.1;

(2) by substituting “\$6.95” for “\$7.02” in paragraph 2.4;

(3) by substituting “\$11.74” for “\$11.76” in paragraph 4.1;

(4) by substituting “\$7.74” for “\$7.76” in paragraph 4.4;

(5) by substituting “\$7.74” for “\$7.76” in paragraph 4.8;

(6) by substituting “\$17.74” for “\$17.76” in paragraph 5.

2. Section 7 of the Regulation is amended by inserting the following after subparagraph 5 of the first paragraph:

“(6) \$25 for replacement of a dealer’s licence;

(7) \$25 for replacement of a parts recycler’s licence.”.

3. The following is substituted for section 9:

“**9.** The fee payable to obtain, renew or replace handicapped parking identification covered by section 11 of the Highway Safety Code and its accompanying certificate is \$15.

The fee payable for replacing the certificate, issued by the Société to attest that the holder qualifies for handicapped parking identification, is \$4.”.

4. The following is substituted for section 12.1:

“**12.1** The fee payable for obtaining information from the Société on the validity of a licence under section 611.1 of the Highway Safety Code is:

(1) \$1.50 for each telephone call or written request concerning licence validity;

(2) \$1.50 for each information request made electronically concerning licence validity for the first five, and \$0.25 for each additional request for information.”.

5. The Regulation comes into force on June 30, 1998.

2141

Draft Regulation

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

Handicapped persons — Identification stickers

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 respecting identification stickers for using parking spaces reserved for handicapped persons, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

* The last amendment to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991 (1991, *G.O.* 2, 1695), was made by the regulation approved by O.C. 1425-97 dated 29 October 1997 (1997, *G.O.* 2, 5454). For prior amendments, see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

The purpose of the draft Regulation is to replace the Regulation respecting identification stickers issued to handicapped persons and to public institutions made by the Government and the Regulation respecting removable stickers issued to handicapped persons adopted by the Office des personnes handicapées du Québec and approved by the Government. Henceforth, only one Regulation made by the Government will govern the granting of those stickers by the Société de l'assurance automobile du Québec in accordance with the legislative amendments made in particular to the Highway Safety Code (R.S.Q., c. C-24.2) and to the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1) by sections 4 to 8 of the Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions (1997, c. 49).

The draft Regulation will give exclusive jurisdiction to the Société de l'assurance automobile du Québec to issue those stickers to handicapped persons as well as to public institutions within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) or of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), that own a vehicle equipped with devices to secure wheelchairs against movement. Thus, the Société will ensure the issue of those stickers according to a uniform method while taking into account the current practice in this matter in North America.

Further information may be obtained by contacting Mrs. Carmen Couture, Société de l'assurance automobile du Québec, N-3-42, C.P. 19600, Québec (Québec) G1K 8J6, telephone: (418) 528-4421.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JACQUES BRASSARD,
Minister of Transport

Regulation respecting identification stickers for using parking spaces reserved for handicapped persons

Highway Safety Code
(R.S.Q., c. C-24.2, s. 618, par. 20; 1997, c. 49, s. 8, par. 2)

DIVISION I INTERPRETATION

1. Unless otherwise indicated, legislative or regulatory provisions referred to in this Regulation shall be interpreted by taking into account any amendments that will be made to such provisions.

DIVISION II TERMS AND CONDITIONS FOR OBTAINING, RENEWING AND REPLACING IDENTIFICATION STICKERS ISSUED TO HANDICAPPED PERSONS

2. Any natural person who wishes to obtain an identification sticker for using parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:

(1) submit an application to the Société de l'assurance automobile du Québec on the form provided by the Société, by entering his name, address, telephone number, date of birth and driver's licence number, where applicable;

(2) forward, upon request, on the form provided by the Société, an evaluation stating that he is disabled for at least 6 months which causes him to lose his autonomy or that he risks to jeopardize his health and safety while travelling a distance that does not require the use of a means of transportation; that evaluation shall be done by one of the following persons:

(a) a health professional within the meaning of section 4 of the Highway Safety Code (R.S.Q., c. C-24.2);

(b) a physiotherapist, member of the Ordre des physiothérapeutes du Québec;

(c) a specialized instructor employed by a public institution referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2) or the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5);

(3) pay the fees provided for in the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects made by Order in Council 646-91 dated 8 May 1991.

3. For the renewal of the identification sticker and the attestation certificate accompanying it, any handicapped person shall pay the fees mentioned in paragraph 3 of section 2.

4. For the replacement of the identification sticker and the attestation certificate accompanying it, any handicapped person shall meet the following requirements:

(1) submit to the Société a written statement attesting that the document is illegible, damaged, destroyed, lost or stolen according to the reason invoked for its replacement.

(2) pay the fees mentioned in paragraph 3 of section 2.

DIVISION III**TERMS AND CONDITIONS FOR OBTAINING, RENEWING AND REPLACING IDENTIFICATION STICKERS ISSUED TO PUBLIC INSTITUTIONS**

5. Any public institution referred to in the third paragraph of section 11 of the Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011) that wishes to obtain an identification sticker for using parking spaces reserved for handicapped persons and the attestation certificate accompanying it shall meet the following requirements:

(1) submit an application to the Société, on the form provided by the Société, by entering its name and address and those of the person authorized to submit the application on its behalf;

(2) pay the fees mentioned in paragraph 3 of section 2.

6. For the renewal of an identification sticker and the attestation certificate accompanying it, that public institution shall pay the fees mentioned in paragraph 3 of section 2.

7. For the replacement of an identification sticker and the attestation certificate accompanying it, that institution shall pay the fees mentioned in paragraph 3 of section 2.

**DIVISION IV
STANDARDS OF USE**

8. Any handicapped person who is the holder of an identification sticker or any person who is authorized to act for the account of a public institution shall respect the following standards of use:

(1) inform the Société of any change of address within 30 days following the change;

(2) inform the Société of the destruction, loss or theft of the identification sticker and the attestation certificate accompanying it immediately;

(3) return the identification sticker and attestation certificate accompanying it to the Société where their use is no longer required or where the holder does not comply with the standards provided for in section 2 or 5, as the case may be;

(4) not allow the identification sticker and the attestation certificate accompanying it to be used by another person or for the account of another institution;

(5) hang the sticker from the rear-view mirror of the road vehicle, only when the vehicle is parked in a space reserved for handicapped persons, in such a manner that the sticker is visible from the outside;

(6) have in his possession the attestation certificate while using the identification sticker.

**DIVISION V
PERIOD OF VALIDITY**

9. The identification sticker and the attestation certificate accompanying it are valid for a 5-year period.

The period of validity of an identification sticker and of the attestation certificate accompanying it begins on the date it is issued and ends on one of the following dates:

(1) the last day of the month in which the holder has his birthday following the fifth year after the date of issue where the holder is a handicapped person;

(2) 31 October following the fifth year after the date of issue where the holder is a public institution.

**DIVISION VI
FINAL**

10. This Regulation replaces:

(1) the Regulation respecting removable stickers issued to handicapped persons made by Order in Council 1824-88 dated 7 December 1988;

(2) the Regulation respecting identification stickers issued to handicapped persons and to public institutions made by Order in Council 1689-87 dated 4 November 1987.

11. This Regulation comes into force on 30 June 1998.

2142

Draft Regulation

An Act respecting private education
(R.S.Q., c. E-9.1; 1997, c. 87)

Definition of resident in Québec

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 respecting the definition of resident in Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to define the expression “resident in Québec” for the purposes of the Act respecting private education. Consequently, a private educational institution will have to charge a financial contribution to a student who is not a resident in Québec and who is not exempt from paying it under the budgetary rules established annually by the Minister of Education under sections 84 and 84.1 of that Act.

To date, study of the matter has revealed no impact on businesses.

Further information may be obtained by contacting Mr. Jean-Yves Marquis, Director of the Direction de l’enseignement collégial privé et coordination interne, Ministère de l’Éducation, 1035, rue De La Chevrotière, 19^e étage, Québec (Québec) G1R 5A5; tel.: (418) 646-1328.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

PAULINE MAROIS,
Minister of Education

Regulation respecting the definition of resident in Québec

An Act respecting private education
(R.S.Q., c. E-9.1, s. 111; 1997, c. 87, s. 32)

1. For the purposes of the Act respecting private education (R.S.Q., c. E-9.1), “resident in Québec” means a student who is a Canadian citizen or a permanent resident within the meaning of the Immigration Act (R.S.C., 1985, c. I-2) and who is in one of the following situations:

(1) he was born in Québec or was adopted by a person who was residing in Québec at the time of the adoption;

(2) one of his parents or his sponsor resides in Québec;

(3) his parents or sponsor are deceased and one of his parents or his sponsor was residing in Québec at the time of the death;

(4) he keeps his residence in Québec even though his parents or sponsor no longer reside in Québec;

(5) Québec is the last place where he has resided for 12 consecutive months without pursuing full-time studies during that period;

(6) he holds a selection certificate issued under section 3.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2) or has been residing in Québec for at least 3 months without having resided in another province for more than 3 months and his parents or sponsor do not have their residence elsewhere in Canada; or

(7) his spouse was or is residing in Québec according to the criteria listed in subparagraphs 1 to 6.

For the purposes of the first paragraph, the term “parents” means the student’s father and mother and the term “sponsor” means a Canadian citizen or a permanent resident, excluding the father, mother or spouse, who sponsors the application for landing of a permanent resident within the meaning of the Immigration Act.

2. This Regulation comes into force on 1 July 1998.

2147

Erratum

Erratum

O.C. 334-98, 18 March 1998

**An Act establish the Commission des lésions
professionnelles et modifiant certaines dispositions
législatives (1997, c. 27)**

**An Act respecting the implementation to the Act
respecting administrative justice (1997, c. 43)**

— **Coming into force**

Gazette officielle du Québec, April 1, 1998, Vol-
ume 130, Number 14, page 1452.

The above-mentioned Order in Council, which con-
stitutes the coming into force of certain legislative pro-
visions, should have appeared under the “Coming into
force of Acts” heading and not under the “Regulations
and other acts” heading.

2146

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

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