

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 130
13 May 1998
No. 20

Summary

Table of Contents
Acts 1998
Coming into force of Acts
Regulations and other acts
Draft Regulations
Municipal Affairs
Erratum
Index

Legal deposit — 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 1998

All rights reserved in all countries. No part of this publication may be translated, used or reproduced by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Acts 1998

416	An Act to amend the Transport Act and the Act respecting transportation by taxi	1799
	List of Bills sanctioned	1797

Coming into force of Acts

625-98	Protection of persons whose mental state presents a danger to themselves or to others, An Act respecting the... — Coming into force	1805
--------	--	------

Regulations and other acts

572-98	Government and public employees retirement plan, An Act respecting the... — Pension Plan of Certain Teachers, An Act respecting... — Temporary measures	1807
577-98	Supplemental pension plans (Amend.)	1808
593-98	Professional Code — Notaries — Other terms and conditions for permits to be issued	1810
594-98	Professional Code — Nursing assistants — Code of ethic (Amend.)	1814
599-98	Health services and social services for Cree Native persons, An Act respecting... — Regional councils and public institutions — Executive directors	1817
600-98	Health services and social services for Cree Native persons, An Act respecting... — Regional councils and public institutions and private institutions — Officers	1818
619-98	Income security (Amend.)	1819
	Designate breast cancer detection centres	1820
	Designate breast cancer detection centres — Outaouais	1820
	Procedure before the Régie du logement	1821

Draft Regulations

Development of wildlife — Scale of fees and duties		1823
Hunting		1823
Income security		1983
Income security		1984
Public Service Act — Holding of competitions		1985
Sale of livestock by auction		1987
Standards of forest management for forests in the public domain		1988
Tariff in criminal matters		1988

Municipal Affairs

575-98	Granting of letters patent to amend the charter of Ville de Saint-Jérôme	1991
576-98	Correction to the Order in Council concerning the amalgamation constituting the Municipalité de Rawdon	1991

Erratum

French-language and English-language school boards — Establishment 1993

PROVINCE OF QUÉBEC

2nd SESSION

35th LEGISLATURE

QUÉBEC, 21 APRIL 1998

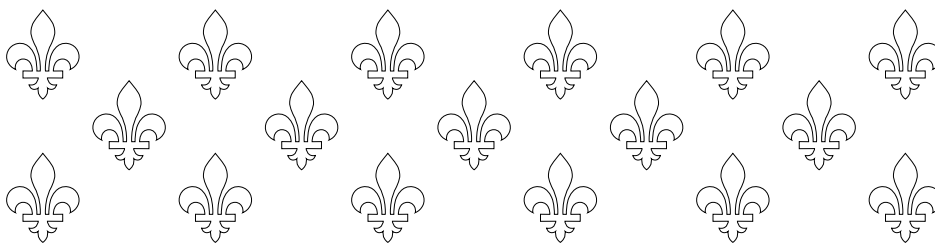
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 21 April 1998

This day, at five minutes past four o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to sanction the following bill:

416 An Act to amend the Transport Act and the Act respecting transportation by taxi

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



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 416
(1998, chapter 8)

An Act to amend the Transport Act and the Act respecting transportation by taxi

Introduced 1 April 1998
Passage in principle 9 April 1998
Passage 21 April 1998
Assented to 21 April 1998

**Québec Official Publisher
1998**

EXPLANATORY NOTES

This bill amends the Transport Act and the Act respecting transportation by taxi to define the jurisdiction of the Commission des transports du Québec concerning the fixing of transportation tariffs and tariffs for private transportation by taxi, and to empower the Government to limit the Commission's power to fix tariffs.

The bill also contains a provision to validate the existing tariffs fixed by the Commission pursuant to the Transport Act and the Act respecting transportation by taxi.

The bill also includes technical and consequential amendments.

Bill 416

AN ACT TO AMEND THE TRANSPORT ACT AND THE ACT RESPECTING TRANSPORTATION BY TAXI

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 5 of the Transport Act (R.S.Q., chapter T-12) is amended

(1) by striking out paragraph *h* ;

(2) by striking out “prescribe, in respect of any activity, service or territorial division, that rates and tariffs are governed by a procedure of filing with the Commission, and determine the modalities of such procedure and the rules applicable to their coming into force, and” in paragraph *i*.

2. Section 32 of the said Act is amended by striking out paragraph 4.

3. Section 46 of the said Act is replaced by the following :

“**46.** The Commission may, by regulation, fix tariffs in the matters governed by subparagraphs *b* and *d* of the first paragraph of section 2.

The Commission may also fix a tariff in respect of one or more specific carriers, at the request of those carriers.

The Government may limit the powers of the Commission to fix tariffs. It may, in particular, with regard to a given service or territory, determine that the tariffs are to be fixed by the carriers concerned and filed with the Commission; where such is the case, the Government shall determine by regulation the procedure applicable to the filing of a tariff and the conditions subject to which the tariff comes into force.

“**46.1.** A draft regulation under section 46 is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., chapter R-18.1).

The fixing of tariffs by regulation is, however, subject to prior consultation. For that purpose, a notice shall be published in a daily newspaper inviting interested persons to present their observations.”

4. Section 47 of the said Act is repealed.

5. Section 74.2 of the said Act is replaced by the following :

“74.2. A carrier who requires or accepts remuneration for transportation services that differs from the applicable tariff is guilty of an offence and liable to the fine provided for in section 74, and to an additional fine corresponding to the difference between the remuneration that gave rise to the proceedings and the tariff applicable.”

6. Section 42 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1) is amended

(1) by replacing the first paragraph by the following:

“42. The Commission shall, by regulation, fix tariffs for private transportation by taxi that may vary according to the territory concerned. The tariffs fixed by the Commission shall not apply in the territory of a regional authority that has fixed tariffs itself pursuant to section 62.

The Government may limit the power of the Commission to fix tariffs.”;

(2) by replacing “second” in the last paragraph by “third”.

7. The said Act is amended by inserting, after section 42.1, the following:

“42.2. A draft regulation under section 42 is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., chapter R-18.1).

The fixing of tariffs is, however, subject to prior consultation. For that purpose, a notice shall be published in a daily newspaper inviting interested persons to present their observations.”

8. Section 45 of the said Act is repealed.

9. Section 60 of the said Act is amended

(1) by striking out subparagraph 14.1 of the first paragraph;

(2) by replacing subparagraph 23 of the first paragraph by the following:

“(23) prescribe the obligation to post up in each taxi the tariffs applicable to private transportation;”.

10. Section 68 of the said Act is amended

(1) by striking out subparagraph 3 of the first paragraph;

(2) by striking out the second paragraph.

11. Section 70 of the said Act is amended by replacing “42, 43, 45, 46,” by “43,”.

12. The said Act is amended by inserting, after section 70.1, the following :

“**70.1.1.** Subject to the third paragraph of section 42, a carrier who requires remuneration for private transportation by taxi that differs from the tariff fixed by the Commission is guilty of an offence and liable to a fine of \$75 to \$1,400.”

13. The expressions “rates and scales”, “rates and tariffs” and “fares and scales” are replaced by “tariffs”

(1) in section 3 and the heading of subdivision 4 of Division V of the Transport Act;

(2) in sections 42.1, 44, 46, 47, 48.0.1, subparagraph 17 of the first paragraph of section 60, subparagraphs 4 and 10 of the first paragraph of section 62 and section 94.1 of the Act respecting transportation by taxi.

The words “rates and” are struck out in subparagraph 3 of the second paragraph of section 48.3 of the Transport Act.

14. The tariffs fixed by the Commission des transports du Québec under the Transport Act (R.S.Q., chapter T-12) and the Act respecting transportation by taxi (R.S.Q., chapter T-11.1) are valid.

The tariffs have effect from the date initially provided for their coming into force.

15. This Act comes into force on 21 April 1998.

Coming into force of Acts

Gouvernement du Québec

O.C. 625-98, 6 May 1998

**An Act respecting the protection of persons
whose mental state presents a danger to themselves
or to others (1997, c. 75)
— Coming into force**

COMING INTO FORCE of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others

WHEREAS the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (1997, c. 75) was assented to on 18 December 1997;

WHEREAS section 61 of the Act provides that its provisions come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix the date of coming into force of all the provisions of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others;

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

THAT 1 June 1998 be the date of coming into force of all the provisions of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (1997, c. 75).

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

2215

Regulations and other acts

Gouvernement du Québec

O.C. 572-98, 29 April 1998

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1)

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

Temporary measures

Regulation respecting temporary measures for members of the Pension Plan of Certain Teachers and of the Government and Public Employees Retirement Plan

WHEREAS the first paragraph of section 35.2 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), enacted by section 9 of Chapter 50 of the Statutes of 1997, provides that a person who meets the requirement of paragraph 1 of section 35.1 of the Act respecting the Pension Plan of Certain Teachers and who is eligible for a pension before 2 July 1997 under Division II.2 of Chapter V of that Act may cease to participate in the plan, retire and avail himself of the provisions of that division not later than 2 July 1997 or if he has sent to the Commission, within 30 days from the date of receipt of a statement of his benefits under the plan sent by the Commission for the application of the measures provided for in that division, an application for an estimate of his pension, at the end of a 30-day period after the date of receipt of an estimate of his pension made by the Commission, whichever is later.

WHEREAS the first paragraph of section 85.23 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 28 of Chapter 7 of the Statutes of 1997 and amended by section 35 of Chapter 50 of the Statutes of 1997, provides that an employee who meets the requirements of subparagraphs 1 to 3 of the first paragraph of section 85.22 of the Act respecting the Government and Public Employees Retirement Plan and who is eligible for a pension before 2 July 1997 under the provisions of Chapter V.2 of Title I of the Act may cease to participate in the plan, retire and avail himself of the provisions of that chapter not later than 2 July 1997 or if he has sent to the Commission, within 30 days from the date of receipt of a statement of his benefits under the plan sent by the Commission for the application of the measures pro-

vided for in that chapter, an application for an estimate of his pension at the end of a 30-day period after the date of receipt of an estimate of his pension made by the Commission, whichever is later;

WHEREAS the first paragraph of section 215.11.2 of the Act respecting the Government and Public Employees Retirement Plan, enacted by section 53 of Chapter 50 of the Statutes of 1997, provides that an employee who meets the requirements of subparagraphs 1 to 3 of the first paragraph of section 215.11.1 of the Act respecting the Government and Public Employees Retirement Plan and who is eligible for a pension before 1 October 1997 under Title IV.1.1 of that Act may cease to participate in the retirement plan provided for in that Act, retire and avail himself of the provisions of that title not later than 1 October 1997 or if he has sent to the Commission, within 30 days from the date of receipt of a statement of his benefits under the plan and an estimate of his pension sent by the Commission for the application of the measures provided for in that title, an application for redemption of years or parts of years of service, at the end of a 30-day period after the date of receipt of a new estimate of his pension with a redemption proposal made by the Commission, whichever is later;

WHEREAS the second paragraphs of sections 35.2, 85.23 and 215.11.2 provide that the Government may, by regulation, determine the cases, terms and conditions according to which a person or an employee may avail himself of the provisions of section III.2 of Chapter V of the Act respecting the Pension Plan of Certain Teachers or of Chapter V.2 of Title I of the Act respecting the Government and Public Employees Retirement Plan on a date subsequent to 2 July 1997, or the provisions of Title IV.1.1 of that Act on a date subsequent to 1 October 1997;

WHEREAS it is expedient to make such a regulation;

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

THAT the Regulation respecting temporary measures for members of the Pension Plan of Certain Teachers and of the Government and Public Employees Retirement Plan, attached hereto, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting temporary measures for members of the Pension Plan of Certain Teachers and of the Government and Public Employees Retirement Plan

An Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1, s. 35.2; 1997, c. 50, s. 9)

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10, s. 85.23 and 215.11.2; 1997, c. 7, s. 28; 1997, c. 50, ss. 35 and 53)

1. A person who could have availed himself, before 3 July 1997, of the provisions of section III.2 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), enacted by section 9 of Chapter 50 of the Statutes of 1997 or of Chapter V. 2 of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 28 of Chapter 7 of the Statutes of 1997 and amended by sections 34 to 39 of Chapter 50 of the Statutes of 1997, as the case may be, may cease to participate in the plan, retire and avail himself of these provisions not later than at the end of a 30-day period after the date of receipt of an estimate of his pension made by the Commission administrative des régimes de retraite et d'assurances, in the following cases:

(1) a person who was at least 65 years of age before 3 July 1997 and is eligible for a departure incentive program;

(2) a person who turned 50 on 2 July 1997 and who applied to the Commission for an estimate of his pension not later than 30 days after the receipt of a statement of his benefits under the plan sent by the Commission after 2 July 1997 for the purposes of these provisions;

(3) an employer who sent to the Commission, before 15 May 1997, an application for the estimate of an employee's pension for the purposes of these provisions;

(4) a person who sent to the Commission, before that date, an application for redemption of years or parts of years of service within the scope of these provisions;

(5) a person who made an application, before 15 April 1998, for the review of a decision by the Commission rejecting an application for redemption of years or parts of years of service within the scope of these provisions and where the decision was reversed by means of review or arbitration;

(6) a person who filed an application for redemption of years or parts of years of service carried out as a lay teacher in a hospital nursing school in Québec within 30 days of the receipt of a notice from the Commission informing him that an application for redemption could be made pursuant to section III.2 of the Act respecting the Pension Plan of Certain Teachers and who agreed to the resulting redemption proposal within 30 days;

2. A person who could have availed himself, before 2 October 1997, of the provisions of Title IV.1.1 of the Act respecting the Government and Public Employees Retirement Plan, enacted by section 53 of Chapter 50 of the Statutes of 1997, may cease to participate in the plan, retire and avail himself of the provisions not later than at the end of a 30-day period after the date of receipt of an estimate of his pension by the Commission if he made an application, before 15 April 1998, for the review of a decision of the Commission rejecting an application for redemption of years or parts of years of service within the scope of these provisions and where the decision was reversed by means of review or arbitration.

3. This Regulation comes into force on the date it is made by the Government.

2235

Gouvernement du Québec

O.C. 577-98, 29 April 1998

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Supplemental pension plans — Amendments

IN THE MATTER OF the Regulation to amend the Regulation respecting supplemental pension plans

WHEREAS in accordance with paragraph 4 of the first paragraph of section 244 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1), amended by section 16 of the Act to amend the Act respecting the Québec Pension Plan and the Supplemental Pension Plans Act in order to facilitate phased retirement and early retirement (1997, c. 19), the Régie des rentes du Québec may, by regulation, determine for the application of section 92 of the Act, the conditions for replacing a pension, the terms and conditions of the contract constituting the replacement pension as well as the methods, assumptions, rules and factors applicable to the calculation of the maximum annual amount of the replacement pension;

WHEREAS in accordance with the third paragraph of section 244 of the Supplemental Pension Plans Act, such regulations must be submitted to the Government for approval;

WHEREAS on 20 March 1998, the Régie adopted the Regulation to amend the Regulation respecting supplemental pension plans;

WHEREAS in accordance with section 12 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation may be approved without being the object of the prepublication provided for in section 8 of the Act where the approving authority is of the opinion that the urgency of the situation so warrants;

WHEREAS in accordance with section 13 of the Act, the reason that justifies dispensing with prepublication must be published with such regulation;

WHEREAS in the Government's opinion, dispensing with prepublication is justified by the urgency arising from the following circumstances:

— the measures proposed are intended to correct errors noted in the regulatory provisions that the said measures amend and which prevent the regulation now in effect from having full effect;

— publishing the draft regulation would have the result of delaying the application of some of the measures proposed although the draft provides that those measures have effect as from 1 January 1998;

— the proposed regulation corrects regulatory provisions that prevent parties deprived of adequate incomes from receiving a temporary income from their life income funds;

— several financial institutions are requesting the correction of the regulatory provisions in question;

WHEREAS it is expedient to approve the Regulation hereto attached;

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

THAT the Regulation to amend the Regulation respecting supplemental pension plans, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting supplemental pension plans*

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1, s. 244, 1st par., par. 4; 1997, c. 19, s. 16)

1. Section 19.2 of the Regulation respecting supplemental pension plans is amended:

(1) by replacing, in the part of the first paragraph preceding paragraph 1, the words “receive annually” by the words “, during a fiscal year of the life income fund, receive on application”;

(2) by replacing paragraph 2 of the first paragraph by the following paragraph:

“(2) 75 % of the purchaser's income for the 12 months that follow, excluding the income provided for in this section.”.

2. The first paragraph of section 20 and section 20.1 of the Regulation are amended by replacing the definition beginning with “A” by the following definition:

““A” represents the maximum temporary income for the fiscal year determined in accordance with section 20.4 or 20.5 or, if no amount was determined, the figure zero;”.

3. The Regulation is amended by adding, after section 20.4, the following section:

“**20.5.** The financial institution determines the maximum temporary income for the fiscal year of the life income fund following presentation of an application in accordance with section 19.2. The said income shall be equal to the product of multiplying the maximum monthly payment set in accordance with section 19.2 by the number of months remaining in the year as of the first day of the month of the application or, where the purchaser is entitled, for that month, to a temporary income by reason of a prior application, as of the first day of the following month; the product is increased where necessary by any income provided for in section 19.2 and paid to the purchaser during the year but prior to payment of the income payable as a consequence of the application

* The last amendment to the Regulation respecting supplemental pension plans, approved by Order in Council 1158-90, dated 8 August 1990 (*G.O.* 1990, 2, 2318), was made by the regulation approved by Order in Council 1681-97, dated 17 December 1997 (*G.O.* 1997, 2, 6329). For earlier amendments see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 March 1998.

and reduced by any income paid to the purchaser, during the same period, from another life income fund.

The maximum temporary income for the fiscal year may not be less than zero.”

4. Section 22.2 of the Regulation is amended by adding, at the end, the words “or 0.9.1, as the situation requires”.

5. Schedule 0.5 of the Regulation is amended by replacing the declaration therein by the following declaration:

“I declare:

(1) that the income whose payment I shall receive during the next 12 months, other than the temporary income of which I am applying for payment from the life income fund with respect to which I am making this declaration, is \$ _____;

(2) that I am not a party to any other contract establishing a life income fund;

(3) that a total of \$ _____ has been paid to me during the current year from the life income funds to which I have been party, other than the one with respect to which I am making this declaration, and that the said total included _____ \$ that was paid to me in the form of a temporary income.”

6. Schedule 0.9 of the Regulation is amended by replacing the title by the following title:

“DECLARATION OF THE PURCHASER WHEN TRANSFERRING SUMS TO A LIFE INCOME FUND (purchaser aged 54 years or over at the end of the year preceding the year of the transfer)”.

7. The Regulation is amended by inserting, after schedule 0.9, the following schedule:

“SCHEDULE 0.9.1
(s. 19.2)

DECLARATION OF THE PURCHASER WHEN TRANSFERRING SUMS TO A LIFE INCOME FUND (purchaser aged under 54 years at the end of the year preceding the year of the transfer)

I declare:

(1) that since the beginning of the current year, I have not received any temporary income from a life income fund other than the one concerned by this declaration;

(2) that, of the total of \$ _____ transferred to the life income fund concerned by the present declaration, a sum of \$ _____ does not come directly or indirectly from a life income fund established by a contract to which I have been party during the current year.

_____ Date

_____ Signature

NOTE: Whosoever makes a false declaration with the intention of obtaining an income payable from the life income fund mentioned in the declaration is subject to the penalties provided for in sections 257 and 262 of the Supplemental Pension Plans Act.”.

8. An application made in accordance with section 19.2 of the Regulation respecting supplemental pension plans prior to the coming into force of this regulation may be entertained provided the purchaser presents to the financial institution a declaration in conformity with the one prescribed in schedule 0.5 as amended by section 5.

9. This regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* with the exception of sections 1 to 3 and 5, which have effect from 1 January 1998.

2229

Gouvernement du Québec

O.C. 593-98, 29 April 1998

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

Notaries

— Other terms and conditions for permits to be issued

Regulation respecting other terms and conditions for permits to be issued by the Chambre des notaires du Québec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Chambre des notaires du Québec may, by regulation, determine the other terms and conditions for issuing permits, specialist’s certificates or special authorizations, in particular the obligation to serve the periods of professional training;

WHEREAS under paragraph *h* of section 94 of the Code, the Bureau may, by regulation, determine, among the professional acts that may be engaged in by mem-

bers of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of the same section, and the terms and conditions on which such persons may engage in such acts;

WHEREAS the Bureau made the Regulation respecting conditions for admission to the notarial profession (R.R.Q., 1981, c. N-2, r. 6) and amended it by the Regulations approved by Orders in Council 817-84 dated 4 April 1984 and 1432-95 dated 1 November 1995;

WHEREAS it is expedient to replace that Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in the *Gazette officielle du Québec* of 9 April 1997 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Code, the Office des professions du Québec made its recommendations;

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 Regulation respecting other terms and conditions for permits to be issued by the Chambre des notaires du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting other terms and conditions for permits to be issued by the Chambre des notaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 94, pars. *h* and *i*)

DIVISION I COMMITTEE ON PERIODS OF PROFESSIONAL TRAINING

1. The Bureau of the Chambre des notaires du Québec shall assign responsibility for periods of professional

training to a committee made up of at least 4 members whose president must be a member of the Bureau.

2. The quorum of the committee shall be the majority of its members. Decisions shall be taken by a majority vote of the members present.

3. In case of a vacancy or if a member is unable to act, the Bureau shall fill the vacancy or replace the member for the remainder of his term.

4. The committee is responsible for the administration of periods of professional training and shall report to the Bureau with respect to that matter.

DIVISION II ELIGIBILITY FOR THE PERIOD OF PROFESSIONAL TRAINING

5. The committee shall admit to the period of professional training a candidate who:

(1) holds a diploma recognized by the Government, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), as giving access to the permit issued by the Chambre, or who holds a diploma equivalence or a training equivalence under a regulation made and approved pursuant to paragraph *c* of section 93 of the Code;

(2) at least 90 days before the beginning of the period of training, filled out and forwarded to the secretary of the committee an application for registration on a form supplied by the Bureau with the required documents attached; and

(3) paid the fees payable under a resolution adopted by the Bureau under paragraph 8 of section 86.0.1 of the Code.

6. Any candidate who is eligible for the period of training shall complete such period within 2 years following obtention of a diploma or of a diploma or training equivalence referred to in paragraph 1 of section 5.

Notwithstanding the foregoing, a candidate who demonstrate to the committee that he was unable to complete such period of training within the prescribed time period because of illness, an accident, pregnancy or superior force shall be granted additional time equivalent to the time during which he was unable to complete his period of training, but without exceeding 3 years. The same applies to a candidate who is pursuing graduate studies.

DIVISION III**OBJECTIVES OF AND CONDITIONS APPLICABLE TO THE PERIOD OF PROFESSIONAL TRAINING**

7. The objectives of the period of professional training are as follows:

- (1) the assimilation of theoretical knowledge;
- (2) the acquisition of the skills required for the practice of the notarial profession;
- (3) the development of professional competency; and
- (4) the integration of the preventive dimension into the practice of the notarial profession.

8. The period of training shall consist of 32 consecutive weeks of full-time employment of a nature compatible with the objectives of the period of training, which are described in section 7. The period of training shall also include, during the same lapse of time, compulsory participation in the activities of the professional program described in section 16.

A period of training may not begin before the date determined by the committee.

During the period of training, a trainee may be absent for a period not exceeding 10 working days, failing which he shall, in accordance with section 17, file with the committee a written request, with reasons, for interruption of his period of training.

9. A candidate may carry out part of his period of training, not to exceed 3 months, outside Québec, provided that the objectives described in section 7 are met.

10. A period of training shall be completed under the supervision of a tutor, who shall meet the following conditions:

- (1) have been entered on the roll of the Chambre for at least 5 years and have practised the profession in a position of a nature compatible with the objectives of the period of training described in section 7, on a full-time basis for the past 5 years;
- (2) not, in the past 5 years, have had a penalty imposed on him by the committee on discipline of the Chambre, other than the penalty provided for in subparagraph *a* of the first paragraph of section 156 of the Professional Code, or by the Professions Tribunal;
- (3) not, in the 5 years preceding the date of the beginning of that period of training, have been required to

complete a refresher training period pursuant to the Regulation respecting refresher training periods for notaries, approved by Order in Council 1363-94 dated 7 September 1994; and

(4) have paid all duties, fees or assessments due to the Chambre.

11. A notary interested in acting as a tutor shall apply to the committee in writing.

Authorization to act as a tutor shall be granted by the committee for 3 years and may be withdrawn at any time by the committee, if it considers that the tutor does not perform his duties in accordance with section 12.

12. The tutor shall contribute to the training of every trainee for whom he is responsible. He shall supervise the trainee daily in the work environment. The tutor shall, in particular:

- (1) facilitate the trainee's integration into the work environment;
- (2) inform the trainee of the functioning of the work environment and of the resources available;
- (3) determine the trainee's duties, specifying the work methods to be used and the deadlines to be met;
- (4) help the trainee to organize his work and introduce him to office management;
- (5) allow the trainee to progressively perform certain professional acts in part and eventually in full;
- (6) carry out periodic evaluations of the work performed by the trainee; and
- (7) contribute to evaluating the trainee's attainment of his training objectives.

Where a candidate carries out part of his period of training outside Québec in accordance with section 9, the tutor must, in particular during that period, require from the trainee at least once a month, a detailed report on the activities carried out outside Québec.

13. Before beginning his period of training, a candidate shall obtain the committee's approval of his training plan. The committee shall issue a notary trainee's card where the requirements of this Regulation are met. Such card attests to the trainee's entitlement to use the title of notary trainee and is valid for the duration of the period of training. The candidate shall not begin his period of training before obtaining his card.

14. The committee shall also appoint a supervisor for each trainee and tutor. Several trainees and tutors may be under the supervision of the same supervisor.

15. The supervisor shall, in particular:

(1) support the trainee in his integration into the work environment;

(2) provide the pedagogical support needed by the trainee and tutor for whom he is responsible;

(3) prepare and conduct certain activities of the professional program;

(4) evaluate trainees in the professional program;

(5) jointly with the tutor, carry out the periodic evaluation of the trainee during the period of training; and

(6) jointly with the tutor, carry out the final evaluation of the trainee in the case of an on-the-job period of training.

16. The professional program of the period of training shall comprise the following activities:

(1) at least 5 integration seminars consisting of group sessions lasting one day or less and completed, according to the trainee's needs, with correspondence activities; they shall be designed to help trainees understand the process involved in the period of training and to assimilate their practical experiences through discussion and collective study on the problematics found in the practice of the profession of notary;

(2) at least 15 analysis and synthesis sessions consisting of group sessions lasting at least one day and completed, according to the trainee's needs, by correspondence activities; they shall be designed to develop the professional behaviour and skills required in the practice of the profession of notary;

(3) individual sessions consisting of readings and exercises on notarial practice; and

(4) training activities carried out jointly by the supervisor and the tutor.

17. Upon request, with reasons, by the trainee or his supervisor, the committee may authorize:

(1) a change of tutor;

(2) an interruption in the period of training;

(3) modifications to the originally approved training plan; and

(4) cancellation of the period of training, where the elapsed portion does not exceed 8 consecutive weeks.

18. The committee shall cancel a trainee's card, where it considers that a period of training does not comply with the requirements of this Division.

Notwithstanding the foregoing, the committee shall give the parties concerned the opportunity to be heard before cancelling a card.

DIVISION IV PROFESSIONAL ACTS PERFORMED BY A TRAINEE

19. Under the authority and responsibility of the tutor, a trainee is authorized to perform the following acts:

(1) to keep records, accounting books and registers;

(2) to communicate with the clients of the tutor;

(3) to read aloud a notarial deed to the parties in accordance with section 42 of the Notarial Act (R.S.Q., c. N-2);

(4) to represent or assist a person before an organization where so authorized by law; and

(5) to assist the tutor in all aspects of the practice of his profession, but not to perform any professional acts that must be performed by a notary in the practice of his profession.

DIVISION V EVALUATION OF THE PERIOD OF TRAINING

20. Periods of training shall be evaluated according to criteria determined by the committee and designed to measure the attainment of the objectives described in section 7. A period of training is successfully completed if the trainee attains the expected level of mastery for each objective:

(1) level 3, applicable to the objectives mentioned in paragraphs 1 and 3 of section 7, requires that the trainee master the required qualifications and skills and that he be able to perform the duties without help or supervision;

(2) level 2, applicable to the objective mentioned in paragraph 2 of section 7, requires that the trainee demonstrate a satisfactory mastery of the required qualifica-

tions and skills, even if he periodically needs help or supervision; and

(3) level 1, applicable to the objective mentioned in paragraph 4 of section 7, requires that the trainee demonstrate a satisfactory mastery of the required qualifications and skills, even if he needs help or supervision to master the skill in its entirety.

A trainee who does not attain the expected level of mastery for any of the objectives described in section 7 fails the period of training.

21. Once the trainee has completed his period of training, the tutor and the supervisor shall each prepare a written evaluation report containing their individual evaluations.

The tutor shall evaluate the attainment of the objectives through the elements the trainee has learned in the work environment. The supervisor shall evaluate the attainment of the objectives for the whole program of training, including the professional program.

22. The tutor and the supervisor shall each provide a copy of their reports to the trainee and to the committee within 30 working days following the end of the period of training.

23. After studying each of the reports, the committee shall evaluate whether the trainee has passed the period of training and shall recommend to the Bureau that it issue a passing attestation or a notice of failure.

24. The committee's recommendation as to the passing or failure of a period of training shall include reasons and shall be sent to the trainee without delay.

25. Before recommending to the Bureau that it issue a notice of failure, the committee shall give the parties concerned the opportunity to be heard. The committee is not bound by any negative conclusions contained in the evaluation reports. The committee shall send the trainee, the tutor and the supervisor a written notice of the date and place of the hearing at least 15 working days in advance.

26. A trainee who fails a period of training shall repeat it in accordance with the conditions determined in this Regulation.

27. This Regulation applies to the periods of training in progress when it comes into force. Notwithstanding the foregoing, a candidate who, under the Regulation respecting conditions for admission to the notarial profession (R.R.Q., 1981, c. N-2, r. 6), has successfully

completed one or several activities of the professional program or the on-the-job period of training shall not have to repeat them and, in case of failure, will have to repeat only either the activity he has failed or the on-the-job period of training.

28. This Regulation replaces the Regulation respecting conditions for admission to the notarial profession.

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

2221

Gouvernement du Québec

O.C. 594-98, 29 April 1998

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

Nursing assistants

— Code of ethic
— Amendments

Regulation to amend the Code of ethics of nursing assistants

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau 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 that section, 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 all members of the order.

WHEREAS at its meeting of 22 May 1997, the Bureau of the Ordre des infirmières et infirmiers auxiliaires du Québec adopted the Regulation to amend the Code of ethics of nursing assistants;

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, by publishing it in the Order's periodical, that is, Santé Québec, Vol. 8, No. 1, Spring 1997, which is sent to all members;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published, in draft form, in Part 2 of the *Gazette officielle du Québec* of 3 September 1997, with a notice that it could be submitted to the Government for approval with or without amendment, upon the expiry of 45 days following 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 no 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 Regulation to amend the Code of ethics of nursing assistants, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of nursing assistants(*)

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

1. The Code of ethics of nursing assistants is amended by striking out the words "AND INTERPRETATION" in the title of Division I.

2. Section 1.01 is amended by striking out the word "professionnel" in paragraph *a* of section 1.01.

3. Section 1.02 is revoked.

4. The following is substituted for the title of subdivision 1 of Division IV:

"Acts derogatory to the dignity of the profession".

5. Section 4.01.01 is amended

(1) by substituting the following for the section preceding paragraph *a*:

"4.01.01 In addition to the acts referred to in section 59 of the Professional Code, an act referred to in section 59.1 of that Code and any act determined pursuant to paragraph 1 of the second paragraph of section 152 of that Code, the following acts are derogatory to the dignity of the profession:";

(2) by substituting the following for paragraph *j*:

"(j) communicating, without the prior written authorization of the syndic or assistant syndic, with a person who requested an inquiry or any person assisting him within the meaning of section 122.2 of the Code or with a witness summoned by the complainant pursuant to section 146 of the Code, where the nursing assistant is informed that he is the subject of an inquiry by the syndic of the Order, or an assistant syndic, pursuant to section 122 of the Professional Code or where notice of a complaint has been served on him in accordance with section 132 of the Code;"; and

(3) by adding the following after paragraph *j*:

* The Code of Ethics of nursing assistants (R.R.Q., 1981, c. C-26, r. 111) was last amended by section 457 of Chapter 40 of the Statutes of 1994. For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

“(k) voluntarily leaving without sufficient reason a patient requiring supervision or refusing without sufficient reason to provide care and not making sure that competent relief personnel will take over where the nursing assistant can reasonably ensure such relief;

(l) performing an act or behaving in a way that is contrary to what is generally admitted in the practice of the profession.”.

6. The following is substituted for section 4.02.02:

“**4.02.02** A member must promptly reply to any correspondence from the secretary of the Order, the syndic of the Order, the assistant syndic or the corresponding syndic, an expert appointed by the syndic, the Order’s professional inspection committee or a member, an investigator, an expert or an inspector of that committee.”.

7. Section 4.02.06 is revoked.

8. The following divisions are inserted after section 4.03.01:

**“DIVISION V
CONDITIONS, OBLIGATIONS AND
RESTRICTIONS RESPECTING ADVERTISING**

5.01.01 A member must use his name and professional title in all advertising.

5.01.02 Any advertising by a member must be of such a nature as to adequately inform persons who have no particular knowledge of the field referred to in the advertisement.

5.01.03 A member may not, in any way whatsoever, engage in or allow the use of advertising that is likely to unduly influence persons who may be physically or emotionally vulnerable because of their age, state of health or the occurrence of a specific event.

5.01.04 A member must avoid all advertising that is likely to tarnish the image of the profession or to impart to it a profit-seeking or commercial character.

5.01.05 A member must by no means engage in or allow the use of advertising that is false, incomplete, misleading or likely to mislead as to the professional services he provides or will be required to provide.

5.01.06 A member may not advertise miraculous treatment or care the scientific value or effectiveness of which is not recognized.

5.01.07 A member may not claim to possess specific qualities or skills in his advertising, particularly regard-

ing the efficiency or scope of his services or of those generally provided by the other members of his profession or regarding his competence, unless he can substantiate such claim.

In his advertising, a member may not attribute specific advantages or performance to products or services, claim that financial advantages will result from the acquisition or use of products or services or that they comply with an established standard, unless he can substantiate such claim.

5.01.08 A member may not in his advertising compare the quality of his services to the services rendered or that can be rendered by other members, nor may he discredit or denigrate the services rendered or that can be rendered by other members.

5.01.09 A member, in his advertising, may not use or allow the use of an endorsement or statement of gratitude he has received.

The first paragraph does not prevent a member from mentioning in his advertising an award for excellence or any other prize in recognition of a specific contribution or achievement.

5.01.10 A member who advertises costs or fees must:

(1) establish fixed amounts;

(2) specify the services included in those amounts;

(3) indicate whether disbursements are included in the amounts;

(4) indicate whether additional services are required and if they are included in the amounts.

All fixed amounts must remain in force for at least 30 days after the date on which the advertisement was last broadcast or published.

A member may however agree to an amount that is lower than that broadcast or published.

5.01.11 A member who uses the graphic symbol of the Order for advertising purposes other than business cards must include the following warning in the advertisement:

“This advertisement does not originate from and does not commit the liability of the Ordre des infirmières et infirmiers auxiliaires du Québec.”.

5.01.12 A member who uses the graphic symbol of the Order for advertising purposes, including business cards, may neither juxtapose the name of the Order with

the symbol nor use its name in any other way, except to indicate that he is a member of the Order.

5.01.13 A member must keep a complete copy, in paper or electronic form, of any advertisement for at least five years following the date it was last broadcast or published. That copy must be provided to the syndic of the Order upon request.”.

DIVISION VI

USE OF GRAPHIC SYMBOL OF THE ORDER

6.01.01 A member who reproduces the graphic symbol of the Order for any purpose whatsoever must ensure that it matches in every respect the original held by the secretary of the Order.”.

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

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 nursing assistants (R.R.Q., 1981, c. C-26, r. 119) ceases to have effect on the date of coming into force of this Regulation.

2222

Gouvernement du Québec

O.C. 599-98, 29 April 1998

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5)

Regional councils and public institutions — **Executive directors**

Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons

WHEREAS under section 154 of the Act respecting health services and social services (R.S.Q., c. S-5), the Government may, by regulation, determine the standards and scales to be followed by regional councils, public establishments and the private establishments contemplated in sections 176 and 177 for the remuneration

and other conditions of employment of the other staff members, taking account of the collective agreements in force;

WHEREAS the Government may also establish by regulation, for the persons contemplated in subparagraph 2 of the first paragraph of that section who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, non-renewal or termination of appointment other than cases resulting from proceedings for forfeiture of office. The regulation may also establish a procedure for the settlement of disagreements arising from the interpretation and implementation of the conditions of employment it determines. Finally, the regulation may prescribe the designation of an arbitrator and the measures that the arbitrator may take following the hearing of the parties;

WHEREAS it is expedient to make the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons;

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

THAT the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public institutions referred to in the Act respecting health services and social services for Cree Native persons

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5, s.154, 1st par., subpar. 1 and 2nd par.)

1. The provisions of the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional councils and of public health and social services institutions made by Order in Council 1217-96 dated 25 September 1996 and amended by the Regulations made by Orders in Council 243-97 dated 26 February 1997 and 925-97 dated 9 July 1997, where they concern the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal shall apply, mutatis mutandis, to the executive directors of regional councils and of public health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

2. For the purposes of this Regulation, sections 45 and 152 of the Regulation referred to in section 1 respecting group insurance plans come into force on 1 January 1997 and Divisions 2 and 3 of Chapter 3 respecting the adjustment of salary classes come into force on 1 January 1998.

3. For the purposes of this Regulation, the term “regional council of health and social services” is substituted for “regional board” wherever it appears in the Regulation mentioned in section 1.

4. This Regulation replaces

(1) the Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services for Cree Native persons made by Order in Council 1572-90 dated 7 November 1990 insofar as it is applicable to those directors general;

(2) Chapters 2, 3, 4, 6, 7, section 8 of Chapter 11 and Chapters 12 and 13 of the Regulation respecting certain conditions of employment applicable to directors general of regional councils and of public health and social services establishments made by Order in Council 1178-92 dated 12 August 1992.

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

2225

Gouvernement du Québec

O.C. 600-98, 29 April 1998

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5)

**Regional councils and public institutions and private institutions
— Officers**

Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons

WHEREAS under section 154 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), the Government may, by regulation, determine the standards and scales to be followed by regional councils, public institutions and the private institutions contemplated in sections 176 and 177, for the remuneration and other conditions of employment of the members of their staff, taking account of the collective agreements in force;

WHEREAS the Government may also establish by regulation, for the persons contemplated in subparagraph 2 of the first paragraph of that section who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, non-renewal or termination of appointment other than cases resulting from proceedings for forfeiture of office. The regulation may also establish a procedure for the settlement of disagreements arising from the interpretation and implementation of the conditions of employment it determines. Finally, the regulation may prescribe the designation of an arbitrator and the measures that the arbitrator may take following the hearing of the parties;

WHEREAS it is expedient to make the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons;

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

THAT the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional councils and public institutions and private institutions referred to in the Act respecting health services and social services for Cree Native persons

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5, s. 154, 1st par., subpar. 1 and 2nd par.)

1. The provisions of the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions made by Order in Council 1218-96 dated 25 September 1996 and amended by the Regulations made by Order in Councils 244-97 dated 26 February 1997 and 926-97 dated 9 July 1997, where they concern accessibility to positions, remuneration, group insurance plans, employment stability measures, apply, *mutatis mutandis*, to officers of regional councils and health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

2. For the purposes of this Regulation, sections 33 and 34.2 of the Regulation referred to in section 1 respecting group insurance plans come into force on 1 January 1997, sections 12 and 13 respecting the ad-

justment of salary classes come into force on 1 January 1998 and subdivision 2 of Division 4 of Chapter 3 respecting the change in the evaluation class for a position comes into force on 30 June 1996.

3. For the purposes of this Regulation, the expression “regional board” used in the Regulation referred to in section 1 is replaced by the expression “regional health and social services council” wherever it occurs.

4. This Regulation replaces:

(1) the Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services made by Order in Council 1572-90 dated 7 November 1990, insofar as it applies to those officers;

(2) Divisions 2 and 3 of Chapter 1, Chapters 3, 4, 8 and 10 as well as sections 207 and 236 of the Regulation respecting certain conditions of employment of officers of regional councils and of health and social services establishments made by Order in Council 988-91 dated 10 July 1991; and

(3) section 13 of the Regulation to amend the Regulation respecting certain conditions of employment of officers of regional councils and of health and social services establishments made by Order in Council 429-94 dated 23 March 1994.

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

2226

Gouvernement du Québec

O.C. 619-98, 6 May 1998

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

**Income security
— Amendments**

Regulation to amend the Regulation respecting income security

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

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of two draft regulations to amend the Regulation respecting income security were published in Part 2 of the *Gazette officielle du Québec* of 4 February 1998 and 18 February 1998, with a notice that they could be made by the Government upon the expiry of 45 days following their publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make only one Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting income security, attached hereto, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income security^(*)

An Act respecting income security (R.S.Q., c. S-3.1.1, s. 91, 1st par., subpars. 8, 15, 30, 2nd and 4th par.; 1997, c. 57, s. 58)

1. Section 52 of the Regulation respecting income security is amended by inserting the following after paragraph 19.1:

“19.2 up to an amount of \$100 per month, the support payments received by a family with at least one dependent child less than 5 years old on 30 September;”.

2. The Regulation is amended by inserting the following after section 80.2:

“**80.3** The reduction in benefits provided for in section 79 does not apply to a one-adult family that is considered to share a dwelling.”.

3. Section 93 of the Regulation is amended by deleting the second paragraph.

* For the amendments to the Regulation respecting income security made by Order in Council 922-89 dated 14 June 1989 (1989, G.O. 2, 2443), refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

4. Section 93.1 is amended by deleting item *iii* of subparagraph *b* of paragraph 1 of the first paragraph.

5. Sections 3 and 4 have effect from 1 January 1998.

6. This Regulation comes into force on 1 June 1998.

2231

M.O., 1998

Order of the Minister of Health and Social Services dated of 28 April 1998 to designate breast cancer detection centres

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

The Minister of Health and Social Services,

CONSIDERING that it is expedient to designate breast cancer detection centres under subparagraph *b.3* of the first paragraph of section 69 of Health Insurance Act (R.S.Q., c. A-29);

ORDERS:

THAT the following breast cancer detection centre be designated for the Outaouais region:

Centre hospitalier des Vallées de l'Outaouais
909, boulevard de la Vérendrye Ouest
Case postale 20
Gatineau (Québec)
J8P 7H2

Québec City, on 28 April 1998

JEAN ROCHON

2230

M.O., 1998

Order of the Minister of Health and Social Services to designate breast cancer detection centres, dated 24 April 1998

The Minister of Health and Social Services,

CONSIDERING that it is expedient to designate breast cancer detection centres under subparagraph *b.3* of the first paragraph of section 69 of Health Insurance Act (R.S.Q., c. A-29);

Orders:

1. That the following breast cancer detection centres be designated for the Estrie region:

Centre de radiologie de l'Estrie Inc.
4870, boulevard Bourque
Rock Forest (Québec)
J1N 3S5

Centre radiologique de Sherbrooke Inc.
250, rue King Est
Sherbrooke (Québec)
J1G 1A9

2. That the following breast cancer detection centres be designated for the Mauricie et du Centre-du-Québec region:

Centre hospitalier du Centre-de-la-Mauricie
50, 118^e Rue
Shawinigan-Sud (Québec)
G9P 4E7

Centre hospitalier régional de Trois-Rivières
731, rue Sainte-Julie
Trois-Rivières (Québec)
G9A 1Y1

Clinique radiologique des Bois-Francis Inc.
39, rue Laurier Est, appartement 6
Victoriaville (Québec)
G6P 6P6

Carrefour de santé et de services sociaux
de la Saint-Maurice
885, boulevard Ducharme
La Tuque (Québec)
G9X 3C1

Québec, 24 April 1998

JEAN ROCHON

2217

Regulation

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

Procedure before the Régie du logement — Amendments

Notice is hereby given that the Regulation to amend the Rules of procedure of the Régie du logement, the

text of which appears below, was adopted by the commissioners at the meeting held on 24 April 1998.

Pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation was published in part 2 of the *Gazette officielle du Québec* of 14 January 1998, with a notice that it could be enacted upon the expiry of 45 days following that publication.

FRANCE DESJARDINS,
*Chairperson of the
Régie du logement*

Regulation to amend the Rules of procedure of the Régie du logement*

An Act respecting the Régie du logement
(R.S.Q., c. R-8.1, s. 85)

1. Section 7 of the Rules of procedure of the Régie du logement is amended by substituting the following for the third paragraph:

“Where the attempt to effect service was made by a bailiff and was recorded in his certificate, the bailiff may, without authorization, serve the proceeding by leaving on the premises a copy of the written proceeding intended for the addressee.”.

2. Section 8 is amended:

(1) by substituting the following for the words “or the Information Necessary for Fixing the Rent Form appearing in:” in the part that precedes subparagraph 1 of the first paragraph “of the form he must complete to provide all the information necessary for fixing the rent, particularly the income and the operating and capital expenditures of the building.”;

(2) by deleting subparagraphs 1 to 6 of the first paragraph.

3. Schedules I to VI are revoked.

* The Rules of procedure of the Régie du logement, approved by the Minister responsible for the application of the Act respecting the Régie du logement on 23 November 1992 (1992, *G.O.* 2, 5055), were last amended by the regulation adopted by the commissioners of the Régie on 19 October 1995 (1995, *G.O.* 2, 3097). For previous amendments, refer to the «Tableau des modifications et Index sommaire», Éditeur officiel du Québec, 1997, updated to 1 September 1997.

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

2218

Draft Regulations

Draft Regulation

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Development of wildlife — Scale of fees and duties — Amendments

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

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 the Environment and Wildlife, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

PAUL BÉGIN,
Minister of the Environment and Wildlife

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife (*)

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 162, pars. 10 and 10.1)

1. The Regulation respecting the scale of fees and duties related to the development of wildlife is amended by inserting the following after subparagraph *c* of paragraph 1 of section 14:

* The Regulation respecting the scale of fees and duties related to the development of wildlife made by Order in Council 1291-91 dated 18 September 1991 (1991, *G.O.* 2, 3908) was last amended by Order in Council 308-98 dated 18 March 1998 (1998, *G.O.* 2, 1362). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

“(c.1) white-tailed deer elsewhere than in Area 20 and white-tailed deer, male or female whose antlers measure less than 7 cm valid for the southern part of Area 5, 6 or 8 \$3.25;”.

2. Schedule I is amended by inserting the following after paragraph *b* of section 2:

“

Section	Column I Type of licence	Column II Annual fee
2	(c) Elsewhere than in Area 20 and white-tailed deer, female or male whose antlers measure less than 7 cm valid for the southern part of Area 5, 6 or 8 for a resident	\$44.78

”.

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

2227

Draft Regulation

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Hunting — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting hunting, 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 increase the taking of white-tailed deer in Areas 5, 6 or 8 south without increasing the number of hunters. Its purpose is also to modify the moose hunting seasons of outfitting operations of exclusive rights to harmonize them with those of certain wildlife sanctuaries.

To that end, the draft provides the creation of a hunting licence for white-tailed deer, by a draw of lots, which allows for the killing of a second deer, in Areas 5, 6 or 8 south, provided that a deer without antlers be killed first. As for the outfitting operations with exclusive rights located in Areas 1, 10, 11, 12, 14, 15 and 18, they are paired, in principle, with the wildlife sanctuary having the longest moose hunting season and located in the same area.

To date, study of the matter has revealed some impact on the public, businesses and, in particular, small and medium-sized businesses. The number of hunters that may benefit from the licence authorizing the killing of 2 deer will be limited and those persons will benefit from the possibility of killing 2 deer elsewhere than in Area 20. As for the harmonization of the moose hunting seasons of outfitting operations with exclusive rights with those of certain wildlife sanctuaries, the vested rights of the clients of the wildlife sanctuaries shall be maintained and the number of clients for outfitting operations is likely to be increased.

Further information may be obtained by contacting:

Mr. Serge Bergeron
Ministère de l'Environnement et de la Faune
Service de la réglementation
150, boulevard René-Lévesque Est, 4^e étage, boîte 91
Québec (Québec)
G1R 4Y1

Telephone:(418) 643-4880
Fax:(418) 528-0834
Internet: serge.bergeron@mef.gouv.qc.ca

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 the Environment and Wildlife, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30^e étage, Québec (Québec) G1R 5V7.

PAUL BÉGIN,
Minister of the Environment and Wildlife

Regulation to amend the Regulation respecting hunting^(*)

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 56 and 162, pars. 5, 6, 8, 9 and 16)

1. The Regulation respecting hunting is amended by substituting “in paragraphs *c* and *d* of section 2” for “in paragraph *c* of section 2” in the second paragraph of section 12.

2. The following is substituted for subparagraph 4 of the first paragraph of section 22:

“(4) each of the licences provided for in paragraphs *a* and *c* or the licence provided for in paragraph *d* of section 2 of Schedule I;

(4.1) each of the licences provided for in sections 3 to 8 of Schedule I;”.

3. The following is inserted after the first paragraph of section 25:

“A resident may equally hunt the female white-tailed deer or the male with antlers measuring less than 7 cm with a type 2 implement in Area 5, 6 or 8 south indicated on the transportation coupon, if he holds the licence provided for in paragraph *d* of section 2 of Schedule I to which the transportation coupon is attached with a note indicating “deer without antlers”.”.

4. Section 26 is amended by inserting “and the number of hunting licences for white-tailed deer elsewhere than in Area 20 and for white-tailed deer, female or male, with antlers measuring less than 7 cm valid for Area 5, 6 or 8 south” in the first paragraph and after the words “type 2 implement”.

5. Section 27 is amended by inserting “in the parts of territories whose plans appear in Schedules XXXV to CXCI, moose hunting shall be governed by the provisions of Schedule III.1, subject to the second, third and fourth paragraphs and” after the words “notwithstanding the foregoing,” in the first paragraph.

* The Regulation respecting hunting, made by Order in Council 1383-89 dated 23 August 1989 (1989, *G.O.* 2, 3731) was last amended by Order in Council 1436-97 dated 5 November 1997 (1997, *G.O.* 2, 5610). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

6. The following is substituted for paragraph 1 of section 34:

“(1) 1 white-tailed deer in any area other than Area 20 for the holder of a licence provided for in paragraph *a* of section 2 of Schedule I or for the holder of each of the licences provided for in paragraphs *a* and *c* of section 2 of that Schedule;

(1.1) 2 white-tailed deer for the holder of a licence provided for in paragraph *d* of section 2 of Schedule I on the condition that a white-tailed deer, female or male, whose antlers measure less than 7 cm, in the area indicated on the transportation coupon bearing the notice “deer without antlers” be slaughtered first; failure to comply with that condition, the bag limit for that licence holder shall be that established in paragraph 1;”.

7. Schedule I is amended by inserting the following after paragraph *c* in section 2:

“

Section	Column I Type of licence	Column II Number of transportation coupons
	(<i>d</i>) white-tailed deer elsewhere than in Area 20 and white-tailed deer, female or male, whose antlers measure less than 7 cm valid for Area 5, 6 or 8 south, for a resident	2

“.

8. Schedule II is amended

(1) by substituting the following for section 1:

“1. For the hunting licence for white-tailed deer, female or male, whose antlers measure less than 7 cm with a type 2 implement:

Area	Number of licences
3, part described in Schedule X	550
4	1 600
5	0
6	0
8, southern part described in Schedule VI	0
9	0
10, except the part described in Schedule XVI	800
10, west, part described in Schedule XVI	2 200
11	500
	;

1.1 For the hunting licence for white-tailed deer elsewhere than in Area 20 and for white-tailed deer, female

or male, whose antlers measure less than 7 cm valid for Area 5, 6 or 8 south:

Area	Number of licences
5	5 200
6	10 000
8, the southern part described in Schedule VI	1 100
	;

9. The Regulation is amended by inserting Schedule III.1, attached to this Regulation, after Schedule III.

10. The Regulation is amended by adding Schedules XXXV to CXCI attached to this Regulation.

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

SCHEDULE III.1

(s. 27)

HUNTING SEASONS IN CERTAIN PARTS OF TERRITORIES

Column I Animal	Column II Type of implement	Column III Parts of territories	Column IV Hunting seasons
Moose	1	Parts whose plans appear in Schedules XXXV to XL	Season established for the Ashuapmushuan Wildlife Sanctuary ⁽¹⁾
		Part whose plan appears in Schedule XLI	Season established for the Chic-Chocs Wildlife Sanctuary ⁽¹⁾
		Parts whose plans appear in Schedules XLII to CXI, CXC, CXCI	Season established for the Laurentides Wildlife Sanctuary ⁽¹⁾
		Part whose plans appear in Schedules CXII to CLXXIX	Season established for the La Vérendrye Wildlife Sanctuary ⁽¹⁾
		Parts whose plans appear in Schedules CLXXX to CLXXXIX	Season established for the Papineau-Labelle Wildlife Sanctuary ⁽¹⁾

¹ The hunting seasons indicated in this column refer to the moose hunting seasons provided for in Schedule III to the Hunting in Wildlife Sanctuaries Regulation made by Order in Council 838-84 dated 4 April 1984 (1984, G.O. 2, 1494).

Draft Regulation

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

Income security — Amendments

Notice is hereby given, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting income security, the text of which appears below, may be made by the Government upon the expiry of 20 days following this publication.

The purpose of the amendments provided for in the draft Regulation is to increase the amounts of liquid assets of a family with dependent children for the purposes of determining its eligibility for income security and, where applicable, of calculating the amount granted for the month of its application.

The new amounts of liquid assets were established by taking into account family allowances paid to families under the Act respecting family benefits (1997, c. 57), as well as benefits that will be paid by the federal government, as of 1 July 1998, as National benefits for children.

Under section 12 of the Regulations Act, the draft Regulation may be made within a period shorter than the 45-day period by reason of the urgency due to the following circumstances:

— the amendments provided for in the draft Regulation should come into force rapidly in order to allow families who are already receiving family allowances to benefit as soon as possible from the bonuses of the draft Regulation; it must come into force at the same time as the new federal program of National benefits for children, that is 1 July 1998.

To date, study of the matter has revealed a positive impact on families with dependent children wishing to receive benefits from income security.

Further information may be obtained by contacting Ms. Geneviève Bouchard, Director, Politiques on income security, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1 (Telephone: (418) 646-2564; fax: (418) 643-0019).

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 20-day period, to the Minister of State for Employment and Solidarity and Minister of

Employment and Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

LOUISE HAREL,
*Minister of State for Employment and Solidarity
and Minister of Employment and Solidarity*

Regulation to amend the Regulation respecting income security^(*)

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpars. 3, 6.1, 8, 13 and 2nd par.; 1997, c. 57, s. 58)

1. Section 6.1 of the Regulation respecting income security is amended

(1) by substituting the following for the amounts of liquid assets listed in the table in the first paragraph: “\$712”, “\$1 037”, “\$1 237”, “\$1 061”, “\$1 278” and “\$1 478”;

(2) by substituting the following for the second and third paragraphs:

“Those amounts shall be increased by an amount of \$200 for the third dependent child and for each subsequent child.

Notwithstanding the foregoing, the liquid assets of a family where one of the adults is referred to in subparagraphs 6.1 and 6.2 of section 2 may not exceed \$323, which shall be increased by an amount of \$217 for the first dependent child and by \$200 for each subsequent child.

Those amounts shall also be increased by an amount of \$119 for any dependent minor child receiving an allowance for a handicapped child under the Act respecting family benefits (1997, c. 57).

In the case of an adult referred to in subparagraph 4 of section 2 or in section 4, the liquid assets he may have on the date of his application may not exceed the amount of \$148.”;

^{*} The Regulation respecting income security made by Order in Council 922-89 dated 14 June 1989 (1989, *G.O.* 2, 2443) was last amended by the Regulations made by Orders in Council 1232-97 dated 24 September 1997 (1997, *G.O.* 2, 4997) and 1556-97 dated 3 December 1997 (1997, *G.O.* 2, 5833). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

(3) by adding the following at the end: "The amounts of the cheques outstanding on the date of the application and intended to pay the rent, electricity and heating provided they are cashable during the month the application was made are also excluded."

2. The following is inserted after section 20:

"**20.1** For the purposes of section 20, an amount, established as follows, shall be subtracted from the liquid assets of a family with a dependent minor child on the date of the application:

Adults	Dependent children	Amount
1	1	\$325
1	2	\$525
2	1	\$217
2	2	\$417

The amount shall be increased by an amount of \$200 for the third dependent minor child and for each subsequent child.

Notwithstanding the foregoing, an amount of \$217 for the first dependent child and of \$200 for each subsequent child shall be subtracted from the liquid assets of a family where one of the adults is referred to in subparagraphs 6.1 and 6.2 of section 2.

An amount of \$119 shall also be subtracted from the liquid assets for any dependent minor child receiving an allowance for a handicapped child under the Act respecting family benefits."

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

2233

Draft Regulation

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

Income security — 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 income security, 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 amendments provided for in the draft Regulation is to limit certain effects of a transition

from a last resort assistance program to an active measure governed by Emploi-Québec.

More precisely, the amendments provide that a beneficiary who ceases to be eligible for a last resort assistance program because of his participation in a measure or employment assistance program may keep his claim booklet and continue to benefit from dental and pharmaceutical services. In addition, while keeping certain vested rights, it is proposed to revoke sections 7.1 and 13.2 of the Regulation respecting income security that have become obsolete. On the other hand, the amounts paid by Emploi-Québec as additional fees related to a participation in a measure or employment assistance program would not count. Finally, to avoid double coverage of the needs by Emploi-Québec and by a last resort assistance program, amendments are made in order to reduce certain special benefits granted under a last resort assistance program of any amount paid by Emploi-Québec to cover the same need.

Further information concerning the draft Regulation may be obtained by contacting Mr. Paul Dechêne, Direction générale des politiques, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1 (Telephone: (418) 646-1696; fax: (418) 644-1299).

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Employment and Solidarity and Minister of Employment and Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

LOUISE HAREL,
*Minister of State for Employment and Solidarity
and Minister of Employment and Solidarity*

Regulation to amend the Regulation respecting income security^(*)

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 25, 2nd par., s. 91, 1st par.,
subpars. 5, 8, 18, 40 and 2nd par.; 1997, c. 57, s. 58)

1. Sections 7.1 and 13.2 of the Regulation respecting income security are deleted.

2. Section 24 is amended

* For amendments to the Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 (1989, G.O. 2, 2443), refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 March 1998.

(1) by substituting “15” for “12” in subparagraph 1.1 of the first paragraph;

(2) by inserting the following after subparagraph 3 of the first paragraph:

“(4) for the entire duration of his participation in a measure or an employment assistance program where he ceases to be eligible for a last resort assistance program because of the amounts paid by Emploi-Québec, if he continues to participate in such a measure or program.”.

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

“If at the end of the period referred to in one of the subparagraphs of the first paragraph a beneficiary becomes eligible again for a last resort assistance program, the number of months of eligibility he accumulated in a last resort assistance program before the application of this paragraph shall remain the same at the time of his new application for eligibility, even if his eligibility was interrupted.”.

3. The following is inserted after section 41.1:

“**41.2** The amount of the special benefits referred to in sections 37, 39 to 41.1 shall be reduced of any amount granted by Emploi-Québec to cover the same need.”.

4. The following is substituted for paragraphs 13 and 14 of section 52:

“(13) amounts paid by the Minister and by Emploi-Québec as additional fees related to the participation in a measure or an employment assistance program;”.

5. The following is inserted after section 132.13:

“**132.14** The excluded work income referred to in sections 7, 8, 8.1, 9, 13, 14, 14.1 and 15 comprise the amounts paid by Emploi-Québec if the person was receiving, before 1 August 1998, financial assistance under Part II of the Employment Insurance Act for his participation in a measure or an employment assistance program. That exclusion shall apply for as long as that person continues, without interruption, to participate in that measure or program.

132.15 Paragraphs 13 and 14 of section 52, as they read before 1 August 1998, shall continue to apply with respect to a person having started, before 1 August 1998, a participation in the external manpower services program or in the young volunteers program as long as he continues, without interruption, to participate therein.”.

6. This Regulation comes into force on 1 August 1998.

Draft Regulation

Public Service Act
(R.S.Q., c. F-3.1.1)

Holding of competitions

— Amendments

Notice is hereby given, in accordance with section 50.1 of the Public Service Act (R.S.Q., c. F-3.1.1; 1996, c. 35), that the Regulation to amend the Regulation respecting the holding of competitions, the text of which appears below, may be made by the Conseil du trésor, with or without amendment, upon the expiry of 30 days following this publication.

The purpose of the draft Regulation is to make consequential amendments to take into account the fact that, since the abolition of the Office des ressources humaines, the Regulation respecting the holding of competitions is a Regulation of the Conseil du trésor. Given the intention of the Government to lighten the standards in human resources management, the purpose of the draft Regulation is to simplify and update certain provisions related to the conditions of eligibility, to calls for applications for the holding of competitions, to the evaluation of candidates and to the qualifications list.

Further information may be obtained by contacting Mr. André Bazinet, Secrétariat du Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8, telephone: (418) 528-6462 or fax: (418) 646-8131.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 30-day period, to the Minister for Administration and the Public Service and Chairman of the Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8.

JACQUES LÉONARD,
*Minister for Administration and
the Public Service and Chairman
of the Conseil du trésor*

Regulation to amend the Regulation respecting the holding of competitions(*)

Public Service Act

(R.S.Q., c. F-3.1.1, s. 50.1, subpars. 1°, 2°, 3° and 5°; 1996, c. 35, s. 7)

1. The following is substituted for section 1 of the Regulation respecting the holding of competitions:

“**1.** This Regulation applies to competitions for recruitment and promotion held under the Public Service Act (R.S.Q., c. F-3.1.1).”

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

“**2.** The responsibilities for the holding of a competition may, in whole or in part, be assumed by an evaluation committee or resource person. The evaluation committee or resource person shall make recommendations in writing.”

3. Sections 3 and 6 are revoked.

4. The following is substituted for section 7:

“**7.** The eligibility for a competition may be restricted to a geographical area by taking the following criteria into consideration:

1° the mobility of the available labour force;

2° the appeal on a sufficient number of eligible candidates;

3° the specifications of the position to be filled.”

5. The following is substituted for the first paragraph of section 8:

“**8.** In the case of a competition for promotion, the eligibility may be restricted, by considering the criteria listed in section 7, to those persons belonging to the administrative unit for which the competition is held and to those persons on an availability list who would belong to that administrative unit had they not been placed on an availability list.”

6. The following is substituted for section 10:

“**10.** Notwithstanding section 9, for recruitment purposes and under the circumstances mentioned in an equal opportunity program, the eligibility of a person covered in the program may not be restricted because he belongs to a geographical area other than the geographical area listed in the conditions of eligibility.

For the promotion and under the circumstances mentioned in an equal opportunity program, the eligibility of a person covered in the program may not be restricted because he belongs to an administrative unit other than the one listed in the conditions of eligibility.”

7. Sections 13, 14 and 15 are revoked.

8. Section 18 is amended:

1° by striking out the words “The Office”;

2° by adding the following after the first paragraph:

“Applications received after the closing date by reason of the postal service or any unforeseen event causing a delay in the delivery of the document shall be considered.”

9. Sections 19 and 23 are revoked.

10. The following is substituted for section 25:

“**25.** For a competition, only the knowledge of a second language may be a criterion for disqualifying applicants where that skill is considered essential to the carrying out of certain duties of the position.”

11. Section 27 is amended by substituting the words “of one year” for “of 180 days”.

12. Section 28 is amended by substituting the words “the following criteria shall be considered” for the words “the Office shall consider the following”.

13. Sections 30, 31 and 35 are revoked.

14. Section 36 is amended by substituting the words “a person authorized to do so” for the words “the Office”.

15. The following is substituted for section 37:

“**37.** A qualifications list is valid for one year from the date it comes into force. Notwithstanding the foregoing, a person authorized to approve that list may extend the validity thereof beyond the prescribed period, each extension period lasting one year, by taking into consideration:

(*) The only amendments to the Regulation respecting the holding of competitions, made by Order in Council 2290-85 dated 7 November 1985 (1985, *G.O.* 2, 4072) were made by the Regulation made by Order in Council 1678-88 dated 9 November 1988 (1988, *G.O.* 2, 3873).

1° the number of qualified applicants who have not yet been chosen;

2° the foreseeable number of positions to be filled;

3° the appropriateness of the evaluation procedure used in relation to the type of position.”.

16. Section 39 is amended by inserting the words “or laid off” after the word “dismissed” in the second paragraph.

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

2216

Draft Regulation

Animal Health Protection Act
(R.S.Q., c. P-42)

Sale of livestock by auction — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the sale of livestock by auction, 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 withdraw, from the conditions to be met for obtaining a permit to operate an establishment used to sell livestock by auction, the conditions obliging an operator to forward to the Minister security guaranteeing the payment of the sale proceeds and a fire insurance certificate. These obligations will be provided for in a Regulation made under the Act respecting the marketing of agriculture, food and fish products (R.S.Q., c. M-35.1, s. 149), whose draft was published in the French edition of the *Gazette officielle du Québec* of 20 August 1997, on page 5520.

The draft Regulation also intends to exclude from the regulatory obligations imposed on operators of such establishments those related to the opening and keeping of a special trust account.

Therefore, the purpose of these amendments is to exclude commercial or financial obligations from the current Regulation in order to place more emphasis on sanitary and health protection obligations.

The draft Regulation will have a positive impact on small and medium-sized businesses, since it proposes to reduce the number of obligations.

Further information may be obtained by contacting M. Robert Clermont, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, Direction de l'épidémiologie, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6; tel.: (418) 646-8083, fax: (418) 644-3049.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

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

Regulation to amend the Regulation respecting the sale of livestock by auction(*)

Animal Health Protection Act
(R.S.Q., c. P-42, s. 45)

1. Sections 13, 13.1, 15 to 18, 30, 36, 37 to 52.1 and Schedules 4 and 7.1 to the Regulation respecting the sale of livestock by auction are revoked.

2. Section 14 is amended:

(1) by substituting “\$323” for “\$300” in the first paragraph;

(2) by substituting “From 1 January 1999, the fees provided for in the first paragraph shall be indexed on 1 April of each year” for “From 1 January 1994, the fees provided for in the first paragraph shall be indexed on 1 January of each year”, in the second paragraph.

3. Section 43 is amended by substituting the figure “35” for the figure “36”.

4. Section 59 is amended by substituting “or 19 to 46” for “13, 13.1, 15 to 17, 19 to 46 or 48 to 52”.

5. Schedule 1 is amended by substituting “and 4” for “, 4, 15, 16, 30 and 52.1” in the first paragraph of Part D.

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

2214

* The Regulation respecting the sale of livestock by auction (R.R.Q., 1981, c. P-42, r. 4) was last amended by the Regulation made by Order in Council 1830-93 dated 15 December 1993 (1993, *G.O.* 2, 7013). For previous amendments, refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1997, updated to 1 September 1997.

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Standards of forest management for forests in the public domain — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting standards of forest management for forests in the public domain, 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 Regulation is to make a correction to the English text of section 7 which is not consistent with the French text.

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 Associate Deputy Minister for Forests, Mr. Jacques Robitaille, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

GUY CHEVRETTE,
*Minister of State for
Natural Resources and
Minister of Natural
Resources*

JEAN-PIERRE JOLIVET,
*Minister for Electoral
and Parliamentary
Reform, Regional
Development and Forests*

Regulation to amend the Regulation respecting standards of forest management for forests in the public domain(*)

Forest Act
(R.S.Q., c. F-4.1, s. 171)

1. The English text of section 7 of the Regulation respecting standards of forest management for forests in the public domain is amended by substituting the words “an intermittent” for the words “a permanent”.

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

2220

Draft Regulation

Criminal Code
(R.S.C., 1985, c. C-46, subsection 840(2); S.C., 1997, c. 18, s. 114)

Tariff in criminal matters

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Tariff in criminal matters, 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 prescribe that all or part of the fees and allowances mentioned in the Schedule to Part XXVII of the Criminal Code shall not be taken or allowed in this province in proceedings before summary conviction courts and before justices under that part of the Criminal Code, and to prescribe that other fees and allowances for any items similar to those mentioned in the Schedule, or any other items, will be taken or allowed instead.

The adoption of a tariff in criminal matters will update the fees and allowances exigible in criminal proceedings instituted by way of summary conviction under Part XXVII of the Criminal Code. The proposed tariff will result in an increase in the costs that a person will have to pay if convicted.

Further information may be obtained by contacting Mr. Conrad Breton, Direction générale des services de justice, 1200, route de l'Église, 7^e étage, Sainte-Foy (Québec) G1V 4M1; tel.: (418) 644-7703, fax: (418) 644-9968.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1.

SERGE MÉNARD,
Minister of Justice

* The Regulation respecting standards of forest management for forests in the public domain was made by Order in Council 498-96 dated 24 April 1996 (1996, *G.O.* 2, 2164) and has not been amended since then.

Tariff in criminal matters

Criminal Code
(R.S.C., 1985, c. C-46; S.C., 1997, c. 18)

1. The fees and allowances mentioned in the Schedule to Part XXVII of the Criminal Code and prescribed under section 840 of that Code shall not be taken or allowed in Québec in proceedings before summary conviction courts and before justices and are instead replaced by the following:

(1) fees and allowances that may be charged by summary conviction courts and justices:

(a) for the issue of a summons or a warrant for arrest in first instance or to confirm an appearance notice, a promise or a recognizance to appear \$26.00;

(b) for a promise made or a recognizance entered into before a justice for the purposes of provisional release \$26.00;

(c) for a warrant of committal upon conviction, a remand warrant or a warrant for arrest for failure to appear in or to attend court \$26.00;

(d) for each witness summoned \$12.00;

(e) for a subpoena to a witness where the court finds that the testimony could have been given by filing a document in lieu of testimony, in addition to the costs provided for in a tariff of court costs for the subpoena and travel expenses of witnesses \$31.00;

(f) for filing a motion or application in writing.... \$16.00;

(g) for an adjournment granted at the defendant's request \$23.00;

(h) for a conviction following an *ex parte* hearing or a plea of guilty \$46.00;

(i) for a judgment convicting the defendant, rendered during a contested trial \$71.00;

(j) for a copy of an audio or video tape or another object that cannot be photocopied, the actual cost;

(k) for a notice to the Société de l'assurance automobile du Québec of any conviction or any order prohibiting driving \$26.00;

(2) fees and allowances that may be granted to bailiffs:

(a) for service of a summons, a subpoena to witness and any notice, the tariff prescribed in the Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r. 3, as amended);

(b) for the arrest or imprisonment of a person, except for default of payment of a fine (subsection 734 (7)) and for the execution of a warrant for witness, the Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r. 3, as amended).

2. The amounts mentioned in this Regulation shall be increased on 1 April 1999 and thereafter every 3 years on 1 April, as follows:

(1) where the amount applicable on the preceding 31 March is equal to or greater than \$35, it shall be increased on the basis of the cumulative rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada for a 3-year period ending on 31 December of the preceding year;

(2) where the amount applicable on the preceding 31 March is less than \$35, the increase shall be carried out by applying to the amount exigible on the date of coming into force of this Regulation the cumulative rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada for the period beginning on 1 January of the year preceding the year of the coming into force of such provision and ending on 31 December of the year preceding that increase.

The amounts indexed in the prescribed manner shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister of Justice shall inform the public, through the *Gazette officielle du Québec* and by such other means as he considers appropriate, of the indexing calculated under this section.

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

Municipal Affairs

Gouvernement du Québec

O.C. 575-98, 29 April 1998

Cities and Towns Act
(R.S.Q. c. C-19)

Granting of letters patent to amend the charter of Ville de Saint-Jérôme

WHEREAS under section 3 of the Cities and Towns Act (R.S.Q., c. C-19), the Government may grant letters patent to replace in whole or in part the provisions of the charter of a municipality by those of that Act, or to strike from its charter any provision;

WHEREAS a petition was made by the council of Ville de Saint-Jérôme for amendments to its charter;

WHEREAS that petition requests the striking out of certain provisions in the charter considered obsolete or superfluous or their replacement by the corresponding provisions in the Cities and Towns Act;

WHEREAS the formalities prescribed by section 3 of the Cities and Towns Act have been followed;

WHEREAS it is expedient to grant the petition;

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

THAT, by the granting of letters patent, the provisions listed in the Schedule to this Order in Council be, as the case may be, struck out or replaced by the corresponding provisions in the Cities and Towns Act.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

SCHEDULE

1. Provisions replaced by the corresponding provisions in the Cities and Towns Act (R.S.Q., c. C-19);

Replaced provisions in the charter of Ville de Saint-Jérôme	Corresponding provisions in the Cities and Towns Act
--	---

1950, c. 103, s. 30	section 319
1950, c. 103, s. 45	pars. 23.1 and 40 of s.412
1950, c. 103, s. 46	section 459
1950, c. 103, s. 53	par. 27 of section 413
1953-54, c. 77, s. 4	section 435
1955-56, c. 84, s. 4	par. 3 of section 460
1958-59, c. 73, s. 6	section 461

2. Struck out provisions

— sections 7, 8, 9, 10, 41, 47, the second and third paragraphs of section 55 and section 56 of Chapter 103 of the Statutes of 1950;

— section 7 of Chapter 77 of the Statutes of 1951-52;

— section 5 of Chapter 73 of the Statutes of 1958-59.

2224

Gouvernement du Québec

O.C. 576-98, 29 April 1998

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

Correction to the Order in Council concerning the Amalgamation constituting the Municipalité de Rawdon

WHEREAS Order in Council 122-98 concerning the Amalgamation of the Village and the Canton de Rawdon was made on 4 February 1998;

WHEREAS an evident omission appears in that Order in Council;

WHEREAS section 214.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9) allows the Government to correct such an error;

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

THAT section 5 of the operating clauses of Order in Council 122-98 dated 4 February 1998 concerning the Amalgamation of the Village and the Canton de Rawdon be amended by inserting the following paragraph between the second and third paragraphs:

“Notwithstanding the alternation provided for in the first paragraph, the mayor of the former Canton de Rawdon retains the qualifications required to act as warden of the regional county municipality”.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

2223

Erratum

Erratum

O.C. 1281-97, September 1997

Education Act
(R.S.Q., c. I-13.3)

French-language and English-language school boards — Establishment

Gazette officielle du Québec, Part 2, Laws and Regulations, Volume 129, Number 42, 8 October 1997, page 5115.

The date of adoption of O.C. 1281-97 concerning the Regulation respecting the establishment of French-language and English-language school boards should read “1 October 1997” not “September 1997”.

2238

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Animal Health Protection Act — Sale of livestock by auction (R.S.Q., c. P-42)	1987	Draft
Charter of Ville de Saint-Jérôme, Granting of letters patent to amend the... (Cities and Towns Act, R.S.Q., c. C-19)	1991	
Cities and Towns Act — Granting of letters patent to amend the charter of Ville de Saint-Jérôme (R.S.Q., c. C-19)	1991	
Conservation and development of wildlife, An Act respecting the... — Development of wildlife — Scale of fees and duties (R.S.Q., c. C-61.1)	1823	Draft
Conservation and development of wildlife, An Act respecting the... — Hunting (R.S.Q., c. C-61.1)	1823	Draft
Criminal Code — Tariff in criminal matters (R.S.C., 1985, c. 46)	1988	Draft
Designate breast cancer detection centres (Health Insurance Act, R.S.Q., c. A-29)	1820	N
Designate breast cancer detection centres — Outaouais (Health Insurance Act, R.S.Q., c. A-29)	1820	N
Development of wildlife — Scale of fees and duties (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1823	Draft
Education Act — French-language and English-language school boards — Establishment (R.S.Q., c. I-13.3)	1993	Erratum
Forest Act — Standards of forest management for forests in the public domain . . (R.S.Q., c. F-4.1)	1988	Draft
French-language and English-language school boards — Establishment (Education Act, R.S.Q., c. I-13.3)	1993	Erratum
Government and public employees retirement plan, An Act respecting the... Temporary measures (R.S.Q., c. R-9.1)	1807	N
Health Insurance Act — Designate breast cancer detection centres (R.S.Q., c. A-29)	1820	N
Health Insurance Act — Designate breast cancer detection centres — Outaouais (R.S.Q., c. A-29)	1820	N
Health services and social services for Cree Native persons, An Act respecting... — Regional councils and public institutions and private institutions — Officers . . . (R.S.Q., c. S-5)	1818	N
Health services and social services for Cree Native persons, An Act respecting... — Regional councils and public institutions — Executive directors (R.S.Q., c. S-5)	1817	N

Holding of competitions (Public Service Act, R.S.Q., c. F-3.1.1)	1985	Draft
Hunting (An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)	1823	Draft
Income security (An Act respecting income security, R.S.Q., c. S-3.1.1)	1819	M
Income security (An Act respecting income security, R.S.Q., c. S-3.1.1)	1983	Draft
Income security (An Act respecting income security, R.S.Q., c. S-3.1.1)	1984	Draft
Income security, An Act respecting... — Income security (R.S.Q., c. S-3.1.1)	1819	M
Income security, An Act respecting... — Income security (R.S.Q., c. S-3.1.1)	1983	Draft
Income security, An Act respecting... — Income security (R.S.Q., c. S-3.1.1)	1984	Draft
List of Bills sanctioned	1797	
Municipal territorial organization, An Act respecting... — Correction to the Order in Council concerning the amalgamation constituting the Municipalité de Rawdon (R.S.Q., c. O-9)	1991	
Notaries — Other terms and conditions for permits to be issued (Professional Code, R.S.Q., c. C-26)	1810	N
Nursing assistants — Code of ethic (Professional Code, R.S.Q., c. C-26)	1814	M
Pension Plan of Certain Teachers, An Act respecting... — Temporary measures (R.S.Q., c. R-10)	1807	N
Procedure before the Régie du logement (An Act respecting the Régie du logement, R.S.Q., c. R-8.1)	1821	N
Professional Code — Notaries — Other terms and conditions for permits to be issued (R.S.Q., c. C-26)	1810	N
Professional Code — Nursing assistants — Code of ethic (R.S.Q., c. C-26)	1814	M
Protection of persons whose mental state presents a danger to themselves or to others, An Act respecting the... — Coming into force (1997, c. 75)	1805	
Public Service Act — Holding of competitions (R.S.Q., c. F-3.1.1)	1985	Draft
Rawdon, Municipalité de... — Correction to the Order in Council concerning the amalgamation (An Act respecting municipal territorial organization, R.S.Q., c. O-9)	1991	
Régie du logement, An Act respecting the... — Procedure before the Régie du logement (R.S.Q., c. R-8.1)	1821	N

Regional councils and public institutions and private institutions — Officers . . . (An Act respecting health services and social services for Cree Native persons, R.S.Q., c. S-5)	1818	N
Regional councils and public institutions — Executive directors (An Act respecting health services and social services for Cree Native persons, R.S.Q., c. S-5)	1817	N
Sale of livestock by auction (Animal Health Protection Act, R.S.Q., c. P-42)	1987	Draft
Standards of forest management for forests in the public domain (Forest Act, R.S.Q., c. F-4.1)	1988	Draft
Supplemental pension plans (Supplemental pension plans Act, R.S.Q., c. R-15.1)	1808	M
Supplemental pension plans Act — Supplemental pension plans (R.S.Q., c. R-15.1)	1807	M
Tariff in criminal matters (Criminal Code, R.S.C., 1985, c. 46)	1988	Draft
Temporary measures (An Act respecting Pension Plan of Certain Teachers, R.S.Q., c. R-10)	1807	N
Temporary mesures (An Act respecting the Government of public employees retirement plan, R.S.Q., c. R-9.1)	1807	N
Transportation by taxi, An Act to amend the Transport Act and the Act respecting... (1998, Bill 416)	1799	

