

Gazette officielle du Québec

Part 2 Laws and Regulations

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Regulations and other acts

Gouvernement du Québec

O.C. 642-98, 13 May 1998

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

Student transportation — Amendments

Regulation to amend the Regulation respecting student transportation

WHEREAS under section 453 of the Education Act (R.S.Q., c. I-13.3), the Government may regulate student transportation to determine the stages of the process for awarding contracts, provide restrictions and conditions, to limit the carriers with whom a school board may make agreements, to prescribe the minimum stipulations required to be included in a contract and establish standards in respect of its duration;

WHEREAS the Regulation respecting student transportation was made by Order in Council 647-91 dated 8 May 1991;

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

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication where the authority that has made it is of the opinion that the urgency of the situation in the requires it;

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

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and the coming into force of the Regulation on the date of its publication in the *Gazette officielle du Québec*:

— since 1 April 1998, the Minister of Education is now responsible for student transportation;

— the new contracts must be negotiated in May and June 1998 in order to be entered into no later than 1 July 1998 which is, under section 13 of the Education Act, the first day of the school year;

— certain contracts may be subject to the public tenders procedure prescribed by regulation, which is likely to cause delay;

— those contracts must be approved at the last meeting of the council of commissioners of each school board, held each year at the end of June;

WHEREAS it is expedient to amend the Regulation respecting student transportation to increase to 5 school years the maximum duration of a contract for the transportation of students, to amend the method for indexing those contracts and to provide that new school boards may negotiate contracts for the transportation of students by agreement on the basis of contracts already entered into by existing school boards for the 1997-1998 school year;

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

That the Regulation to amend the Regulation respecting student transportation, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting student transportation (*)

Education Act
(R.S.Q., c. I-13.3, s. 453, 1st par.)

1. The Regulation respecting student transportation is amended by inserting the following after section 15:

* The Regulation respecting student transportation, made by Order in Council 647-91 dated 8 May 1991 (1991, *G.O.* 2, p. 1699), was last amended by the Regulation made by Order in Council 754-97 dated 4 June 1997 (1997, *G.O.* 2, p. 2497). For previous amendments, refer to the "Tableau des modifications et Index sommaire", Éditeur officiel du Québec, 1998, updated to 1 March 1998.

“**15.1** The provisional council of a new school board within the meaning of paragraph 2 of section 509 of the Education Act is authorized to negotiate a contract by agreement with a carrier, before proceeding with public tenders, if the following conditions are met:

(1) for the 1997-1998 school year, that carrier has entered into a contract for the transportation of students with an existing school board within the meaning of paragraph 1 of section 509 of the Act, whose territory wholly or partly coincides with that of the new school board; and

(2) most of the transportation stipulated in a contract referred to in paragraph 1 takes place on the territory of the new municipality.”.

2. The following section is inserted after section 16:

“**16.1** A new school board that avails itself of section 15.1 is not authorized to negotiate with the carrier a contract that would increase, on its territory, the total number of buses or minibuses required from the carrier under the contracts referred to in paragraphs 1 and 2 of section 15.1, except:

(1) where the contract is for the transportation of handicapped students or for the transportation of students with social maladjustments and learning disabilities where that transportation must be provided by means of a bus or minibus adapted to such transportation; or

(2) where the contract provides for the addition of one vehicle only and was previously offered on the same conditions to any carrier one contract of which for a bus or minibus was cancelled during the preceding school year or was not renewed for a reason not related to the quality of service by an existing school board whose territory wholly or partly coincides with that of the new school board.

3. The following is inserted after section 17:

“**17.1** After the regular period of classes has begun, a new school board is authorized, notwithstanding sections 13, 14, 15.1 and 16.1, before proceeding with public tenders to meet new transportation requirements not anticipated at the beginning of that period, to negotiate a contract by agreement with a carrier to which it was bound by a contract entered into in accordance with section 15.1.

However, the contract thus negotiated may not result in an increase in the total number of buses or minibuses required from that carrier under section 16.1, except:

(1) where the contract is for the transportation of handicapped students or for the transportation of students with social maladjustments and learning disabilities where that transportation must be provided by means of a bus or minibus adapted to such transportation;

(2) where the contract is granted for a period not exceeding 40 days and may not be renewed;

(3) where the contract takes effect only from the first day of December following the beginning of the regular period of classes; or

(4) where the contract provides for the addition of one vehicle only and was previously offered on the same conditions to any carrier one contract of which for a bus or minibus was cancelled during the preceding school year or was not renewed for a reason not related to the quality of service by an existing school board whose territory wholly or partly coincides with that of the new school board.”.

4. The words and numbers “, paragraph 2 of section 16.1, subparagraph 4 of the second paragraph of section 17 or subparagraph 4 of the second paragraph of section 17.1” are substituted for “and of subparagraph 4 of the second paragraph of section 17” in the first paragraph of section 18.

5. The numbers “16 to 17.1” are substituted for “16 and 17” in section 19.

6. The number “17.1” is substituted for “17” in section 20.

7. The following is substituted for section 33:

“**33.** A contract referred to in sections 31 and 32 must also, where its duration exceeds one year, contain a clause stipulating that the price of the contract must be adjusted annually according to the variation of the consumer price index between 1 January and 31 December of the preceding school year in Canada, as indicated in the publication by Statistics Canada, “Consumer prices and price indexes”, catalog number 62-001.

The duration of a contract for the transportation of students may not exceed 5 school years.”.

8. The word “paragraph” is substituted for the words “and second paragraphs” in the first paragraph of section 34.

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

Gouvernement du Québec

O.C. 649-98, 13 May 1998

An Act respecting the civil aspects of international and interprovincial child abduction in the Republic of South Africa and the Republic of Georgia (R.S.Q., c. A-23.01)

Application of the Act respecting the civil aspects of international and interprovincial child abduction in the Republic of South Africa and the Republic of Georgia

WHEREAS section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01) provides that the Government, upon the recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Affairs, shall designate by order published in the *Gazette officielle du Québec* any State, province or territory in which he considers that Québec residents may benefit from measures similar to those set out in this Act;

WHEREAS that section also provides that the order shall indicate the date of the taking of effect of the Act for each State, province or territory designated in it;

WHEREAS the Republic of South Africa and the Republic of Georgia acceded to the Convention respecting the civil aspects of international child abduction on 1 October 1997;

WHEREAS under article 38 of that Convention, the accession of a State has effect only as regards the relations between the acceding State and such Contracting States as have declared their acceptance of the accession;

WHEREAS the Government considers that the Republic of South Africa and the Republic of Georgia are States in which Québec residents may benefit from measures similar to those set out in the Act respecting the civil aspects of international and interprovincial child abduction from the date of coming into force of the Convention between those States and Québec;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice and the Minister of International Relations:

THAT the Gouvernement du Québec accept the accession of the Republic of South Africa and the Republic of Georgia to the Convention respecting the civil aspects of international and interprovincial child abduction;

THAT the Republic of South Africa and the Republic of Georgia be designated as States in which the Act respecting the civil aspects of international and interprovincial child abduction applies;

THAT the Act take effect, with regard to those States, on a later date to be fixed by the Government.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 662-98, 13 May 1998

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

Société de l'assurance automobile du Québec
— **Processing of a claim for compensation or application for review**
— **Recovery of sums owed**

Regulation respecting the processing of a claim for compensation or application for review and recovery of sums owed to the Société de l'assurance automobile du Québec

WHEREAS under paragraphs 20, 24 and 25 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), the Société de l'assurance automobile du Québec may make regulations on matters referred to therein;

WHEREAS the Société made the Regulation respecting the processing of a claim for compensation or application for review and recovery of sums owed to the Société de l'assurance automobile du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 January 1998, with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with an amendment with respect to its date of coming into force;

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

THAT the Regulation respecting the processing of a claim for compensation or application for review and

recovery of sums owed to the Société de l'assurance automobile du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting the processing of a claim for compensation or application for review and recovery of sums owed to the Société de l'assurance automobile du Québec

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 20°, 24°, 25°)

DIVISION I GENERAL RULES

1. A Claim for Compensation or an Application for Review is made on a form supplied by the Société for that purpose, and signed by the claimant. An Application for Review must indicate the main reasons for challenging a decision.

2. A claim or an application is deemed to be filed with the Société on the date it is received at a Société office.

3. When a claim or an application is filed after the time period allowed under the Automobile Insurance Act (R.S.Q., c. A-25), the claimant must include a signed, written statement setting forth the reasons preventing him from acting before the time limit.

4. If a time limit occurs on a day on which the offices of the Société are closed, the time limit is extended to the following working day.

5. No document submitted shall be rejected because of faulty drafting or a procedural irregularity.

6. Before making a decision, the Société shall ensure that the claimant has had an opportunity to make known his observations and complete his case.

7. A claim or application may be withdrawn or modified at any time by means of an express notice to that effect. When this notice is given verbally, the Société shall take note and provide written confirmation of this to the claimant.

8. The Société shall send a decision in writing and the reasons for it to the claimant by mail, in care of his last address on record at the Société. A review decision shall be sent by certified or registered mail or priority post.

9. In the event of an interruption in postal service, the Société may use another method of conveyancing.

10. At the Société's request, a person acting as the agent of a claimant must produce a written statement, authorizing him to act as representative.

11. As soon as the Société is advised of the name of a representative, it shall provide the agent with a copy of all written communications it sent to the person represented.

12. The Société's officer responsible for rendering a decision on a claim for compensation or application for review, as the case may be, must withdraw where there is reasonable fear of bias, due to, in particular:

(1) a conflict of pecuniary interest;

(2) the existence of a personal, family, social, professional or business relationship with the claimant or an interested party;

(3) the officer's being or having been an interested party in an application for review or claim for compensation involving a matter like the one in question;

(4) the officer's public statements or prior positions in direct connection with a case;

(5) manifestations of hostility or interest in favouring a claimant or interested party.

DIVISION II RULES CONCERNING THE REVIEW OF A DECISION

13. Upon receipt of an application for review, the Société shall communicate with the claimant:

(1) to provide necessary information on the Automobile Insurance Act as well as the review process and its role;

(2) to provide assistance in completing the review file;

(3) to clarify, where necessary, the decision challenged, reasons for the challenge and the end sought.

14. The review officer shall reexamine the relevant aspects of a case and the grounds for an initial decision, taking into consideration the observations of the claimant and any interested party along with additional documentation they submit to complete a case.

The review officer shall communicate with the claimant or any other person likely to shed light on a case.

15. Where the Société deems it necessary to ensure that a claimant has had the opportunity to present observations, it may decide to hold a hearing, in which event the claimant shall be notified in advance of the time and place of the hearing.

16. If the persons notified of a hearing are not present, the Société may proceed with a review of the decision on the basis of information already on file.

17. At any time before rendering its decision, the review officer may, on his own initiative, order an assessment by a health care professional.

The Société must forward a copy of the assessment report to the persons concerned, and allow them to present their observations concerning the report.

DIVISION III RECOVERY OF SUMS OWED TO THE SOCIÉTÉ

18. Where a person has received compensation to which he or she is not entitled, the Société may, without prejudice to any legal recourse, deduct the amount of the debt from any amount due to that person, in the following manner:

(1) if the amount due is an indemnity payable every fourteen days, the Société may:

(a) reduce the amount of compensation by a percentage of 50 % until the sum owed is repaid in full;

(b) reduce the amount of compensation by a percentage than that indicated in subparagraph *a* where the consents to this or where it appears impossible to the entire sum owed because of the amount and foreseeable length of compensation payments;

(2) where the amount due is not compensation payable every days, the Société may subtract the sum owed from that amount pay any difference.

DIVISION IV COMING INTO FORCE

19. This regulation replaces the Regulation respecting the rules of evidence and procedure before the Société de l'assurance automobile du Québec and recovery of sums owed to the Société, approved by Order in Council 1924-89 dated 13 December 1989.

20. Claims and applications already submitted to the Société when this regulation comes into force shall be processed under its provisions.

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

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Gouvernement du Québec

O.C. 663-98, 13 May 1998

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

Demerit points — Amendments

Regulation to amend the Regulation respecting demerit points

WHEREAS under paragraph 9 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation establish a system of demerit points on the basis of which the Société de l'assurance automobile du Québec cancels a licence or suspends the right to obtain a licence; the system shall include a list of offences and the corresponding number of demerit points for each offence and determine the total number of demerit points entered in a person's file that entails the sending of a notice, the cancellation of a licence or the suspension of the right to obtain a licence;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting demerit points was published in Part 2 of the *Gazette officielle du Québec* of 12 November 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient that the Regulation be made by the Government without amendment;

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

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

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting demerit points (*)

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, par. 9)

1. Schedule I to the Regulation respecting demerit points is amended

(1) by substituting the number "202.8" for the number "202.9" in Point 1.1, in the Column entitled "Description"; and

(2) by substituting the number "202.8" for the number "202.9" in Point 1.1, in the Column entitled "Penal provisions".

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

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Gouvernement du Québec

O.C. 664-98, 13 May 1998

Pay Equity Act
(R.S.Q., c. E-12.001)

Content and form of the report relating to pay equity or relativity plans already completed or in progress

Regulation respecting the content and form of the report relating to pay equity or relativity plans already completed or in progress on 21 November 1996

WHEREAS subparagraph 4 of the first paragraph of section 114 of the Pay Equity Act (R.S.Q., c. E-12.001) provides that the Commission de l'équité salariale may make regulations determining the content and form of the reports provided for in section 120 of the Act;

WHEREAS the second paragraph of that section provides that regulations of the Commission are subject to the approval of the Government and may be amended by the Government upon approval;

WHEREAS the last paragraph of that section provides that no regulation of the Commission may be approved by the Government until it is examined by the appropriate committee of the National Assembly;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 24 December 1997 with a notice that it could be approved by the Government, with or without amendments, after examination by the appropriate committee of the National Assembly, upon the expiry of 45 days following that publication;

WHEREAS the 45-day period provided for in the Act has expired;

WHEREAS the Committee on Labour and the Economy examined the Regulation and the proposed amendments on 19 March 1998;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the content and form of the report relating to pay equity or relativity plans already completed or in progress on 21 November 1996, attached hereto, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation respecting the content and form of the report relating to pay equity or relativity plans already completed or in progress on 21 November 1996

Pay Equity Act
(R.S.Q., c. E-12.001, s. 114, 1st par., subpar. 4)

DIVISION I CONTENT OF THE REPORT

1. The report that every employer subject to section 120 of the Pay Equity Act (R.S.Q., c. E-12.001) must send to the Commission de l'équité salariale, not later than 21 November 1998, shall contain the following information:

(1) the name of the employer and any other name that identifies him, as well as the address and sector of activity of the enterprise;

* The Regulation respecting demerit points, made by Order in Council 1424-91 dated 16 October 1991 (1991, *G.O.* 2, 4184), was amended once by the Regulation made by Order in Council 725-97 dated 28 May 1997 (1997, *G.O.* 2, 2492).

(2) the name, position or title and telephone number of the person in charge of the plan;

(3) job classes identified for the purposes of the plan, the number and proportion of women in each job class and, if applicable, the list of positions that are grouped together;

(4) the criteria used to identify predominantly female job classes or predominantly male job classes;

(5) a description of the method and tools selected to determine the value of job classes, the job evaluation plan or system, the factors applied and, if applicable, the subfactors, as well as the weighting applied to each of these factors and subfactors;

(6) a description of the value determination procedure, including the various steps and methods for collecting the information on positions and evaluating them;

(7) a description of the method selected for valuating differences in compensation, including the elements of remuneration which were taken into account, the identification of the predominantly female job classes that were compared, indicating, for each of the classes, the predominantly male job classes to which they were compared, and the differences in compensation;

(8) the measures taken by the employer to ensure that no element of the plan discriminates on the basis of gender and that all elements are applied on a gender neutral basis.

2. The report shall give the date on which the plan was established and, if applicable, the date of its completion and whether the compensation adjustments were made in whole or in part, and the dates of the payments.

3. The report shall indicate the date on which it was posted and, if applicable, the name of the certified association representing employees in the enterprise and the date on which the report was forwarded to the association.

It shall also indicate that an employee or certified association of the enterprise may, within 90 days of the posting, send observations or comments on the report to the Commission de l'équité salariale.

4. A report on a plan in progress on 21 November 1996 shall also indicate whether on that date, the plan is completed in respect of at least 50 % of the predominantly female job classes concerned or whether the determination of the value of job classes has begun, with the degree of completion of the plan.

5. The employer may also include any additional information respecting the pay equity or relativity plan that he deems relevant to ensure that the plan meets the conditions prescribed in section 119 of the Act.

DIVISION II **FORM OF THE REPORT**

6. The report shall be typed or printed only on one side of the sheet.

Each subject dealt with shall have a separate heading.

7. A joint report may be forwarded by employers, referred to in section 120 of the Act, who have established a common pay equity or relativity plan in their enterprise.

The information that differs from one employer to another shall be provided in a separate schedule. Each schedule is deemed an integral part of the employer's report covered by that schedule and shall be posted with the report.

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

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Gouvernement du Québec

O.C. 686-98, 20 May 1998

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

Combat sports **— Amendments**

Regulation modifying the Regulation respecting combat sports

WHEREAS under the Act to amend the Act respecting safety in sports and other legislative provisions (1997, c. 79), the Régie des alcools, des courses et des jeux governs, since 1 April 1998, professional combat sports events, keeps the good reputation of those sports and ensures the safety and integrity of the participants and spectators;

WHEREAS subparagraphs 7 to 11 and 13 of section 55.3 of the Act to amend the Act respecting safety in sports and other legislative provisions, enacted by section 35 of Chapter 79 of the Statutes of 1997, provide

that the board may make regulations respecting the matters mentioned therein;

WHEREAS the Government approved the Regulation respecting combat sports by Order in Council 662-95 dated 17 May 1995;

WHEREAS at a plenary sitting held on 15 May 1998, the board made the Regulation modifying the Regulation respecting combat sports in order to establish standards according to which a sports event of a new combat sport called “mixed boxing” may take place;

WHEREAS under section 55.3 of the Act, a regulation made by the board shall be submitted to the Government for approval;

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

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

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

— the conclusion of an agreement in principle with an aboriginal community to the effect that combat sports events such as mixed boxing may soon take place on the reserve where the community lives;

— the intention to allow such sports events to take place on all the territory of Québec and the necessity for the sports events to take place in compliance with rules designed to ensure the safety and integrity of the participants and spectators as of the holding of the first sports event of mixed boxing;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT the Regulation modifying the Regulation respecting combat sports, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

Regulation modifying the Regulation respecting combat sports

An Act respecting safety in sports
(R.S.Q., c. S-3.1, a. 55.3, par. 7 to 11 and 13;
1997, c. 79, a. 35)

1. The Regulation respecting combat sports¹ is modified by the insertion of the following chapters after section 195:

“CHAPTER II.1 MIXED BOXING

DIVISION I GENERAL PROVISIONS

195.1 For the purposes of this Chapter:

“Mixed Boxing” means a combat sport during which contestants of the same sex fight standing or on the mat; when they fight standing, the contestants use kickboxing techniques unless modified in this Chapter; when they fight on the mat, the only permitted techniques are those described in this Chapter.

195.2 Subject to the provisions of this Chapter, the provisions of this regulation applicable to kickboxing apply *mutatis mutandis* to mixed boxing, except sections 30, 37, 39, 56, paragraphs 2 to 4 of section 59, of sections 72, 79, 81 to 83, 87, 94, 103, 105, 106, 108, 110 to 112, 113, 116, 118 to 121, 124 to 130, 132, 134, 135 to 137, 139, 150, 154, 155, to the second paragraph of section 165, of sections 179, 180, of paragraph 5 of section 181 and of sections 182 to 195.

DIVISION II THE RING

195.3 The organizer shall set up around the ring a safety perimeter that is 1 m (3 feet) wide.

195.4 The organizer shall provide the necessary equipment to set up the ring and shall ensure that the ring meets the specifications of one or the other of the following rings:

1. the square ring: it shall be no smaller than 6 m x 6 m (20 ft x 20 ft) inside the ropes and shall respect the provisions described in paragraphs 2 and 10 of section 55; the safety perimeter’s floor around the ring shall be covered with a protective mat of “ensolite” or an equivalent material at least 5 cm (2 in) thick;

¹ The Regulation respecting combat sports was approved by Order in Council 662-95 dated 17 May 1995 (1995, *G.O.* 2, 2237) and has not been modified since.

2. the octagonal ring: it shall respect the provisions of paragraph 4° and 8° of section 55 and meet the following specifications:

a) the distance between 2 facing corners is 7.5 m (24 ft);

b) 8 posts of 1.7 m (5.5 ft) high in each corner of the ring are joined by a metal frame; the posts and frame shall be padded and covered with protective material;

c) a plastified metallic fence around the frame between each post;

d) the ring floor shall be covered with a protective mat of "ensolite" or an equivalent material at least 2.5 cm (1 in) thick and with a clean, stretched canvas;

e) one of the segment surrounding the ring shall have a door permitting the entry of the participants; the said door shall have an outside lock.

DIVISION III BANDAGES

195.5 When wearing bandages, they shall respect the provisions of division VIII of Chapter I.

DIVISION IV CONTESTANT'S RING COSTUME

195.6 Wearing a kimono or a ghi is permitted.

DIVISION V WEIGHT

195.7 A bout cannot take place when the difference in weight between the two contestants at the official weigh-in is greater than 6.85 kg (15 lbs.).

However, the first paragraph does not apply when the contestants' weight is greater than 88.45 kg (195 lbs.).

DIVISION VI PRESENCE IN CORNERS

195.8 Persons authorised to be in the corner shall designate 1 of their number to be the only person authorized to request that the referee stop the bout.

The name of the person thus designated shall be given to the referee before the bout begins.

DIVISION VII REFEREE AND OFFICIALS

195.9 Where a contestant has been knocked down, the referee shall instruct the opponent to retire to the farthest corner, which the referee shall indicate by pointing. He shall then pick up the timekeeper's count of knock down.

If the opponent does not remain in the designated corner, the referee shall stop the count until the opponent returns there and shall then resume the count from the point at which it was interrupted.

195.10 Where a contestant falls to the ring mat as the result of a legal blow and the referee considers it to be a knock-down, the latter shall clearly indicate the count by marking off each second with a motion of his arm. If the contestant is still down when the count of 10 is reached or if the contestant is on his feet but is unable to continue the bout, the referee shall indicate a knock-out by crossing his arms above his head.

195.11 Notwithstanding section 178, section 109 applies to a bout that takes place in a square ring.

195.12 Where a contestant who has fallen to the ring mat as the result of a knock-down gets up before the count of 10 and falls again without receiving a blow, the referee shall resume the count from the point at which it was interrupted.

195.13 Where a contestant receives a blow to the genitals or to the knee, the referee may interrupt the bout and allow up to 5 minutes for recovery.

If the contestant does not continue the bout after this delay, the referee shall:

1. following a blow to the genitals, indicate that the contestant has lost by abandonment;
2. following a blow to the knee, disqualify his opponent.

However, sweep with the sole of the foot or the upper part of the foot against his opponent's leg is permitted.

DIVISION VIII TIMINGKEEPING

195.14 An inspector shall time the duration of bouts and the counts at knock-downs.

195.15 The timekeeper shall begin to count the seconds as soon as a contestant goes down.

He shall while referring to his timing device, indicate the seconds visibly and audibly until the referee picks up the count.

195.16 The timekeeper shall notify the referee when the contestants are immobilized on the mat for more than 2 minutes.

195.17 When a bout ends, the timekeeper shall inform the chief official of the exact duration of the bout.

DIVISION IX JUDGES

195.18 The judge shall base their decision on the effectiveness of the contestants, taking into account the following factors:

- (1) striking a blow to any vulnerable part of the body;
- (2) aggressiveness, as demonstrated by the contestant's forcing the fight during the round by making the greater number of attacks;
- (3) conspicuous ring generalship, that is, skill in swiftly taking advantage of all opportunities offered and the ability to cope with all situations as they arise, to foresee and neutralize the opponent's attacks and to adopt a style with the opponent is not particularly comfortable; and
- (4) defense by skillful evasions and parries;
- (5) the ability for a contestant to take down an opponent on the mat.

195.19 Following the overtime period, up to 3 judges designated by the board, determine the winner of the bout.

DIVISION X DECISIONS

195.20 Where a contestant is cut as the result of an intentional blow, the offending contestant shall be disqualified.

195.21 Where a contestant is cut as the result of an unintentional blow and the bout cannot go on by reason of the seriousness of the cut, the referee shall make a technical decision in favour of the contestant who is leading according to the judge.

Where the bout can go on, the referee may formally warn the offending contestant, depending on the seriousness of the blow. The referee shall inform the judge and the chief official that the cut has been caused by an

unintentional blow and that if the cut worsens as a result of a legal blow and causes the bout to be stopped, the decision must be rendered by the judge.

If the cut worsens as a result of an unintentional blow and causes the bout to be stopped, the referee shall make a technical decision favorable for the contestant who is leading according to the judge.

If the cut worsens as a result of an illegal blow and causes the bout to be stopped, the offending contestant shall lose by disqualification.

195.22 Notwithstanding section 195.21, where circumstances described in that section occur within the first five minutes of the bout, the decision shall be a "technical draw".

195.23 A contestant shall be disqualified if, according to the referee, he has committed an intentional foul.

195.24 A contestant who repeats the same unintentional foul after 2 formal warnings from the referee, shall be disqualified. A formal warning shall be indicated to the contestant and the chief official.

195.25 The referee may, for the safety of the contestant, perform a standing 8 count.

195.26 If the referee does not declare a winner after the overtime period, the winner shall be determined by the judge.

DIVISION XI CHIEF OFFICIAL

195.27 Before giving the signal to begin a bout, the referee shall see that the physician, the judge and at least 1 timekeeper are present at ringside.

DIVISION XII FOULS

195.28 When the opponents are fighting, each of the following acts constitutes a foul:

1. attacking an opponent while holding the ropes or by using the fence of the ring to attack; however, using the ropes or fence of the ring to escape from a defensive position is permitted;
2. biting an opponent;
3. hitting or butting with the head;
4. ignoring the referee's instructions;

5. attempting to strike the opponent immediately after the referee has ordered "Break!" and before stepping back;
6. attacking the referee or behaving aggressively towards him;
7. hitting an opponent in the genitals or in the knee;
8. while in an offensive position, hitting an opponent who is on the mat;
9. attacking an opponent's eyes with the fingers;
10. clawing, pinching or scratching an opponent;
11. hitting an opponent in the throat;
12. hitting an opponent with any part of the body other than the fists or the feet;
13. pulling the opponent's hair;
14. deliberately hitting an opponent in the back or kidney area or hitting the back of the head or neck; a blow to the head behind the ear or on the side of the neck when the opponent turns his head to avoid the blow does not constitute a foul;
15. rubbing the laces of a glove against an opponent's face;
16. using crude or inappropriate language in the ring;
17. indulging in any unsportsmanlike conduct which could injure an opponent or be detrimental to the good name of mixed boxing;
18. refusing to fight;
19. hitting an opponent's eye with the thumb;
20. grabbing the opponent by the throat.

195.29 The following techniques used to initiate a take down of an opponent on the mat constitute fouls:

1. making an opponent fall head first onto the mat;
2. using any part of the body other than the hands, arms, feet or legs, to make an opponent fall.
3. Hitting with any part of the body other than the fists or the feet.

195.30 Where opponents are fighting on the mat, only arm or leg holds as well as strangulation are permitted. However, to escape from a defensive position, hitting an opponent with the back of the hand is permitted.

195.31 Where a contestant has immobilized his opponent on the mat for a period of 2 minutes, the referee may order him to release his hold and have the bout resume standing.

DIVISION XIV **DURATION OF BOUT**

195.32 The duration of the bout is of 10, 15 or 20 minutes. If after this period the referee has not declared a winner, the bout shall be extended for an overtime period of 5 or 10 minutes, after a 1, 2 or 3 minute break. The organizer must advise the board of duration he has determined, at the official weigh-in.

CHAPTER II.2 **NON APPLICABLE PROVISIONS**

195.33 Sections 1,3,6 to 8, 11 to 16, 18 à 22, 24, 26, 27, 38, 44, 47, 49, 50, 53, 54, 61, 62, 156, 163 to 169, 171 to 176, do not apply to persons who act as an organizer, a contestant, a manager, a trainer, a corner attendant, an official or a printer in a combat sport event occurring on the territory of a reserve where a native community, who concluded an agreement with Quebec's Government, resides."

2. This regulation comes into force on the day of its publication in the *Gazette officielle du Québec*.

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M.O., 1998

Order of the Minister of Justice dated 13 May 1998

Civil Code of Québec
(1991, c. 64)

Civil Marriage

Rules respecting the solemnization of civil marriages

THE MINISTER OF JUSTICE

CONSIDERING article 376 of the Civil Code of Québec (1991, c. 64) which empowers the Minister of Justice to prescribe rules respecting the solemnization of civil marriages;

CONSIDERING the publication of draft Rules to amend the Rules respecting the solemnization of civil marriages in Part 2 of the *Gazette officielle du Québec* of 25 March 1998, with a notice that they could be made by the Minister of Justice upon the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make such Rules;

ORDERS THAT

The Rules to amend the Rules respecting the solemnization of civil marriages, attached hereto, be made.

Sainte-Foy, 13 May 1998

SERGE MÉNARD,
Minister of Justice

Rules to amend the Rules respecting the solemnization of civil marriages⁽¹⁾

Civil Code of Québec
(1991, c. 64, art. 376)

1. Section 1 of the Rules respecting the solemnization of civil marriages is amended by substituting “, 5 and 5.1” for “and 5”.

2. The following is inserted after section 5:

“**5.1** Under a pilot project for the judicial district of Montréal, a marriage may be solemnized in a place accessible to the public and laid out for that purpose at the Jardin botanique de Montréal, at 4101, rue Sherbrooke Est, Montréal, with the permission of the clerk of the Superior Court. A request to that effect shall be submitted to the clerk before the posting of the notice of marriage or at the time an application for a dispensation from publication of that notice.”.

3. Section 6 is amended by substituting “, 5 and 5.1” for “and 5”.

4. These Rules will come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

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¹ The Rules respecting the solemnization of civil marriages, made by Minister's Order No. 1440 dated 6 July 1994 (1994, *G.O.* 2, 2975) have not been amended since they were made.

Erratum

O.C. 1291-87, 19 August 1987

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

Scale of Bodily Injuries

Gazette officielle du Québec, Part 2, Laws and Regulations, Volume 119, No. 41 dated 16 September 1987

Page 3275, paragraph (7): “(3) The rules for evaluation of partial or total amputation and incomplete or complete ankyloses of the hand are set forth in (a) and (b) below.” should read as follows: “(3) The rules for evaluation of partial or total amputation of the hand are set forth in (a) and (b) below.”.

Page 3275, THUMB, subparagraph (i): “For each phalanx amputated, the percentage of APD is set forth in diagram 1 of amputations of the thumb and metacarpals, excluding other fingers.” should read as follows: “For each phalanx amputated, the percentage of APD is set forth in diagram 1 of amputations of the thumb and metacarpals.”.

Page 3275, THUMB, subparagraph (ii), “For each phalanx of the thumb amputated, the percentage of APD is set forth in diagram 2 of amputations of the hand.” should read as follows: “For each phalanx of the thumb amputated, the percentage of APD is set forth in diagram 1 of amputations of the hand.”.

Page 3277, DIAGRAM 1: “middle phalanx” should read “proximal phalanx”.

Page 3279, subparagraph (ii) of subparagraph (a) of paragraph (B) should read as if the following items were omitted:

“bilateral ischiopubic or ileopubic ramus” 3”;

“bilateral ischiopubic or ileopubic ramus” 4.5”.

Page 3311, Table 16: The percentage of APD, MOTOR class IV for Deep peroneal above mid-leg (peroneus profundus) should read “9” instead of “9.5”.

Page 3327, subparagraph (iii) and (iv), heading APD over the figures 15 and 30: “APD” should read “SLEL”.

Page 3341, ILLUSTRATION OF CALCULATION OF BODILY DAMAGE FOR DERMATOSIS, Step I, second sentence: “For each segment impaired, the maximum percentage has been fixed based on diagram 4.” should read as follows: “For each segment impaired, the maximum percentage has been fixed based on diagram 9.”.

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Index Statutory Instruments

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

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Civil Marriage Civil Code of Québec, 1991, c. 64)	2063	M
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Education Act — Student transportation (R.S.Q., c. I-13.3)	2053	M
Highway Safety Code — Demerit points (R.S.Q., c. C-24.2)	2057	M
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Pay Equity Act — Content and form of the report relating to pay equity or relativity plans already completed or in progress (R.S.Q., c. E-12.001)	2058	M
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Société de l'assurance automobile du Québec — Processing of a claim for compensation or application for review and recovery of sums owed (Automobile Insurance Act, R.S.Q., c. A-25)	2055	N
Student transportation (Education Act, R.S.Q., c. I-13.3)	2053	M

