Gazette officielle du Québec

Part 2 Laws and Regulations

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Summary

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PROVINCE OF QUÉBEC

1st SESSION

36th LEGISLATURE

Québec, 17 March 1999

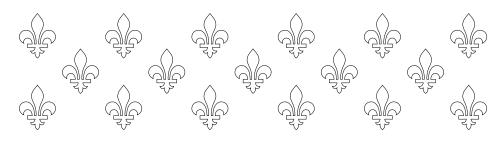
Office of the Lieutenant-Governor

Québec, 17 March 1999

This day, at forty-three minutes past eleven o'clock in the morning, the Honourable the Administrator of Québec was pleased to sanction the following bill:

12 Appropriation Act No. 1, 1999-2000

To this bill the Royal assent was affixed by the Honourable the Administrator of Québec.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 12 (1999, chapter 2)

Appropriation Act No. 1, 1999-2000

Introduced 17 March 1999 Passage in principle 17 March 1999 Passage 17 March 1999 Assented to 17 March 1999

EXPLANATORY NOTES

The object of this bill is to authorize the Government to pay out of the consolidated revenue fund the sum of \$433,600,000.00 representing 11.4% of the appropriations for the "Financial Assistance Measures" program of the "Emploi, Solidarité sociale" portfolio, 5.7% of the appropriations for the "Family and Child Services" program and 9.2% of the appropriations for the "Family Benefits" program of the "Famille et Enfance" portfolio.

The sum will appear in the Québec 1999-2000 Expenditure Budget.

Bill 12

APPROPRIATION ACT NO. 1, 1999-2000

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may take out of the consolidated revenue fund a sum not exceeding \$433,600,000.00 to defray a part of the Québec 1999-2000 Expenditure Budget that will be laid before the National Assembly and that is not otherwise provided for.

The sum is apportioned as follows:

- (1) \$323,600,000.00 representing 11.4% of the appropriations to be voted for Program 2, "Financial Assistance Measures", of the "Emploi, Solidarité sociale" portfolio;
- (2) \$35,000,000.00 representing 5.7% of the appropriations to be voted for Program 2, "Family and Child Services", of the "Famille et Enfance" portfolio;
- (3) \$75,000,000.00 representing 9.2% of the appropriations to be voted for Program 3, "Family Benefits", of the "Famille et Enfance" portfolio.
- **2.** This Act comes into force on 17 March 1999.

Coming into force of Acts

Gouvernement du Québec

O.C. 211-99, 17 March 1999

An Act respecting the Institut de la statistique du Québec (1998, c. 44)

— Coming into force

COMING INTO FORCE of the provisions of the Act respecting the Institut de la statistique du Québec

WHEREAS the Act respecting the Institut de la statistique du Québec (1998, c. 44) was assented to on 20 June 1998;

WHEREAS section 64 of the Act provides that it comes into force on the date or dates to be fixed by the Government:

WHEREAS Order in Council 1307-98 dated 14 October 1998 fixed at 14 October 1998 the coming into force of section 1, sections 14 to 19, 21 to 24 and section 63 of the Act;

WHEREAS it is expedient to fix the date of coming into force of all the sections of the Act that are not yet in force;

WHEREAS by Order in Council 1308-98 dated 14 October 1998, the Minister of State for the Economy and Finance and Minister of Finance was designated responsible for the administration of the Act respecting the Institut de la statistique du Québec;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for the Economy and Finance and Minister of Finance:

THAT 1 April 1999 be fixed as the date of coming into force of the sections of the Act respecting the Institut de la statistique du Québec that are not yet in force.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

2722

Gouvernement du Québec

O.C. 282-99, 24 March 1999

COMING INTO FORCE of certain provisions of the Act respecting owners and operators of heavy vehicles

WHEREAS the Act respecting owners and operators of heavy vehicles (1998, c. 40) was assented to on 20 June 1998;

WHEREAS under section 183 of the Act, its provisions come into force on the date or dates to be fixed by the Government;

WHEREAS, by Order in Council 985-98 dated 21 July 1998, the date of coming into force of the provisions of sections 1 to 4, 6 to 14, 19, 20, 22 to 46, 48, 49, 51, 54, paragraph 1 of section 55, paragraph 2 of section 55 as regards the definition of the word "tool vehicle", sections 58, 59, 62, 65, 66, 69, 71 to 76, 78, 79, 94, 117, 120 to 123, 125, 126, paragraph 1 of section 128, paragraphs 7, 8 and 12 of section 144, sections 146 to 148, paragraphs 1 and 2 of section 150 and sections 154 to 162, 171, 172, 174 to 182 of the Act was fixed for 21 July 1998;

WHEREAS, by Order in Council 1481-98 dated 27 November 1998, the date of coming into force of the provisions of paragraphs 9 and 10 of section 144 of the Act was fixed at 27 November 1998 and the date of coming into force of the provisions of sections 130, 131 and 132 of the Act was fixed for 24 December 1998;

WHEREAS, by Order in Council 159-99 dated 24 February 1999, the date of coming into force of the provisions of the first and third paragraphs of section 15, the first paragraph of section 16 and sections 17 and 18 of the Act was fixed for 24 February 1999;

WHEREAS it is expedient to fix 1 April 1999 as the date of coming into force of the provisions of sections 5, 21, 50, paragraph 2 of section 55 as regards the definition of the word "heavy vehicle", sections 56, 57, 60, 61, 63, 67, 70, 77, 80, 82, 84 to 86, 88 to 93, 95, 96, 98, 103, 107, 108, paragraph 1, except as regards the deletion of sections 413 and 471, and paragraph 3 of section 109, sections 111, 114, paragraphs 2 and 3 of section 124, section 127, paragraph 2 of section 128, sections 129, 133 to 140, 149, 151, 163 to 170 and 173 of the Act, 29 April 1999 as the date of coming into force of the

provisions of section 112 of the Act and 1 July 1999 as the date of coming into force of the provisions of the second paragraph of section 15, the second paragraph of section 16 and section 47 of the Act;

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

THAT the provisions of sections 5, 21, 50, paragraph 2 of section 55 as regards the definition of the word "heavy vehicle", sections 56, 57, 60, 61, 63, 67, 70, 77, 80, 82, 84 to 86, 88 to 93, 95, 96, 98, 103, 107, 108, paragraph 1, except as regards the deletion of sections 413 and 471, and paragraph 3 of section 109, sections 111, 114, paragraphs 2 and 3 of section 124, section 127, paragraph 2 of section 128, sections 129, 133 to 140, 149, 151, 163 to 170 and 173 of the Act respecting owners and operators of heavy vehicles (1998, c. 40) come into force on 1 April 1999;

THAT the provisions of section 112 of the Act come into force on 29 April 1999;

THAT the provisions of the second paragraph of section 15, the second paragraph of section 16 and section 47 of the Act come into force on 1 July 1999.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 208-99, 17 March 1999

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101)

Program of assistance for establishment, development and training

— Amendments

Regulation to amend the Program of assistance for establishment, development and training

WHEREAS under section 13 of the Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101), the object of the corporation is to foster the economic development of the bio-food sector in Québec by making financing more accessible to primary level farming businesses;

WHEREAS under section 14 of that Act, the corporation shall grant financial assistance within the scope of programs;

WHEREAS under section 34 of that Act, the Government may, by regulation, prescribe any measure necessary to its application and, particularly, establish financial assistance programs designed to further the economic development of primary level farming businesses and determine the conditions, criteria and limits of application thereof;

WHEREAS under subparagraph 2 of the first paragraph of section 34 of that Act, the Government may also make regulations to establish, in particular, criteria determining the businesses or classes of businesses that may receive financial assistance, which may vary according, in particular, to the persons who comprise the business, their ages, occupations, qualifications or interests in the business;

WHEREAS it is expedient to amend the Program of assistance for establishment, development and training, made by Order in Council 699-95 dated 24 May 1995;

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

WHEREAS under section 13 of that Act, the reason justifying the absence of prior publication shall 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:

— the delay involved in the prior publication could lead young producers to postpone their establishment to take advantage of the new provisions, which could spoil certain business opportunities for the farming businesses concerned;

WHEREAS it is expedient to make this Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Program of assistance for establishment, development and training, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

Regulation to amend the Program of assistance for establishment, development and training (*)

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101, s. 34)

- **1.** Section 27 of the Program of assistance for establishment, development and training is amended
- (1) by inserting the following in the second paragraph, after the words "per farming businesses":
- ", in the case of an establishment carried out from 22 June 1995 and before 15 April 1999.";
 - (2) by adding the following paragraph at the end:

^(*) The Program of assistance for establishment, development and training, made by Order in Council 699-95 dated 24 May 1995 (1995, *G.O.* 2, 1649), was amended once by the Regulation made by Order in Council 694-98 dated 27 May 1998 (1998, *G.O.* 2, 2141).

"It may total \$30 000 per farm operator having level-1 academic training or \$20 000 per farm operator having a level-2 academic training, up to a maximum of 4 per farming business, in the case of an establishment carried out from 15 April 1999.".

- **2.** The words "Those instalments may however total \$7 500 per farm operator having a level-1 academic training, in the case of an establishment carried out from 15 April 1999" are added after the words "year of the Corporation" in the second paragraph of section 29.
- **3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2720

Gouvernement du Québec

O.C. 210-99, 17 March 1999

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

Trapping and fur trade

— Amendments

Regulation to amend the Regulation respecting trapping and the fur trade

WHEREAS under the second paragraph of section 55 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may determine by regulation the conditions on which a person determined by regulation may use a licence issued to another person;

WHEREAS under paragraph 16 of section 162 of that Act, amended by section 22 of Chapter 29 of the Statutes of 1998, the Government may, in addition to the other regulatory powers conferred on it by that Act, make regulations prescribing norms and obligations respecting the transportation, possession and registration of animals or fish and fixing, according to species, the fees exigible for the registration;

WHEREAS the Regulation respecting trapping and the fur trade was made by Order in Council 1289-91 dated 18 September 1991 under the Act respecting the conservation and development of wildlife;

WHEREAS it is expedient to amend the Regulation respecting trapping and the fur trade in order to allow a

person under 16 years of age to trap with another person's licence on certain conditions:

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting trapping and the fur trade was published in Part 2 of the *Gazette officielle du Québec* of 14 October 1998 with a notice that, upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS amendments have been made to the draft Regulation since its publication;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting trapping and the fur trade:

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting trapping and the fur trade, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting trapping and the fur trade*

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, ss. 55 and 162, par. 16; 1998, c. 29, s. 22)

- **1.** The Regulation respecting trapping and the fur trade is amended by inserting the following after section 10:
- **"10.1.** A person under 16 years of age may trap with the licence of a person at least 18 years of age who holds a valid licence referred to in section 3, provided that he is accompanied by the licence holder and provided that he traps on land, a territory or private land authorized by this Regulation for such a licence.

^{*} The Regulation respecting trapping and the fur trade, made by Order in Council 1289-91 dated 18 September 1991 (1991, *G.O.* 2, 3890), was last amended by the regulations made by ministerial orders 1998-008 dated 14 September 1998 (1998, *G.O.* 2, 3893) and 98009-D dated 1 September 1998 (1998, *G.O.* 2, 4227). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 September 1998.

For the purposes of the first paragraph, each furbearing animal captured by a person under 16 years of age shall be counted as a fur-bearing animal captured by the licence holder accompanying him.".

- **2.** Sections 22 and 23 are deleted.
- **3.** Section 47 is amended by striking out "32 or" in subparagraph d of paragraph 1.
- **4.** Section 52 is amended by substituting "23 to 30" for "22 to 32".
- **5.** This Regulation comes into force on the fifteenth day following the date of its publication in the Gazette officielle du Québec.

2721

Gouvernement du Québec

O.C. 223-99, 17 March 1999

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

Safety standards for road vehicles

— Amendments

Regulation to amend the Regulation respecting safety standards for road vehicles

WHEREAS paragraph 7 of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2) provides that the Government may by regulation prescribe standards for the windshield and windows of a road vehicle which will ensure good visibility for the driver;

WHEREAS the Government made the Regulation respecting safety standards for road vehicles by Order in Council 1483-98 dated 27 November 1998;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act where 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 under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation:

WHEREAS 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:

— it is expedient to amend the Regulation respecting safety standards for road vehicles immediately to replace section 64 which prohibits the affixing of a material which darkens glass to the windshield and to the front side windows of a road vehicle, considering the significant impact of that prohibition on jobs related to the manufacture and sale of tinted film and on owners of vehicles with tinted windows:

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

THAT the Regulation to amend the Regulation respecting safety standards for road vehicles, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY. Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting safety standards for road vehicles '

Highway Safety Code (R.S.Q., c. C-24.2, s. 621, par. 7)

- **1.** The following is substituted for section 64 of the Regulation respecting safety standards for road vehicles:
- "64. No material which darkens glass shall be affixed to or sprayed on the windshield of a road vehicle. However, a strip no more than 15 cm in width may be affixed to the upper part of the windshield.

The windows on each side of the driver's compartment shall admit 70 % or more light, when measured with a photometer.".

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

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^{*} The Regulation respecting safety standards for road vehicles was made by Order in Council 1483-98 dated 27 November 1998 (1998, G.O. 2, 4557) and has not been amended since that date.

Gouvernement du Québec

O.C. 237-99, 24 March 1999

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101)

Financial assistance program for sheep farms — Amendments

Financial Assistance Program for Sheep Farms

WHEREAS under section 13 of the Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101), the object of the Corporation is to foster the economic development of the bio-food sector in Québec by making financing more accessible to primary level farming businesses;

WHEREAS under section 14 of the Act, the Corporation shall grant financial assistance within the scope of programs;

WHEREAS under section 34 of the Act, the Government may, by regulation, prescribe any measure necessary to its application and under subparagraph 1 of the first paragraph, it may in particular establish financial assistance programs designed to further the economic development of primary level farming businesses and determine the conditions, criteria and limits of application thereof:

WHEREAS under subparagraph 2 of the first paragraph of section 34, the Government may, by regulation, establish criteria determining the business or classes of businesses that may receive financial assistance, which may vary according, in particular, to the persons who comprise the businesses, their ages, occupations, qualifications or interests in the business:

WHEREAS the Financial Assistance Program for Sheep Farms was made by Order in Council 1423-98 dated 17 November 1998;

WHEREAS it is expedient to amend the Regulation;

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

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

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

WHEREAS 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 draft Regulation shall increase, from \$100 000 to \$250 000, the maximum amount of loan capital on which the Société de financement agricole may grant a sheep farm a special contribution to the payment of interest for a loan granted under the Program for farm financing; in addition, the deadline for applications for financial assistance has been extended to 31 May 1999 instead of 31 March 1999;
- the requirements for publication and the coming into force of the draft Regulation would not allow sheep farms to submit, as of 1 April 1999, an application for financial assistance and benefit from the provisions of that draft;

WHEREAS it is expedient to make this Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Financial Assistance Program for Sheep Farms, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

Regulation to amend the Financial Assistance Program for Sheep Farms*

An Act respecting the Société de financement agricole (R.S.Q., c. S-11.0101, s. 34)

- **1.** Section 4 of the Financial Assistance Program for Sheep Farms is amended by substituting "31 May 1999" for "31 March 1999".
- **2.** Section 7 is amended by substituting "\$250 000" for "\$100 000".
- **3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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^{*} The Financial Assistance Program for Sheep Farms was made by Order in Council 1423-98 dated 17 November 1998 (1998, *G.O.* 2, 4489) and has not been amended since.

Gouvernement du Québec

O.C. 268-99, 24 March 1999

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

Fonds forestier

— Contribution of holders of timber supply and forest management agreements

- Amendments

Regulation to amend the Regulation respecting the contribution of holders of timber supply and forest management agreements to the Fonds forestier

WHEREAS under the first paragraph of section 73.4 of the Forest Act (R.S.Q., c. F-4.1), every holder of a timber supply and forest management agreement must, at such intervals as are determined by regulation of the Government, pay to the Minister a contribution for the financing of activities related to seedling production, forest inventory data and forest research;

WHEREAS under the second paragraph of section 73.4 of the Act, the contribution shall be established by the Minister on the basis of a rate per cubic metre of timber, fixed by regulation of the Government, that is applicable to the volume of timber allotted to the agreement holder in his agreement and is determined on the date or dates fixed by the regulation;

WHEREAS under paragraph 18.2 of section 172 of the Act, the Government may, by regulation, fix the rate referred to in section 73.4, the date or dates on which the volume allotted to an agreement holder under an agreement must be determined for the purposes of the contribution, and determine the intervals, dates and methods of payment of the contribution;

WHEREAS in accordance with sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting the contribution of holders of timber supply and forest management agreements to the Fonds forestier, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 17 February 1999 with a notice that it could be made by the Government upon the expiry of 15 days following that publication;

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

WHEREAS under section 18 of that Act, the reason justifying such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the coming into force of the regulation attached to this Order in Council on the date of its publication in the Gazette officielle du Québec:

— the rate per cubic metre is established on the basis of the total volume of timber allotted to the holders of timber supply and forest management agreements and the data is now available for the 1999-2000 fiscal year;

— the rate per cubic metre must be in effect on 1 April 1999 in order to allow the collection of contributions of holders of timber supply and forest management agreements to the Fonds forestier, which would not be the case if the 45-day period of consultation provided for in section 11 of the Regulations Act were fully complied with;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Natural Resources:

THAT the Regulation to amend the Regulation respecting the contribution of holders of timber supply and forest management agreements to the Fonds forestier, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the contribution of holders of timber supply and forest management agreements to the Fonds forestier*

Forest Act (R.S.Q., c. F-4.1, ss. 73.4 and 172, par. 18.2)

1. Section 2 of the Regulation respecting the contribution of holders of timber supply and forest management agreements to the Fonds forestier is amended by adding the following paragraph after paragraph 3:

"(4) \$0.245 for the 1999-2000 fiscal year.".

^{*} The Regulation respecting the contribution of holders of timber supply and forest management agreements to the Fonds forestier was made by Order in Council 1115-96 dated 4 September 1996 (1996, *G.O.* 2, 3980) and has not been amended since that date.

- **2.** Section 5 is deleted.
- **3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 274-99, 24 March 1999

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01)

Basic prescription drug insurance plan — Amendments

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS under subparagraph 3 of the first paragraph of section 78 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01), the Government may, after consulting the Régie de l'assurance-maladie du Québec, make regulations to determine the cases, conditions and therapeutic indications in and for which the cost of certain medications included in the list drawn up by the Minister under section 60 of the Act is covered by the basic plan; the conditions may vary according to whether the coverage is provided by the Board or under a group insurance contract or an employee benefit plan;

WHEREAS under section 79 of the Act, such a regulation is not subject to the requirements concerning publication and date of coming into force contained in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS by Order in Council 1519-96 dated 4 December 1996, the Government made the Regulation respecting the basic prescription drug insurance plan;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with section 78 of the Act respecting prescription drug insurance, the Régie de l'assurance-maladie du Québec has been consulted on the amendments;

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

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the basic prescription drug insurance plan*

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 78, 1st par., subpar. 3)

- **1.** The Regulation respecting the basic prescription drug insurance plan is amended in the second paragraph of section 2.1:
 - (1) by inserting the following after subparagraph 18:
- (18.01) CLOPIDOGREL: for prevention of ischemic vascular manifestations in persons for whom a platelet inhibitor is indicated but for whom acetylsalicylic acid or ticlopidine is ineffective, contraindicated or poorly tolerated;":
 - (2) by substituting the following for subparagraph 28:
- "(28) ESTRADIOL-17B: in persons unable to take estrogens or ally because of intolerance or where medical factors favour the transdermal route:";
 - (3) by substituting the following for subparagraph 29:
- "(29) ESTRADIOL-17ß/NORETHINDRONE AC-ETATE: in persons unable to take estrogens or progestogens orally because of intolerance or where medical factors favour the transdermal route;";
 - (4) by striking out subparagraphs 47 and 49;
- (5) by inserting the words "ineffective or" after the word "are" in paragraph *b* of subparagraph 57;
- (6) by substituting the words "severe xerostomia" for the words "xerostomia occurring during radiotherapy" in subparagraph 74;
 - (7) by inserting the following after subparagraph 85:
- "(85.1) TOLTERODINE: for treatment of vesical hyperactivity in persons for whom oxybutynin is poorly tolerated, contraindicated or ineffective;".
- **2.** This Regulation comes into force on 1 April 1999.

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^{*} The Regulation respecting the basic prescription drug insurance plan, made by Order in Council 1519-96 dated 4 December 1996 (1996, *G.O.* 2, 4941) was last amended by the Regulations made by Orders in Council 1189-98 dated 16 September 1998 (1998, *G.O.* 2, 3949) and 9-99 dated 13 January 1999 (1999, *G.O.* 2, 84). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 September 1998.

Gouvernement du Québec

O.C. 275-99, 24 March 1999

An Act respecting safety in sports (R.S.Q., c. S-3.1; 1997, c. 79)

Combat sports

— Amendments

Regulation to amend the Regulation respecting combat sports

WHEREAS under subparagraphs 8 and 9 of section 55.3 of the Act respecting safety in sports, enacted by section 35 of Chapter 79 of the Statutes of 1997, the Régie des alcools, des courses et des jeux may make regulations respecting standards for the organization and holding of a sports event and the tenor of contracts entered into by the persons referred to in sections 40 or 41 of the Act, replaced by section 17 of Chapter 79 of the Statutes of 1997, in particular with respect to their duration and the respective obligations of the parties, including those related to the purse and remuneration;

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

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

WHEREAS the board adopted the Regulation to amend the Regulation respecting combat sports attached hereto at a plenary sitting held on 22 March 1999;

WHEREAS the Gouvernement du Québec and the Mohawks of Kahnawake adopted a Statement of Understanding and Mutual Respect by Décret 1289-98 dated 7 October 1998, in which they declare that they will favour the route of discussion and negotiation for concluding and signing agreements that will be negotiated in various fields of jurisdiction and that they also wish to participate, as partners, in economic development ventures in Kahnawake;

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

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

has approved it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of 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 publication and such coming into force:

— pursuant to the Statement of Understanding and Mutual Respect, the Gouvernement du Québec and the Mohawks of Kahnawake have agreed to review certain rules contained in the Regulation respecting combat sports in order to better manage mixed boxing events and to make the rules applicable to future events on the territory of the reserve, one of which will be held at the beginning of April, 1999;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting combat sports be approved.

MICHEL NOËL DE TILLY, Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting combat sports*

An Act respecting safety in sports (R.S.Q., c. S-3.1, s. 55.3, subpars. 8 and 9; 1997, c. 79, s. 35)

- **1.** Section 157 of the Regulation is amended by inserting ", or in the case of a ladder tournament, at the end of each bout," after the word "time".
- **2.** Sections 195.16 and 195.25 are revoked.
- **3.** Section 195.28 is amended by deleting paragraph 8.
- **4.** Section 195.30 is amended
 - (1) by striking out the word "only";

^{*} The Regulation respecting combat sports, made by Order in Council 662-95 dated 17 May 1995 (1995, *G.O.* 2, 1511), was last amended by Order in Council 686-98 dated 20 May 1998 (1998, *G.O.* 2, 2059).

- (2) by deleting "However, to escape from a defensive position, hitting an opponent with the back of the hand is permitted."; and
 - (3) by adding the following paragraph at the end:

"Notwithstanding paragraphs 12 and 14 of section 195.28, a contestant may hit an opponent with his fists or thighs on any part of the body except the back, nape of the neck, back of the head and below the belt. However, if a contestant hits an opponent with his fists or thighs on those parts of the body, the referee shall have them resume the fight standing. The referee shall disqualify any contestant who hits an opponent on those parts again."

- **5.** Section 195.31 is amended
 - (1) by deleting "for a period of 2 minutes"; and
 - (2) by inserting ", at any time," after the word "may".
- **6.** Section 195.32 is amended by adding the following paragraph at the end:

"In a ladder tournament, a contestant may not fight more than 3 bouts.".

- **7.** Schedule 2-A to the Regulation is amended as indicated in the attached Schedule.
- **8.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE

- 1. Schedule 2-A is amended by substituting ", mixed boxing or kickboxing" for "kickboxing" under the second line starting with "domiciled at" at the beginning of the contract.
- 2. Section 1.3 is amended by adding "this provision does not apply to a ladder tournament;" at the end.
 - 3. Section 2.1 is amended
- (1) by substituting "or 2 minutes each in the case of a kickboxing contestant or, in the case of a mixed boxing contestant, in a bout lasting 10, 15, or 20 minutes, with a possible overtime of 5 or 10 minutes" for "2 minutes each in the case of a kickboxing contestant"; and
 - (2) by adding the following paragraph at the end:

"and in the case of a ladder tournament, against the following contestants:

	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(in	(individual record)		
	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(in	(individual record)		
	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(individual record)			
	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(individual record)			
	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(in	(individual record)		
	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(in	(individual record)		
	kg (lbs.)	wins:	losses:	draws:	
Family name, first name	weight	(individual record).".			

4. Section 3.1 is amended

- (1) by inserting "or, in the case of mixed boxing, corresponding to the weight referred to in section 195.7 of this Regulation" after the second 2.2 in subparagraph 2;
 - (2) by substituting the last sentence by the following:

"Sections 72 and 195.7 of the Regulation respecting combat sports are reproduced at the end of this contract."; and

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

"In the case of a ladder tournament, the ORGANIZER shall pay the CONTESTANT no less than ______ dollars if he loses in the first set of bouts in the tournament;

The ORGANIZER shall pay the CONTESTANT no less than _____ dollars if he loses in the second set of bouts in the tournament;

The ORGANIZER shall pay the CONTESTANT no less than _____ dollars if he loses in the third set of bouts in the tournament;

The ORGANIZER shall pay a CONTESTANT who wins but can no longer participate in the tournament, an amount equal to 150 % of the amount paid to the losing CONTESTANT, where the bout is stopped pursuant to section 157 of the Regulation.

The ORGANIZER shall pay a losing CONTESTANT who replaces another whose bout was stopped under section 157 of the Regulation and can no longer fight, the same amount that he would have received if he had fought in that set of bouts.

The ORGANIZER shall pay the CONTESTANT who wins the tournament no less than dollars.

However, the ORGANIZER shall deduct 20 % from the amount of the purse or the remuneration paid to the CONTESTANT and give it in equal shares to his opponents in the cases provided for in the second paragraph of section 3.1.".

- 5. Section 5 is amended by substituting "expire upon fulfilment of the financial requirements of section 40 of the Regulation respecting combats sports licensing that must be guaranteed by a security" for "expire following the sports event in respect of which it is entered into".
- 6. Section 11 is amended by substituting ", kickboxing and mixed boxing " for " and kickboxing".
- 7. The Schedule is amended by adding the following at the end:

"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.).".

2735

M.O., 1999

Order of the Minister of State for Health and Social Services and Minister of Health and Social Services dated 12 March 1999 to designate a breast cancer detection centre

THE MINISTER OF STATE FOR HEALTH AND SOCIAL SERVICES AND MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING that it is expedient to designate a breast cancer detection centre 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 Mauricie and the Centre-du-Québec regions:

Centre hospitalier régional de Trois-Rivières (Pavillon Ste-Marie) 1991, boulevard du Carmel Trois-Rivières (Québec) G8Z 3R9

Ouébec, 12 March 1999

PAULINE MAROIS,

Minister of State for Health and Social Services and Minister of Health and Social Services

2726

M.O., 99002

Order of the Minister for Wildlife and Parks dated 19 March 1999

CONCERNING the amendment to the Fishing, Hunting and Trapping Areas Regulation

THE MINISTER FOR WILDLIFE AND PARKS,

CONSIDERING that under paragraph 15 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government adopted the Fishing, Hunting and Trapping Areas Regulation (Order in Council 27-90 dated January 10, 1990) amended by the regulations made by Orders in Council 444-92 dated March 25, 1992, 718-93 dated May 19, 1993, 26-96 dated January 10, 1996 and 1435-97 dated November 5, 1997;

CONSIDERING that under section 84.1 of the Act respecting the conservation and development of wildlife introduced by section 12 of Chapter 29 of the Acts of 1998 the Minister for Wildlife and Parks may divide Québec into hunting areas, fishing areas or trapping areas, and delimit the areas;

CONSIDERING that under section 35 of Chapter 29 of the Acts of 1998 the provisions of the regulations made by the Government under paragraphs 14° and 15° of section 162 of the Act respecting the conservation and development of wildlife before June 17, 1998 remain in force until they are replaced or repealed by order of the Minister for Wildlife and Parks;

CONSIDERING that it is expedient to alter the territorial limits of areas 10, 12, 13, 14 and 16 appearing in Schedules X, XII, XIII, XIV and XVI;

ORDERS THAT:

Section 1 of the Fishing, Hunting and Trapping Areas Regulation be replaced by the following:

"1. The territory of Québec is divided in fishing, hunting and trapping areas whose perimeter is described in Schedules I to XXIV.

The territory whose perimeter is described in Schedule XXV is a fishing area.

The parts of areas 8, 10 and 13 which are included in area 25 are excluded from their respective area for the purposes of fishing.".

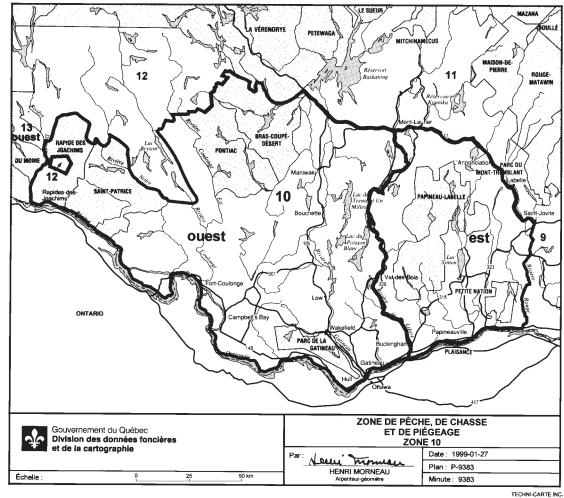
The Fishing, Hunting and Trapping Areas Regulation be amended by substituting Schedules X, XII, XIII, XIV and XVI, attached hereto, for Schedules X, XII, XIII, XIV and XVI to the Regulation;

This Order come into force on the day of its publication in the *Gazette officielle du Québec*.

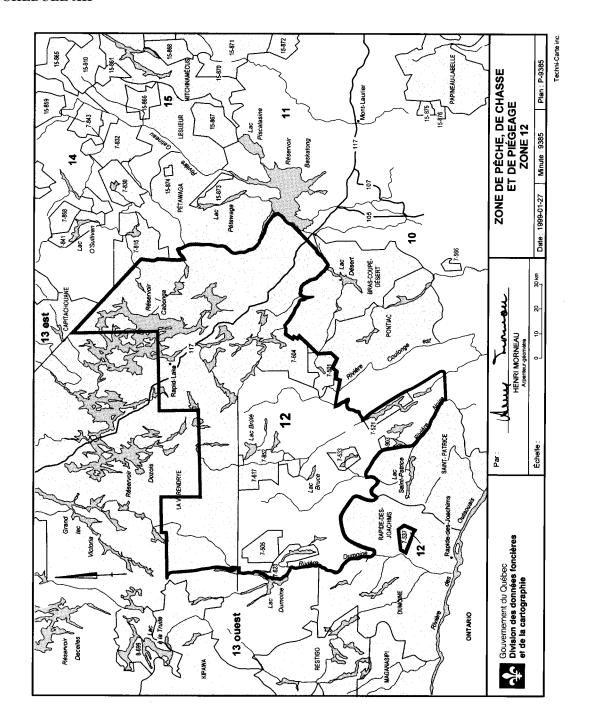
Québec, 19 March 1999

GUY CHEVRETTE, Minister for Wildlife and Parks

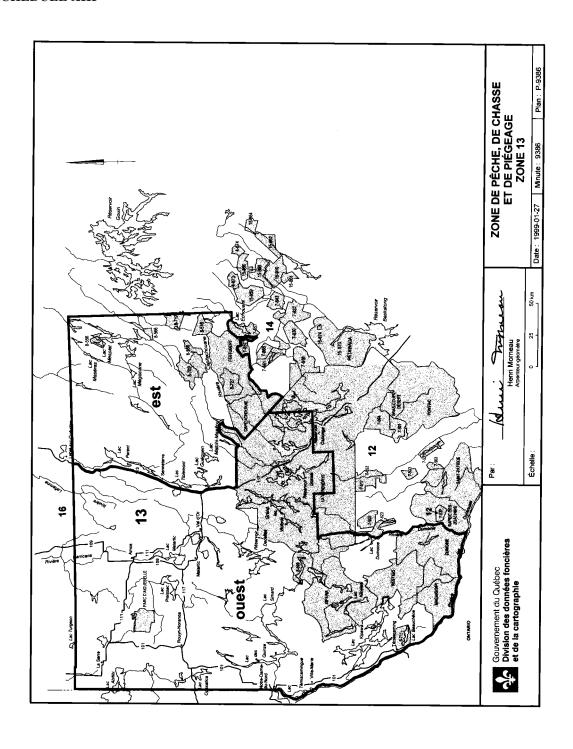
SCHEDULE X



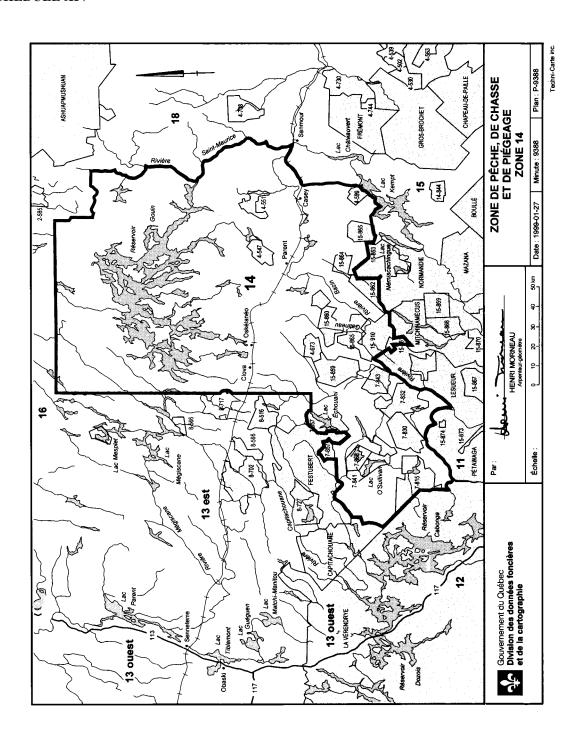
SCHEDULE XII



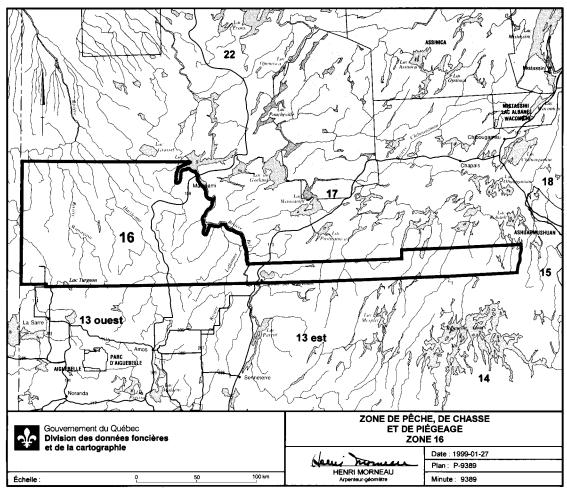
SCHEDULE XIII



SCHEDULE XIV



SCHEDULE XVI



Techni-Carte iric.

Draft Regulations

Draft Regulation

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

Family benefits — 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 family benefits, the text of which appears below, may be submitted to the Government for approval upon the expiry of 15 days following this publication.

The following regulation is intended to set 1 August as the beginning date of the period for which the amount of the family allowance is determined. It also amends the rules for determining the reference year which serves to establish the income and marital status of the person who is entitled to the allowance: with respect to each of the first seven months of a year, the reference year will be the year that ended on 31 December of the year prior to the preceding year and for the last five months of a year, the reference year will be the year that ended on 31 December of the preceding year.

The proposed regulation also provides that the income taken into account to set the family allowance will be calculated, for the reference year 1998 and subsequent years, according to the rules for the new, simplified tax system prescribed by the Taxation Act (R.S.Q., c. I-3). The regulation sets at 20 % the portion of the allowance for newborn children and the allowance for handicapped children that can serve to offset amounts owed to the Régie with respect to family benefits. Moreover, it provides that an amount of up to \$56 a month can be deducted from a family allowance equal to or less than the minimum allowance and, where the allowance is some greater amount, an amount up to the lesser of 50 % of its value or \$56 can be deducted.

In accordance with section 12 of the Regulations Act, the draft regulation can be made after a period shorter than the period of 45 days provided for in section 11 of that act by reason of urgency due to the following circumstances:

— the amendments provided for in the draft regulation must come into force expeditiously to ensure that the Régie des rentes du Québec will be able to use pertinent information concerning the net income of beneficiaries for the reference year 1998.

Further information may be obtained from Mr. Denis Fugère, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec) G1V 4T3 (tel.: (418) 657-8732, fax: (418) 643-3663).

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the period mentioned above, to Mr. Guy Morneau, President and General Manager of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5 étage, Sainte-Foy (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Child and Family Welfare and to the Minister for Child and Family Welfare.

PAULINE MAROIS, Minister of Child and Family Welfare

NICOLE LÉGER, Minister for Child and Family Welfare

Regulation to amend the Regulation respecting family benefits*

An Act respecting family benefits (1997, c. 57, s. 8, 1st par., subpars. 2 and 3, s. 19, 2nd par. and s. 65)

- **1.** Section 1 of the Regulation respecting family benefits is amended
- (1) by replacing, in subparagraph 1 of the second paragraph, the word "six" with the word "seven";
- (2) by replacing, in subparagraph 2 of the second paragraph, the word "six" with the word "five".
- **2.** Section 7 of the regulation is amended by replacing the second paragraph with the following paragraph:

^{*} The last amendment to the Regulation respecting family benefits, approved by Order in Council 1018-97, dated 13 August 1997 (1997, *G.O.* 2, 4363), was made by the regulation approved by Order in Council 364-98, dated 25 March 1998 (1998, *G.O.* 2, 1475). For the preceding amendment, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 September 1998.

"The income considered is the income for the reference year referred to in the second paragraph of section 1 and is calculated according to sections 28 and 28.1 of the Taxation Act taking into account, where the reference year is after 1997, the rules provided for in Title II of Book V.2.1 of Part 1 of the said act."

- **3.** Section 8 of the regulation is amended by replacing, in the first paragraph, the word "July" with the word "August".
- **4.** Section 17 of the regulation is amended
- (1) by replacing the first paragraph by the following paragraphs:
- **"17.** The Régie may deduct sums due in accordance with the Act or the Act respecting family assistance allowances (R.S.Q., c. A-17) from any benefit paid in accordance with one or the other of those acts:
- (1) up to \$56, if the benefit that it pays is a family allowance whose amount is equal to or less than the minimum amount provided for in the third paragraph of section 9:
- (2) up to the lesser of \$56 and 50 % of the benefit where the benefit is some other family allowance;
- (3) up to 20 % of the benefit where the benefit is an allowance for newborn children or for handicapped children.

The maximum provided for in subparagraph 1 of the first paragraph is tripled where the benefit is paid quarterly.";

- (2) by replacing, in the French version, in the part of the second paragraph preceding subparagraph 1, the words "Cependant, elle peut" by the words "La Régie peut néanmoins";
- (3) by replacing in subparagraph 3 of the second paragraph the words "benefit to be recovered" by the words "recoverable sum".
- **5.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette* officielle du Québec.

2724

Draft Regulation

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9)

Pensionable employment — 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 pensionable earnings, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

The following Regulation is intended to make subject to the Québec Pension Plan all casual employment performed at the time of a census and to reduce the period of exception from the Plan that applies to casual work performed at the time of a referendum or an election. These measures are intended to oblige affected workers and their employers to pay contributions to the Plan. Such workers and employers are exempt from paying contributions under the current rules. In compensation for such contributions, the employment income of those workers will be taken into account for the purposes of the plan and will allow them to acquire benefits under the Plan.

Further information may be obtained from Mr. Michel Millette, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec) G1V 4T3 (tel.: (418) 657-8732, fax: (418) 659-8985).

Any person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Guy Morneau, President and General Manager of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5° étage, Sainte-Foy (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Social Solidarity.

ANDRÉ BOISCLAIR, Minister of Social Solidarity

Regulation to amend the Regulation respecting pensionable employment*

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9, s. 4 par. f, 5 par. f and s. 220)

1. Section 20 of the Regulation respecting pensionable employment is amended:

^{*} The Regulation respecting pensionable employment (R.R.Q., 1981, c. R-9, r. 8) was amended by the regulations made by Orders in Council 529-88, dated 13 April 1988 (1988, *G.O.* 2, 1940) and 187-97, dated 12 February 1997 (1997, *G.O.* 2, 932).

- (1) by revoking paragraph c of the first paragraph;
- (2) by replacing, in subparagraph *ii* of paragraph *d* of the first paragraph, the word and figures "25 days" with the word and figures "35 hours";
- (3) by replacing the second paragraph with the following paragraphs and subparagraphs:

"Excepted employment as described in paragraph b or d of the first paragraph becomes included employment from the time the employee who performs such employment becomes an employee in the regular employment of the employer.

Employment shall be included employment from its commencement, notwithstanding paragraph b or d of the first paragraph, where such employment is performed for the benefit of a single employer during one or more periods whose total duration exceeds, in the course of a year:

- (a) 6 days, in the case of employment described in paragraph b of the first paragraph;
- (b) 34 hours, in the case of employment described in paragraph d of the first paragraph.".
- **2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2725

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

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