

# Gazette officielle du Québec

## Part 2 Laws and Regulations

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### Summary

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## Coming into force of Acts

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Gouvernement du Québec

**O.C. 507-99**, 5 May 1999

**An Act to establish the Grande bibliothèque  
du Québec (1998, c. 38)  
— Coming into force**

COMING INTO FORCE of the Act to establish the Grande bibliothèque du Québec

WHEREAS the Act to establish the Grande bibliothèque du Québec (1998, c. 38) was assented to on 20 June 1998;

WHEREAS under section 34 of that Act, its provisions come into force on the date or dates to be fixed by the Government;

WHEREAS under Order in Council 998-98 dated 5 August 1998, that date was fixed as the date of coming into force of the provisions of that Act, except subparagraph 2 of the first paragraph of section 4 and section 23;

WHEREAS it is expedient to fix 5 May 1999 as the date of coming into force of subparagraph 2 of the first paragraph of section 4 and section 23 of that Act;

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

THAT 5 May 1999 be fixed as the date of coming into force of subparagraph 2 of the first paragraph of section 4 and section 23 of that Act.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

2851



## Regulations and other acts

Gouvernement du Québec

### O.C. 512-99, 5 May 1999

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

#### Family benefits — Amendments

Regulation to amend the Regulation respecting family benefits

WHEREAS under paragraphs 2 and 3 of the first paragraph of section 8 of the Act respecting family benefits (1997, c. 57), the Government may, by regulation:

— determine the method for calculating the income of a person who is entitled to a family allowance and the income of that person's spouse;

— determine the reference period during which the conjugal status of a person entitled to the allowance is taken into account for setting the amount of the allowance;

WHEREAS under the second paragraph of section 19 and section 65 of the Act, the Government may, by regulation, fix the percentage or the amount up to which the Régie des rentes du Québec 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 provided for in those acts;

WHEREAS in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation to amend the Regulation respecting family benefits was published on 31 March 1999 in Part 2 of the *Gazette officielle du Québec*, with a notice that the Regulation could be made by the Government on the expiry of a period of 15 days following that publication;

WHEREAS the 15-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

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

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

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting family benefits\*

Act respecting family benefits  
(1997, c. 57, s. 8, 1st par., subpars. 2 and 3, s. 19, 2d 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 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:

\* The last amendment to the Regulation respecting family benefits, approved by Order in Council 1018-97, dated 13 August 1997 (*G.O.* 1997, 2, 4363), was made by the regulation approved by Order in Council 364-98, dated 25 March 1998 (*G.O.* 1998, 2, 1475). For the preceding amendment, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

“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*.

2852

Gouvernement du Québec

## O.C. 524-99, 5 May 1999

An Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011)

### Delegation of powers — Amendments

Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec

WHEREAS under the first paragraph of section 15 of the Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011), documents and copies emanating from the Société or forming part of its records are authentic when they are signed by a person authorized to that effect by regulation;

WHEREAS under the second paragraph of that section, no deed, document or writing binds the Société or may be attributed to the Société unless it is signed by the chairman, one of the vice-chairmen or a member of the personnel of the Société and, in the last case, only to the extent determined by regulation;

WHEREAS under section 17.1 of that Act, the Société may, by by-law, delegate to the general manager, to a member of its personnel or to the holder of an office which is designated therein, the powers vested in it by that Act, the Automobile Insurance Act (R.S.Q., c. A-25) or the Highway Safety Code (R.S.Q., c. C-24.2);

WHEREAS by Order in Council 954-93 dated 30 June 1993, the Government approved the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec and it is expedient to amend it;

WHEREAS at the sitting of the board of directors held on 11 February 1999, the Société adopted the Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec\*

An Act respecting the Société de l'assurance automobile du Québec (R.S.Q., c. S-11.011, ss. 15 and 17.1)

**1.** Unless otherwise indicated, every reference made in this Regulation shall be read taking into account any

\* The latest amendment to the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec, approved by Order in Council 954-93 dated 30 June 1993 (1993, *G.O.* 2, 3697), was made by the regulation approved by Order in Council 1428-97 dated 29 October 1997 (1997, *G.O.* 2, 5460). For prior amendments, see the *Tableau des modifications et index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 September 1998.



amendments that may be made to the text of the legislative or regulatory provisions referred to.

**2.** The following is substituted for section 8 of the Regulation respecting the delegation of powers of the Société de l'assurance automobile du Québec

“**8.** A compensation officer and a specialized services chief or a compensation officer and a specialized services team head may exercise the powers vested by sections 46, 47 and 55 of the Act as concerns the right to an indemnity.”.

**3.** The following is substituted for sections 12 of the Regulation:

“**12.** The vice-president of administration and finance, the director of financial resources, the budget management service chief, and the divisional head of collection and recovery control may each exercise the powers vested by sections 9 and 83.59 to 83.61 of the Act in connection with a non-resident's liability and right to compensation as well as subrogation exercised by the Société.

The director of financial resources may delegate the powers stated in the first paragraph to a recovery officer of the collection and recovery control division.”.

**4.** The following is substituted for sections 13 of the Regulation:

“**13.** The vice-president of administration and finance, the director of financial resources, the budget management service chief, and the divisional head of collection and recovery control may each take any action stated in Chapter X of Title II of the Act, to recover compensation paid to a claimant.

The director of financial resources may delegate the powers stated in the first paragraph to a recovery officer of the collection and recovery control division.”.

**5.** Section 15 of the Regulation is amended:

(1) by substituting “The divisional head of collection and recovery control, and compensation officers assigned to this division” for “The accounts payable service chief and compensation officers assigned to this service” in the first paragraph;

(2) by deleting subparagraph 3.

**6.** The following is substituted for section 16 of the Regulation:

“**16.** The vice-president of administration and finance, the director of financial resources, the budget management service chief, and the divisional head of collection and recovery control may each exercise the powers vested by sections 146 and 149.6 of the Act.

The director of financial resources may delegate the powers stated in the first paragraph to a recovery officer of the collection and recovery control division.”.

**7.** The following is substituted for sections 18 to 28 of the Regulation:

“**18.** The vice-president for highway safety, the driver licensing and vehicle registration director, and the director of road safety operations and services may each exercise the powers vested by section 639 of the Code.

**19.** The vice-president for highway safety, the vice-president of regional operations, the driver licensing and vehicle registration director, the director of road safety operations and services, the regional support director, the business services chief, the chief of services to individuals, and the medical assessment service chief may each exercise the powers vested by section 26 and by paragraphs 4 and 5 of section 81 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

**19.1.** The vice-president for highway safety, the driver licensing and vehicle registration director, the business services chief, and the chief of services to individuals may each exercise the powers vested by section 11 of the Code.

The business services chief may delegate the powers stated in the first paragraph to the divisional head of business vehicle registration and to team leaders and office clerks of that service.

The chief of services to individuals may delegate the powers stated in the first paragraph to the divisional head of client services and to team leaders and officers of that service.

**20.** The vice-president for highway safety, the road safety policy and programs director, the driver licensing and vehicle registration director, the director of road safety operations and services, the police support services chief, and the driver penalty management service chief may each exercise the powers vested by section 39 of the Code.

**21.** The vice-president for highway safety, the driver licensing and vehicle registration director, and the chief of services to dealers and parts recyclers may each exercise the powers vested by sections 151 and 153 of the Code.

**22.** The vice-president for highway safety, the vice-president of regional operations, the director of road safety operations and services, the regional support director, and the medical assessment service chief may each exercise the powers vested by paragraphs 1 to 3 of section 81 and by section 82 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

**23.** The vice-president for highway safety, the vice-president of regional operations, and the driver licensing and vehicle registration director may each exercise the powers vested by paragraphs 3 and 4 of section 83 and by sections 90 and 93 of the Code.

**24.** The vice-president for highway safety, the vice-president of regional operations, the director of road safety operations and services, and the driver penalty management service chief may each exercise the powers vested by section 84 of the Code.

**25.** The vice-president for highway safety, the driver licensing and vehicle registration director, the director of road safety operations and services, the police support services chief, the medical assessment service chief, and the driver penalty management service chief may each exercise the powers vested by section 107 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

**26.** The vice-president for highway safety, the director of road safety operations and services, the medical assessment service chief, and the driver penalty management service chief may each exercise the powers vested by section 76, by paragraphs 1, 2 and 5 of section 83 and by sections 83.1 and 108 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

The driver penalty management service chief may delegate the powers vested by section 76 of the Code to the assistant chief and to team leaders of that service.

**27.** The vice-president for highway safety, the director of road safety operations and services, and the medical assessment service chief may each exercise the powers vested by section 109, by paragraph 1 of section 190 and by sections 195.1 and 398 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

**28.** The vice-president for highway safety, the driver licensing and vehicle registration director, the director of road safety operations and services, the business services chief, and the driver penalty management service chief may each exercise the powers vested by sections 114, 120, 124, 185, 187.1, 187.2, by paragraphs 1 and 2 of section 189 and by sections 194, 195.1 to 198, 200 to 202 and 209.14 of the Code.

The business services chief may delegate the powers stated in the first paragraph to the divisional head of business vehicle registration, to the divisional head of services to heavy vehicle owners and operators, and to team leaders, office clerks and technicians of that service.

The driver penalty management service chief may delegate the powers stated in the first paragraph to the assistant chief and to team leaders of that service.”

**8.** Section 29 of the Regulation is amended by substituting the following for the first sentence of the first paragraph:

“The vice-president of regional operations may exercise the powers vested by sections 519.67, 519.69, 520 and 546.1 of the Code.”

**9.** The following is substituted for sections 30 to 36 of the Regulation:

“**30.** The vice-president for highway safety, the driver licensing and vehicle registration director, and the chief of services to dealers and parts recyclers may each exercise the powers vested by sections 162, 163 and 207 of the Code.

The chief of services to dealers and parts recyclers may delegate the powers stated in the first paragraph to office clerks, team leaders and approved facility auditors of that service.

**31.** The vice-president for highway safety, the director of road safety operations and services, and the medical assessment service chief may each exercise the powers vested by sections 64, 73, paragraphs 2 and 3 of section 190 and by sections 191, 191.1, 552 and 604 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

**32.** The vice-president for highway safety, the driver licensing and vehicle registration director, the business services chief, and the chief of services to individuals may each exercise the powers vested by paragraphs 1 and 3 of section 188 and by paragraphs 5 and 6 of section 190 of the Code.

**33.** The vice-president for highway safety, the vice-president of regional operations, the driver licensing and vehicle registration director, the regional support director, regional directors, the business services chief, the chief of services to individuals, the divisional head of services to heavy vehicle owners and operators, and the divisional head of client services may each exercise the powers vested by paragraph 2 of section 188 of the Code.

The divisional head of services to heavy vehicle owners and operators may delegate the powers stated in the first paragraph to team leaders, office clerks and technicians of that division.

**34.** The vice-president for highway safety, the driver licensing and vehicle registration director, the business services chief, the chief of services to individuals, the divisional head of services to heavy vehicle owners and operators, and the divisional head of client services may each exercise the powers vested by paragraph 4 of section 188 and by paragraph 7 of section 190 of the Code.

**35.** The vice-president for highway safety, the vice-president of regional operations, the driver licensing and vehicle registration director, the business services chief, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by paragraph 5 of section 188 of the Code.

The divisional head of services to heavy vehicle owners and operators may delegate the powers stated in the first paragraph to team leaders, office clerks and technicians of that division.

**36.** The vice-president for highway safety, the director of road safety operations and services, the medical

assessment service chief, and service centre chiefs may each exercise the powers vested by paragraph 4 of section 190 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.”.

**10.** Section 38 of the Regulation is amended by substituting the figure “67” for “66”.

**11.** The following is inserted at the end of section 38:

“**38.1** The vice-president for highway safety and the road safety policy and programs director may each exercise the powers vested by section 519.30.1 of the Code.”.

**12.** The following is substituted for sections 39 to 42 of the Regulation:

“**39.** The vice-president for highway safety, the driver licensing and vehicle registration director, the business services chief, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by sections 519.58 and 519.61 of the Code.

The divisional head of services to heavy vehicle owners and operators may delegate the powers vested by section 519.58 of the Codes to team leaders, office clerks and technicians of that division.

**40.** The vice-president of regional operations, the road safety policy and programs director, the driver licensing and vehicle registration director, the vehicle design and safety service chief, the business services chief, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by paragraph 10.1 of section 521 of the Code.

The vice-president of regional operations may delegate in whole or in part the powers stated in the first paragraph to mechanical inspection officers and approved inspection facility auditors acting under the authority of the vice-president of regional operations.

**41.** The vice-president for highway safety, the vice-president of regional operations, the driver licensing and vehicle registration director, the business services chief, the divisional head of services to heavy vehicle owners and operators, mechanical inspection officers, and approved inspection facility auditors acting under the authority of the vice-president of regional operations may each exercise the powers vested by sections 524, 526 and 577 of the Code.

The divisional head of services to heavy vehicle owners and operators may delegate the powers stated in the first paragraph to team leaders, office clerks and technicians of that division.

**42.** The vice-president of regional operations may exercise the powers vested by sections 523, 527, 529, 531, 532 and 534 of the Code.

The driver licensing and vehicle registration director, the business services chief, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by section 534 of the Code.

The vice-president of regional operations may delegate the powers vested by section 523 of the Code to mechanical inspection officers, approved inspection facility auditors acting under the authority of the vice-president of regional operations. He may also delegate in whole or in part the powers vested by sections 527, 529, 531, 532 and 534 of the Code to mechanical inspection officers, approved inspection facility auditors, and highway carrier monitors.

The divisional head of services to heavy vehicle owners and operators may delegate the powers vested by section 534 of the Code to team leaders, office clerks and technicians of that division.”

**13.** Section 43 of the Regulation is amended by adding the following at the end:

“Highway carrier monitors may each exercise the powers vested by the second paragraph of section 535 of the Code.”

**14.** The following is substituted for section 44 of the Regulation:

“**44.** The vice-president for highway safety, the vice-president of regional operations, the driver licensing and vehicle registration director, the road safety policy and programs director, the business services chief, the chief of services to dealers and parts recyclers, the chief of services to individuals, the medical assessment service chief, the driver penalty management service chief, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by the fourth paragraph of section 550, and sections 550.1, 554 and 557 to 559 of the Code.

The medical assessment service chief may delegate the powers stated in the first paragraph to a divisional head or team leader of that service and to service officers specially trained to evaluate the health of drivers and road safety program eligibility.

The driver penalty management service chief may delegate the powers stated in the first paragraph to the assistant chief and to team leaders of that service.”

**15.** The following is substituted for sections 46 to 49 of the Regulation:

“**46.** The vice-president for highway safety, the driver licensing and vehicle registration director, the road safety policy and programs director, the information handling and dissemination service chief, the police support services chief, and the divisional head of partner information and support may each exercise the powers vested by section 595 of the Code.

The information handling and dissemination service chief may delegate the powers stated in the first paragraph to office clerks and technicians of that service.

The police support services chief may delegate the powers stated in the first paragraph to information clerks and technicians of that service.

The divisional head of partner information and support may delegate the powers stated in the first paragraph to information clerks of that division.

**47.** The vice-president for highway safety, the director driver licensing and vehicle registration director, the information handling and dissemination service chief, and the divisional head of partner information and support may each exercise the powers vested by section 607 of the Code.

The divisional head of partner information and support may delegate the powers stated in the first paragraph to information clerks of that division.

**48.** The vice-president for highway safety, the driver licensing and vehicle registration director, the information handling and dissemination service chief, the business services chief, the divisional head of partner information and support, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by section 608 of the Code.

The divisional head of partner information and support may delegate the powers stated in the first paragraph to information clerks of that division.

The divisional head of services to heavy vehicle owners and operators may delegate the powers stated in the first paragraph to team leaders, office clerks and technicians of that division.

**49.** The vice-president for highway safety, the driver licensing and vehicle registration director, the road safety

policy and programs director, the information handling and dissemination service chief, the business services chief, the chief of services to dealers and parts recyclers, the chief of services to individuals, the driver penalty management service chief, the divisional head of partner information and support, and the divisional head of services to heavy vehicle owners and operators may each exercise the powers vested by section 609 of the Code.

The chief of services to dealers and parts recyclers may delegate the powers stated in the first paragraph to office clerks, team leaders and approved facility auditors of that service.

The chief of services to individuals may delegate the powers stated in the first paragraph to the divisional head of client services and to information clerks of that service.

The divisional head of partner information and support may delegate the powers stated in the first paragraph to information clerks of that division.

The divisional head of services to heavy vehicle owners and operators may delegate the powers stated in the first paragraph to team leaders, office clerks and technicians of that division.”

**16.** The following is substituted for 53 of the Regulation:

“**53.** The director of automobile insurance policy and programs, and the divisional head of collection and recovery control are authorized to sign agreements with claims adjusters or other persons working in the insurance field for professional and investigative services on cases covered by Titles II and IV of the Automobile Insurance Act.”

**17.** The following is inserted at the end of section 53:

“**53.1** The director of audits may sign contracts for professional and investigative services in any area under the Société’s authority.”

**18.** The following is inserted at the end of section 55:

“**55.1** The director of material and immovable resources is authorized to sign, in accordance with section 4 of the Regulation respecting retention schedules, transfer, deposit and disposal of public archives, made by Order in Council 1894-85 dated 18 September 1985, a modification to the retention schedule for Société documents and submit it to the Minister of Culture and Communications for approval under the first paragraph of section 8 of the Archives Act (R.S.Q., c. A-21.1).”

**19.** The following is substituted for section 59:

“**59.** Each holder of a position mentioned in this section is authorized to investigate under subparagraph *f* of paragraph 2 of section 2 of the Act respecting the Société de l’assurance automobile du Québec into areas stated in connection with the position:

(1) the driver licensing and vehicle registration director, the chief of services to dealers and parts recyclers, and approved facility auditors of services to dealers and parts recyclers, on the operation of businesses dealing in vehicles, vehicle bodies and parts;

(2) the compensation and specialized services directors as well as their service chiefs and team leaders, on matters concerning a claim for compensation;

(3) review office employees trained as review officers, on any matter subject to a review concerning compensation provided under Title II of the Automobile Insurance Act;

(4) the divisional head of collection and recovery control, on any matter concerning the recovery of sums;

(5) the driver licensing and vehicle registration director, the information handling and dissemination service chief, as well as information clerks of that service, and the chief of services to individuals, as well as staff members of the service, on any matter in connection with an application for a driver’s licence.”

**20.** The following is substituted for the first paragraph of section 61:

“**61.** The vice-president for highway safety, the driver licensing and vehicle registration director, the road safety policy and programs director, the information handling and dissemination service chief, the business services chief, the data processing service chief, the chief of services to individuals, the police support service chief, the medical assessment service chief, the driver penalty management service chief, the customer information service chief for the Island de Montréal, service centre chiefs, carrier monitoring service chiefs, and the compensation service chiefs and specialized service chiefs are authorized to certify as authentic those documents under the scope of their respective authority, or copies thereof issued by the Société or forming part of its records.”

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

Gouvernement du Québec

## O.C. 529-99, 5 May 1999

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

### Use of employer experience

Regulation respecting the use of employer experience

WHEREAS under subparagraph 12.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), enacted by paragraph 9 of section 44 of the Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety (1996, c. 70), the Commission de la santé et de la sécurité du travail may make regulations defining the transactions referred to in section 314.3 of the Act respecting industrial accidents and occupational diseases and prescribing the cases, terms and conditions for the determination of the experience of the employer involved in such a transaction and prescribing special assessment procedures applicable to the employer;

WHEREAS under subparagraph 12.2 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), enacted by paragraph 9 of section 44 of the Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety, the Commission de la santé et de la sécurité du travail may make regulations determining the standards according to which the employer involved in a transaction referred to in section 314.3 of the Act respecting industrial accidents and occupational diseases is to inform the Commission;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the use of employer experience was published in Part 2 of the *Gazette officielle du Québec* of 2 December 1998, with a notice that it would be adopted by the Commission with or without amendments upon the expiry of 45 days following that publication;

WHEREAS the Commission adopted that Regulation at the meeting of its board of directors held on 18 February 1999;

WHEREAS it is expedient to approve that Regulation as it appears attached to this Order in Council;

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

THAT the Regulation respecting the use of employer experience, attached hereto, be approved.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

### Regulation respecting the use of employer experience

An Act respecting industrial accidents  
and occupational diseases  
(R.S.Q., c. A-3.001, s. 454, first par., subpar. 12.1  
and 12.2)

#### CHAPTER I STATEMENT OF PURPOSE

**1.** The purpose of this Regulation is to prescribe in what cases and on what terms and conditions the Commission de la santé et de la sécurité du travail may determine the experience of an employer in order to reflect the risk to which the workers will be exposed following a transaction defined in section 2, and to prescribe the special assessment procedures applicable to the employer.

A further purpose of this Regulation is to establish the procedure for notifying the Commission of such transactions.

#### CHAPTER II DEFINITIONS

**2.** For the purposes of section 314.3 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) and for the purposes of this Regulation, a transaction is regarded as a legal transaction following which the insured risk of an initial employer (the predecessor) continues in respect of another employer (the successor) who carries on, in whole or in part, the activities of the initial employer. It also includes a merger following which the insured risk of the merging employers (the predecessors) continues in respect of the employer created by the merger (the successor) who carries on, in whole or in part, the activities of the merging employers.

**3.** In this Regulation:

“insurable wages”: means the gross wages taken into consideration, in accordance with sections 289 or 289.1 of the Act, up to the maximum yearly insurable earnings established under section 66 of the Act.

### CHAPTER III GENERAL PROVISIONS

**4.** For the purposes of determining if a successor qualifies for a personalized rate or is subject to, or qualifies for, retrospective adjustment of the assessment, and in order to fix its assessment under the Regulation respecting personalized rates adopted by the Commission de la santé et de la sécurité du travail by resolution A-86-98 of September 17, 1998 (1998, *G.O.* 2, 3997), and under the Regulation respecting retrospective adjustment of the assessment, adopted by the Commission de la santé et de la sécurité du travail by resolution A-85-98 of September 17, 1998 (1998, *G.O.* 2, 4156), the Commission shall, in accordance with the rules prescribed in this Regulation, use the predecessor’s experience related to employment injury risk insured by the Commission with respect to the activities covered by a transaction where, after the transaction, the risk continues in respect of the successor.

**5.** For the purposes of this Regulation, a transaction takes place on the date on which the successor actually continues to carry on, in whole or in part, the predecessor’s activities where that date is not the same as that of the legal transaction pursuant to which said activities continue to be carried on.

**6.** For the purposes of this Regulation, the insurable wages earned in respect of a unit include the wages apportioned by the Commission in respect of that unit pursuant to the Regulation respecting the classification of employers, the statement of wages and the rates of assessment adopted by the Commission de la santé et de la sécurité du travail by resolution A-73-97 of October 16, 1997 (1997, *G.O.* 2, 5330).

### CHAPTER IV DETERMINATION OF EMPLOYER EXPERIENCE RELATED TO EMPLOYMENT INJURY RISK TO BE USED FOR THE PURPOSES OF QUALIFYING FOR A PERSONALIZED RATE AND THE METHOD OF CALCULATING THAT RATE

#### DIVISION I DEFINITION

**7.** In this Chapter, “Regulation” means the Regulation respecting personalized rates.

#### DIVISION II QUALIFICATION FOR A PERSONALIZED RATE AND THE DETERMINATION OF A SUCCESSOR’S RISK INDICES

**8.** For the purposes of fixing a successor’s assessment, the Commission shall determine, in accordance with the rules prescribed in this Division, the successor’s qualification for a personalized rate, as well as the first- and second-level risk indices that shall apply, pursuant to the Regulation, to the first- and second-level unit-rates according to risk for each unit in which the successor is classified.

*§1. Assessment and qualification for a personalized rate of a successor that commences its activities following a transaction*

**9.** A successor that commences its activities following a transaction shall qualify for a personalized rate for the year in which that transaction took place if the predecessor qualified, for that year, for such a rate pursuant to the Regulation. The first- and second-level risk indices that shall be used, where applicable, to fix the personalized rate are those that applied to the predecessor on the date on which the transaction took place.

For subsequent years, the successor’s qualification for a personalized rate, as well as its first- and second-level risk indices, shall be determined in accordance with the Regulation by adding the predecessor’s actual and expected experience for any period prior to the date on which the transaction took place falling within the first- and second-level reference periods. Notwithstanding the foregoing, where a predecessor was party to an agreement contemplated by the General Regulation respecting the agreements on the grouping of employers for the purposes of applying personalized rates and the procedures for calculating those rates approved by Order-in-Council 1296-97 of October 1, 1997, its actual and expected experience shall include, for the period commencing on the date on which the transaction took place and terminating on the end of the year in which it took place, the actual and expected experience of the prevention mutual group to which it belonged for that year.

**10.** For the purposes of this regulation, where the predecessor has discontinued operations before the date on which the transaction took place, its qualification for a personalized rate on the date on which the transaction took place shall be determined in accordance with the Regulation as if it had not discontinued operations and the risk indices applicable to it on that date are those that would have applied to it under the Regulation had it not discontinued operations.

*§2. Assessment and qualification for a personalized rate of a successor that was an employer before the date on which a transaction took place*

**11.** A successor that was an employer before the date on which a transaction took place shall qualify for a personalized rate for the year in which the transaction took place, where, pursuant to the Regulation, it or the predecessor qualified for such a rate on the date on which the transaction took place.

The first- and second-level risk indices that shall apply to the successor from the date on which the transaction took place shall correspond respectively to the weighted average, determined under Division III, of the first-level risk index of the successor and that of the predecessor and to the weighted average, determined under the same Division, of the second-level risk index of said successor and of said predecessor determined pursuant to the Regulation.

The first- and second-level risk indices of an employer that did not qualify for a personalized rate before the transaction shall be equal to 1.

**12.** For each subsequent year, the qualification for a personalized rate, as well as the first- and second-level risk indices of a successor referred to in section 11, shall be determined as follows:

1) by determining the qualification for a personalized rate, as well as, where applicable, its first- and second-level risk indices, in accordance with the Regulation. Said indices shall be equal to 1 where the successor does not, for that year, qualify for a personalized rate;

2) by re-determining the qualification and, where applicable, the first- and second-level risk indices of the successor in accordance with the Regulation by using, for any period prior to the date on which the transaction took place falling within the first- and second-level reference periods, the predecessor's actual and expected experience. Notwithstanding the foregoing, where a predecessor was party to an agreement contemplated by the General Regulation respecting the agreements on the grouping of employers for the purposes of applying personalized rates and the procedures for calculating those rates, its actual and expected experience shall include, for the period commencing on the date on which the transaction took place and terminating on the end of the year in which the transaction took place, the actual and expected experience of the prevention mutual group to which it belonged for that year.

The indices shall be equal to 1 where the successor does not qualify for a personalized rate for the assessment year under this subparagraph;

3) where the successor qualifies for a personalized rate under subparagraphs 1 or 2, by determining, in accordance with Division III, the weighted average of the first-level risk index determined under subparagraph 1 and of that determined under subparagraph 2 and by determining, in accordance with that same Division, the weighted average of the second-level risk index determined under subparagraph 1 and of that determined under subparagraph 2.

**13.** Where the predecessor fails to furnish the Commission with the information pertaining to the predecessor allowing for the determination of the first- and second-level risk indices of the successor in accordance with sections 11 and 12, the indices shall be determined in accordance with sections 14 and 15.

For the purpose of these sections, the first- and second-level risk indices of a successor or predecessor shall be equal to 1 if either one does not qualify, pursuant to the Regulation, for a personalized rate for a given year or, where applicable, in accordance with the method prescribed in subparagraph 2 of section 12.

**14.** For the year in which the transaction took place, where the second-level risk index applicable to a successor on the date on which the transaction took place is equal to, or greater than, the second-level risk index applicable to its predecessor on that date, the first- and second-level risk indices that shall apply to the successor from the date on which the transaction took place shall correspond to those applicable to the successor on that date.

Where the second-level risk index applicable to a predecessor on the date on which the transaction took place is greater than the second-level risk index that applied to the successor on that date, the first- and second-level risk indices that shall apply to the successor from the date on which the transaction took place shall correspond respectively to the weighted average, determined under Division III, of the first-level risk index that applied to the successor on the date on which the transaction took place and of that applicable to the predecessor on that date, and to the weighted average, determined under the same Division, of the second-level risk index applicable to the successor on the date on which the transaction took place, as well as that applicable to the predecessor on that date.



**15.** For each subsequent year, the first- and second-level risk indices applicable to the successor referred to in the first paragraph of section 14 shall be calculated in accordance with the Regulation.

Where the successor falls within the second paragraph of section 14, section 12 shall apply to it for the purposes of determining its first- and second-level risk indices.

**16.** Sections 11 and 14 do not apply to a successor that is subject to, or qualifies for, retrospective adjustment of its assessment for the year in which the transaction took place unless it applies to qualify therefor before the date on which the transaction actually took place. Any such application becomes irrevocable as of that date.

**17.** For the purposes of Subdivisions 1 and 2, where a number of transactions occur simultaneously, they shall be treated as successive transactions. In such a case, where a successor falls within section 9, that section shall apply to only one of the transactions and the rules prescribed in Subdivision 2 shall apply to the other transactions.

*§3. Assessment and qualification for a personalized rate of a successor following a merger*

**18.** Where the transaction consists of a merger, the successor shall qualify for a personalized rate for each unit in which it is classified for the year in which the transaction took place, where at least one of the predecessors party to the merger qualified for such a rate pursuant to the Regulation.

The first- and second-level risk indices that shall apply to the successor as of the date on which the transaction took place shall correspond respectively to the weighted average, determined in accordance with Division III, of the first-level risk indices of the predecessors and to the weighted average of their second-level risk indices calculated for that year in accordance with the Regulation.

The first- and second-level risk indices of a predecessor that did not qualify for a personalized rate on the date on which the transaction took place, shall be equal to 1.

**19.** For each subsequent year, qualification for a personalized rate, as well as the first- and second-level risk indices of a successor referred to in section 18, shall be determined as follows:

1) by determining, with respect to each predecessor, qualification pursuant to the Regulation for a personalized rate, as well as, where applicable, the first- and second-level risk indices of the successor, by using, for any period prior to the date on which the transaction took place and which falls within the first- and second-level reference periods, the predecessor's actual and expected experience. Where the successor does not so qualify for one year following any such determination, the successor's first- and second-level risk indices corresponding to said determination shall be equal to 1;

2) where for the subsequent year, the successor qualifies for a personalized rate in respect of at least one of the determinations made under subparagraph 1, by determining, in accordance with Division III, the weighted average of the first-level risk indices determined under that subparagraph, and the weighted average, determined in accordance with that same Division, of the second-level risk indices determined under that same subparagraph.

**DIVISION III**  
**METHOD OF WEIGHTING**

**20.** The weighting stipulated in sections 11 and 12 and in the second paragraph of section 14 shall, subject to the exceptions stipulated in sections 22 to 26, be determined on the basis of the successor's assessment according to risk calculated at the unit-rate for the year preceding the year in which the transaction took place and of the predecessor's assessment according to risk calculated at the unit-rate for that year.

The weighting stipulated in sections 18 and 19 shall, subject to the exceptions stipulated in sections 22 to 26 and after making the necessary adjustments, be determined on the basis of each predecessor's assessment according to risk calculated at the unit-rate for the year preceding the year in which the transaction took place.

**21.** For the purposes of this Regulation, the assessment according to risk calculated at the unit-rate shall correspond to the product obtained by multiplying that portion of the general unit-rate in which the employer is classified for the relevant year corresponding to the financial requirements of the Commission de la santé et de la sécurité du travail apportioned according to first- or second-level risk at the time the rate is fixed under section 304 of the Act, by the insurable wages earned by the employer's workers in respect of that unit.

Notwithstanding the foregoing, except for the situation referred to the second paragraph of section 14, where a successor carries on the predecessor's activities in part only, the predecessor's assessment according to

risk calculated at the unit-rate shall be obtained by using the insurable wages earned by its workers in respect of those activities and the corresponding unit-rates for those activities.

For the purposes of the operation contemplated in the first paragraph, where a successor or predecessor is classified in more than one unit, the aggregate results obtained for each of said units shall be taken into consideration.

**22.** For the purposes of this Division, where a predecessor or successor was involved in another transaction between January 1 of the year preceding the year in which the transaction took place and the actual date on which the transaction took place, its assessment according to risk calculated at the unit-rate for the year preceding the year in which the transaction took place shall be increased by the assessment according to risk calculated at the predecessor's unit-rate in respect of that other transaction, for the period commencing on January 1 of the year preceding the year in which the transaction took place and terminating on the date on which that other transaction took place or, at the latest, by December 31 of that year.

**23.** Where, due to a change in the nature of its activities, the predecessor or successor was not classified in the same unit or units for the year preceding the year in which the transaction took place and for the year in which the transaction actually took place, then the weighted average of the successor's first- and second-level risk indices shall be based on its assessment according to risk calculated at the unit-rate for the period commencing on January 1 of the year in which that transaction took place and ending on the date on which that transaction took place and on the predecessor's assessment according to risk calculated at the unit-rate for the same period.

**24.** Where the predecessor or successor has commenced its activities during the period commencing on January 1 and terminating on June 30 of the year preceding the year in which the transaction took place, and in respect of which section 9 does not therefore apply, the weighted average of the successor's first- and second-level risk indices shall be based on its assessment according to risk calculated at the unit-rate and on the predecessor's assessment according to risk calculated at the unit-rate for the period during which the successor and predecessor were both employers in the year preceding the year in which the transaction took place.

**25.** Where the predecessor or successor commenced its activities after June 30 of the year preceding the year in which the transaction took place, and in respect of which section 9 does not therefore apply, the weighted average of the successor's first- and second-level risk indices shall be based on its assessment according to risk calculated at the unit-rate and on the predecessor's assessment according to risk calculated at the unit-rate for the period during which the successor and predecessor were both employers in the year preceding the year in which the transaction took place and the year in which the transaction took place up to the date on which the transaction actually took place.

**26.** Where the predecessor or successor commenced its activities after January 1 of the year preceding the year in which the transaction took place following another transaction to which section 9 applied, the weighted average of the successor's first- and second-level risk indices shall be based on its assessment according to risk calculated at the unit-rate for the year preceding the year in which that transaction took place, increased, where applicable, by the assessment according to risk of the predecessor involved in the other transaction, calculated at the unit-rate, for the period commencing on January 1 of the year in which that transaction took place and terminating on the date of that other transaction, and on the predecessor's assessment according to risk calculated at the unit-rate for that year, increased, where applicable, by the assessment according to risk of the predecessor involved in the other transaction, calculated at the unit-rate, for the period commencing on January 1 of the year in which that transaction took place and terminating on the date of that other transaction.

#### **DIVISION IV** **DETERMINATION OF A SUCCESSOR'S** **PERSONALIZED RATE**

**27.** The first- and second-level risk indices of a successor qualifying for a personalized rate in accordance with the rules prescribed in this Regulation, calculated in accordance with Divisions II and III, shall be regarded as being those indices determined in accordance with the Regulation and shall be used to fix the personalized rate applicable to the insurable wages earned by the successor's workers as of the date on which the transaction took place, in respect of each unit in which the successor is classified.

## CHAPTER V

### EXPERIENCE APPLICABLE FOR THE PURPOSES OF DETERMINING IF A SUCCESSOR IS SUBJECT TO OR QUALIFIES FOR RETROSPECTIVE ADJUSTMENT OF THE ASSESSMENT AND FOR FIXING ITS ASSESSMENT

#### DIVISION I

##### PROVISION OF GENERAL APPLICATION

**28.** The rules prescribed in the Regulation respecting retrospective adjustment of the assessment shall apply, taking into account the specific rules prescribed in this Chapter, for the purposes of determining if the successor is subject to or qualifies for retrospective adjustment of the assessment, and for fixing its assessment under this Regulation.

#### DIVISION II

##### DEFINITIONS

**29.** In this Chapter:

“Regulation”: means the Regulation respecting retrospective adjustment of the assessment; and

“unit-rate according to risk “: means the unit-rate according to risk as that term is defined in section 4 of the Regulation.

#### DIVISION III

##### ASSESSMENT OF A SUCCESSOR AND DETERMINING IF IT IS SUBJECT TO OR QUALIFIES FOR RETROSPECTIVE ADJUSTMENT OF THE ASSESSMENT FOLLOWING A TRANSACTION WHERE THE PREDECESSOR WAS SUBJECT THERETO, OR HAD APPLIED TO QUALIFY THEREFOR, AND WHERE THE SUCCESSOR WAS NOT SUBJECT THERETO, AND HAD NOT APPLIED TO QUALIFY THEREFOR, FOR THE YEAR IN WHICH THE TRANSACTION TOOK PLACE

**30.** Where, under section 4 of the Regulation, the successor is not subject to retrospective adjustment of its assessment for the assessment year in which the transaction took place, and where it had not applied to qualify therefor for that year under section 5 of the Regulation, but where the predecessor had been subject thereto, or had applied to qualify therefor, for that year, the successor shall be subject to retrospective adjustment of its assessment if the product obtained by multiplying the insurable wages earned by its workers for the period commencing on the date on which the transaction took place and terminating on December 31 of the year in which the transaction took place, by the unit-rate

according to risk for the unit in which the successor is classified for that period, is at least equal to the qualifying threshold for that year.

**31.** Notwithstanding the foregoing, a successor contemplated in section 30 may apply for re-determination of its qualification for retrospective adjustment under section 4 of the Regulation if the predecessor has furnished the Commission with a statement of the insurable wages earned by its workers in respect of the activities that are the subject of the transaction for the year in which the transaction took place and for the two preceding years, and if the application was filed before the date on which the transaction actually took place. In such a case, the insurable wages earned by the successor’s workers during the year prior to the year preceding the assessment year shall include the insurable wages earned by the predecessor’s workers for that year in respect of the activities that are the subject of the transaction.

**32.** A successor contemplated in sections 30 or 31 shall be regarded as having elected the assumption limit applicable to the predecessor, unless the successor forwards to the Commission the notice indicating its election of the assumption limit, as stipulated in section 16 of the Regulation, by no later than the date on which the transaction took place. The notice becomes irrevocable as of that date.

**33.** The Commission shall retrospectively adjust that portion of the assessment of a successor that is subject to or qualifies for retrospective adjustment of its assessment under sections 30 or 31, in relation to the period commencing on the date on which the transaction took place and terminating on December 31 of that year, in accordance with the Regulation. Where applicable, the personalized rate applicable to the successor, for that part of the year, shall be calculated by making the adjustments stipulated in section 29 of the Regulation respecting personalized rates.

**34.** For each of the two assessment years subsequent to the year in which the transaction took place, a successor referred to in section 30 shall be subject to, or qualify for, retrospective adjustment of its assessment where the product obtained by multiplying the insurable wages earned by its workers for any such subsequent year by the unit-rate according to risk for the unit in which it is classified for that year is at least equal to the qualifying threshold for that year.

Notwithstanding the foregoing, where the successor has filed an application under section 31, it shall be subject to, or shall qualify for, retrospective adjustment of its assessment for each of the subsequent two assessment years if it satisfies the requirements prescribed in

the Regulation. In such a case, the insurable wages earned by its workers during the year prior to the year preceding the assessment year shall include the insurable wages earned by predecessor's workers for that year in respect of the activities that were the subject of the transaction.

**35.** Where a number of transactions occur simultaneously and where the assumption limits applicable to the predecessors under section 16 of the Regulation are not the same, the successor shall be regarded as having elected the assumption limit applicable to the predecessor with the highest assessment according to risk calculated at the unit-rate, as provided for in section 21, for the year prior to the year preceding the year in which the transaction took place.

**DIVISION IV**  
**ASSESSMENT OF THE SUCCESSOR AND**  
**DETERMINING IF IT IS SUBJECT TO, OR**  
**QUALIFIES FOR, RETROSPECTIVE**  
**ADJUSTMENT OF ITS ASSESSMENT WHERE**  
**THE TRANSACTION CONSISTS OF A MERGER**

**36.** Where the transaction consists of a merger and where at least one predecessor is subject to retrospective adjustment of its assessment under section 4 of the Regulation for the year in which the transaction took place and where it has not applied for re-determination of its qualification for that year under section 6 of the Regulation, the successor shall be subject to retrospective adjustment of its assessment.

**37.** Where such a transaction took place and where the predecessors that were subject to retrospective adjustment of their assessments under section 4 of the Regulation for the year in which the transaction took place have applied for re-determination of their qualification for that year pursuant to section 6 of the Regulation, but where at least one other predecessor has filed an application to qualify therefor under section 5 of the Regulation for that year, the successor shall be subject to retrospective adjustment of the assessment if it satisfies the requirement prescribed in said section 5. In such a case, the Commission shall take into account, for the purposes of said section 5, the insurable wages earned by its workers, as well as the wages earned by all the workers of the predecessors that are subject to, or have applied to qualify for, retrospective adjustment of their assessments for that year, declared for the years referred to in that section in respect of the unit in which the predecessors are classified for those assessment years. The unit-rate according to risk for those units shall be used in respect of said wages for the purpose of performing the calculations contemplated in subparagraphs 1 and 2 of said section 5.

**38.** Where such a transaction took place and where none of the predecessors applied to qualify for retrospective adjustment of their assessments under section 5 of the Regulation for the year in which the transaction took place and where all the predecessors subject to said adjustment for that year have applied for re-determination of their qualification pursuant to section 6 of the Regulation, the successor shall be subject to retrospective adjustment of its assessment, and that qualification shall be re-determined pursuant to said section 6. In such a case, the Commission shall take into account the insurable wages earned by the successor's workers as well as the wages earned by all the workers of the predecessors subject to retrospective adjustment of their assessments for that year, declared for the assessment year in which the transaction took place in respect of the unit in which the predecessors are classified for that year. The unit-rate according to risk for the units shall be used in respect of said wages for the purpose of performing the calculation contemplated in subparagraph 1 of section 5 of the Regulation.

This section does not apply where, pursuant to section 4 of the Regulation, none of the predecessors are subject to, or qualify for, retrospective adjustment of their assessments for the year in which the transaction took place.

**39.** For the purposes of this Division, where the assumption limits applicable to the predecessors pursuant to section 16 of the Regulation are not the same, the successor shall be regarded as having elected the assumption limit applicable to the predecessor with the highest assessment according to risk calculated at the unit-rate for the year prior to the year preceding the year in which the transaction took place.

**40.** Where, in accordance with the rules prescribed in this Division, a successor is subject to, or qualifies for, retrospective adjustment of the assessment for the year in which the transaction took place, the assessment of the successor and of the predecessors shall be retrospectively adjusted in accordance with the Regulation as if they had been a single employer.

Notwithstanding the foregoing, the successor's assessment for the period prior to the date on which the transaction took place involving a predecessor that was not subject to, or had not applied to qualify for, retrospective adjustment of the assessment shall be that fixed at the rate applicable to the predecessor before that date.

**41.** For subsequent assessment years, the successor shall be subject to or qualify for retrospective adjustment of its assessment if it satisfies the requirements prescribed in the Regulation. In such a case, the insur-

able wages earned by the successor's workers for the year prior to the year preceding the assessment year shall include those wages earned by the predecessors' workers in respect of their activities, and the rate applicable thereto shall be the unit-rate according to risk for the unit in respect of which they have filed a statement pursuant to the Act.

#### CHAPTER VI NOTIFYING THE COMMISSION

**42.** Where a successor commences its activities following a transaction, it shall advise the Commission thereof by no later than the date on which it forwards the information as required under the second paragraph of section 290 of the Act. In all other cases, the successor shall notify the Commission thereof by no later than the date on which it forwards the statement as required under section 292 of the Act.

A successor shall, in addition to indicating the identity of the predecessor, indicate the date on which the transaction took place and, where applicable, if it is a merger.

#### CHAPTER VII TRANSITIONAL AND FINAL PROVISIONS

**43.** For 1998, the assessment according to risk calculated at the unit-rate referred to in section 21, shall correspond to the product obtained by multiplying that portion of the general unit-rate for the unit in which the employer is classified for the relevant year corresponding to the financial requirements of the Commission de la santé et de la sécurité du travail apportioned according to risk at the time of the fixing of the rate under section 304 of the Act, by the insurable wages earned by the employer's workers in respect of that unit.

**44.** This Regulation comes into force on the 60th day following the date of its publication in the *Gazette officielle du Québec*.

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#### M.O., 1999

#### Order of the Minister of State for Health and Social Services and Minister of Health and Social Services to make the Regulation to amend the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized, dated 28 April 1999

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

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

CONSIDERING section 80 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01);

CONSIDERING the Order of the Minister of Health and Social Services No. 92-06 of July 6, 1992, making the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized, published in the *Gazette officielle du Québec* of 15 July 1992;

CONSIDERING that it is necessary to amend that Regulation to delete the provisions referring to the "Quad Program (Quality Assessment of Drugs)" of the Department of Health and Welfare, Health Protection Branch, since that program was abolished on 31 December 1997;

CONSIDERING that the draft Regulation to amend the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized was published in Part 2 of the *Gazette officielle du Québec* of 24 February 1999, on page 185, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that the Conseil consultatif de pharmacologie has been consulted on the draft Regulation;

CONSIDERING that it is expedient to make the Regulation without amendments;

MAKES the Regulation to amend the Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized, the text of which appears below.

Québec, 28 April 1999

PAULINE MAROIS,  
*Minister of State for Health  
and Social Services  
and Minister of Health and Social Services*

**Regulation to amend the Regulation  
respecting the conditions on which  
manufacturers and wholesalers of  
medications shall be recognized\***

An Act respecting prescription drug insurance  
(R.S.Q., c. A-29.01, s. 80)

**1.** The Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized is amended by deleting paragraph 3 of section 1.

**2.** Schedule I to that Regulation is amended by deleting section 3.

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

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\* The Regulation respecting the conditions on which manufacturers and wholesalers of medications shall be recognized, made by Order No. 92-06 of the Minister of Health and Social Services dated 6 July 1992 (1992, *G.O.* 2, 3623), was amended by the Regulation made by Minister's Order 96-08 dated 9 December 1996 (1996, *G.O.* 2, 5430).

## Draft Regulations

### Draft Regulation

An Act respecting childcare centres and childcare services  
(R.S.Q., c. S-4.1; 1997, c. 58)

#### Reduced contributions

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 reduced contributions, the text of which appears below, may be made by the Government upon the expiry of 20 days following this publication.

The draft Regulation introduces various amendments in respect of the age of children covered by the Regulation. It provides that the Regulation applies to every child who occupies a place in a childcare service giving entitlement to a grant under section 41.6 of the Act respecting childcare centres and childcare services or who occupies a place where the reduced contribution applies. However, it stipulates that the provision will apply to children who are under two years old only as of 1 September 2000. In order to be consistent with the provisions applicable to the school milieu, the draft Regulation fixes the age of children to which apply the provisions particular to children of school age at no less than five years on 30 September of the year of reference instead of 1 October. In respect of services provided to children who are under five years old on 30 September, the draft Regulation provides that the reduced contribution applies to them for the days included in the school calendar instead of a fixed period.

In practice, the draft Regulation mainly provides that places where the reduced contribution applies will be available to children who are at least two years old as of 1 September 1999 and to all children as of 1 September 2000.

With the proposed amendments, places where the reduced contribution applies will gradually be available to all children.

Under section 12 of the Regulations Act, the draft Regulation may be made after a period shorter than that of 45 days provided for in section 11 of that Act because of the urgency due to the following circumstances:

— the amendments respecting the school calendar must come into force no later than 18 August 1999 so that the parents of children of school age in childcare services may benefit from the reduced contribution as of the beginning of the school year;

— the amendments respecting the eligibility of parents of children who are two years old or older on 30 September of the year of reference must come into force on 1 September 1999.

Further information may be obtained by contacting Andrée Morin, Director, Direction de la politique familiale et des programmes, 1050, rue des Parlementaires, 7<sup>e</sup> étage, Québec (Québec) G1R 5Z8; tel. (418) 646-2160; fax: (418) 528-2009.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 20-day period, to the Minister for Child and Family Welfare, 1050, rue des Parlementaires, 7<sup>e</sup> étage, Québec (Québec) G1R 5Z8.

PAULINE MAROIS,  
*Minister of Child and  
Family Welfare*

NICOLE LÉGER,  
*Minister for Child and  
Family Welfare*

### Regulation to amend the Regulation respecting reduced contributions\*

An Act respecting childcare centres and childcare services  
(R.S.Q., c. S-4.1, s. 73, 1st par. subpars. 20, 21 and 24; 1997, c. 58, s. 122, pars. 13 and 14)

1. The Regulation respecting reduced contributions is amended in section 1

(1) by substituting the words “under 5 years old” for the words “at least 3 years old” in the second paragraph; and

(2) by substituting “30 September” for “1 October” in the third paragraph.

\* The Regulation respecting reduced contributions, made by Order in Council 1071-97 dated 20 August 1997 (1997, G.O. 2, 4392), was last amended by Order in Council 1004-98 dated 5 August 1998 (1998, G.O. 2, 3645).

**2.** Section 2 is amended by striking out the words “who is at least 3 years old on 30 September of the year of reference and” after the word “child”.

**3.** Section 6 is amended by substituting the words “child under 5 years old on 30 September of the year of reference” for the words “3 or 4-year old child” in the first paragraph.

**4.** Section 6.1 is amended

(1) by substituting “30 September” for “1 October” in the first paragraph; and

(2) by substituting the words “, per year of reference, included in the school calendar” for the words “spread from 1 September to 30 June per year of reference” after “200 days” in subparagraph 1 of the first paragraph.

**5.** Section 11.1 is amended by substituting “30 September” for “1 October”.

**6.** Section 12 is amended

(1) by substituting “30 September” for “1 October” in subparagraph 4 of the second paragraph; and

(2) by substituting “30 September” for “1 October” in the third paragraph.

**7.** Section 13 is amended by substituting the words “specifying the birth date of the child” for the words “establishing the child’s age on 30 September of the year of reference” in the second paragraph.

**8.** The following is added after section 26:

“**26.1.** Insofar as they concern a child who is under 2 years old on 30 September of the year of reference, the provisions of this Regulation come into force on 1 September 2000.”.

**9.** This Regulation comes into force on 1 September 1999, except paragraph 2 of section 4, which comes into force on the on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

2854

## Draft Regulation

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

### Development of wildlife — Scale of fees and duties — Amendments

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

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

GUY CHEVRETTE,  
*Minister responsible for  
Wildlife and Parks*

## Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife\*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 121, par. 1; 1997, c. 95, s. 6)

**1.** Schedule II to the Regulation respecting the scale of fees and duties related to the development of wildlife is amended by substituting “Port-Cartier—Sept-Îles” for “Sept-Îles—Port-Cartier” in the Column “Wildlife sanctuary”.

**2.** Schedule III is amended by substituting “Port-Cartier—Sept-Îles” for “Sept-Îles—Port-Cartier” in the Column “Wildlife sanctuary”.

**3.** Schedule IV is amended

\* The Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991 (1991, *G.O.* 2, 3908), was last amended by the Regulations made by Orders in Council 190-99 dated 10 March 1999 (1999, *G.O.* 2, 275) and 255-99 dated 24 March 1999 (1999, *G.O.* 2, 425). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.



(1) by deleting “Aiguebelle” in Column I “Wildlife sanctuaries” and the corresponding right of access fee in Column II; and

(2) by substituting “Port-Cartier—Sept-Îles” for “Sept-Îles/Port-Cartier” in Column I “Wildlife sanctuaries”.

**4.** Schedule V attached hereto is substituted for Schedule V.

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

## SCHEDULE V

### RIGHT OF ACCESS FEES FOR FISHING ANADROMOUS ATLANTIC SALMON IN CERTAIN WILDLIFE SANCTUARIES (s. 10.2)

Column I Wildlife sanctuaries	Column II Sector	Right of access fee per person	
		Column III Resident	Column IV Non-resident
1. Port-Cartier Sept-Îles  Rivière MacDonald sectors	<b>(1) Sector 2:</b> The territory whose plan appears under the heading “Sector 2” in Schedule III to the Regulation respecting wildlife sanctuaries.	\$23.48/day \$187.79/season	\$46.95/day
	<b>(2) Sector 3:</b> The territory whose plan appears under the heading “Sector 3” in Schedule III to the Regulation respecting wildlife sanctuaries.	\$23.48/day \$187.79/season	\$46.95/day
	<b>(3) Sector 5:</b> The territory whose plan appears under the heading “Sector 5” in Schedule III to the Regulation respecting wildlife sanctuaries.	\$23.48/day \$187.79/season	\$46.95/day
	<b>(4) Sector 6:</b> The territory whose plan appears under the heading “Sector 6” in Schedule III to the Regulation respecting wildlife sanctuaries.	\$23.48/day \$187.79/season	\$46.95/day
2. Port-Cartier Sept-Îles  Rivière aux Rochers sectors	<b>(1) Sector 1:</b> The territory whose plan appears under the heading “Sector 1” in Schedule III to the Regulation respecting wildlife sanctuaries.	\$46.95 <sup>(1)</sup> /day	\$93.89 <sup>(1)</sup> /day
	<sup>(1)</sup> from 1 August those amounts are reduced by 50 %		
3. Port-Daniel	<b>(2) Sector 3:</b> The territory whose plan appears under the heading “Sector 3” in Schedule III to the Regulation respecting wildlife sanctuaries.	\$23.48/day \$187.79/season	\$46.95/day
		\$29.56/day	\$59.12/day

Column I Wildlife sanctuaries	Column II Sector	Right of access fee per person	
		Column III Resident	Column IV Non-resident
4. Rivière-Casapédia	<b>(1) Sector 3 (C):</b> The territory whose plan appears under the heading "Sector 3" in Schedule IV to the Regulation respecting wildlife sanctuaries.	\$60.00/day	\$120.00/day
	<b>(2) Sector 4 (D):</b> The territory whose plan appears under the heading "Sector 4" in Schedule IV to the Regulation respecting wildlife sanctuaries.	\$60.00/day	\$120.00/day
5. Matapédia-and- Patapédia rivers Rivière Causapscal sectors	<b>(1) Sector 1:</b> The territory whose plan appears under the heading "Sector 1" in Schedule V to the Regulation respecting wildlife sanctuaries.	\$29.12/day	\$58.90/day
	<b>(2) Sector 2:</b> The territory whose plan appears under the heading "Sector 2" in Schedule V to the Regulation respecting wildlife sanctuaries.	\$54.99/day	\$110.19/day
6. Matapédia-and-Patapédia rivers Rivière Matapédia sectors	<b>(1) Sector 1:</b> The territory whose plan appears under the heading "Sector 1" in Schedule VI to the Regulation respecting wildlife sanctuaries.	\$29.12/day from 1 06 to 7 08	\$58.90/day from 1 06 to 7 08
		\$20.00/day from 8 08 to 31 08	\$39.99/day from 8 08 to 31 08
		\$15.21/day from 1 09 to 30 09	\$28.26/day from 1 09 to 30 09
		\$8.69/day for hunters under 18 years of age	\$17.39/day for hunters under 18 years of age
	<b>(2) Sector 2:</b> The territory whose plan appears under the heading "Sector 2" in Schedule VI to the Regulation respecting wildlife sanctuaries.	\$63.03/day	\$126.06/day
	<b>(3) Sector 3:</b> The territory whose plan appears under the heading "Sector 3" in Schedule VI to the Regulation respecting wildlife sanctuaries.	\$29.12/day from 1 06 to 7 08	\$58.90/day from 1 06 to 7 08
	\$20.00/day from 8 08 to 31 08	\$39.99/day from 8 08 to 31 08	
	\$15.21/day from 1 09 to 30 09	\$28.26/day from 1 09 to 30 09	
	\$8.69/day for hunters under 18 years of age	\$17.39/day for hunters under 18 years of age	
			\$6.74/day

Column I Wildlife sanctuaries	Column II Sector	Right of access fee per person	
		Column III Resident	Column IV Non-resident
	<b>(4) Sector 4:</b> The territory whose plan appears under the heading "Sector 4" in Schedule VI to the Regulation respecting wildlife sanctuaries.	\$3.48/day	
7. Matapédia-and- Patapédia rivers Rivière Patapédia sectors	<b>(1) Sector 1:</b> The territory whose plan appears under the heading "Sector 1" in Schedule VII to the Regulation respecting wildlife sanctuaries.	\$31.30/day	
	<b>(2) Sector 2:</b> The territory whose plan appears under the heading "Sector 2" in Schedule VII to the Regulation respecting wildlife sanctuaries.	\$31.30/day	
	<b>(3) Sector 3:</b> The territory whose plan appears under the heading "Sector 3" in Schedule VII to the Regulation respecting wildlife sanctuaries.	\$31.30/day	\$63.03/day
8. Sainte-Anne		\$39.00/day	\$78.00/day
9. Saint-Jean	<b>(1) Sector 1:</b> The territory whose plan appears under the heading "Sector 1" in Schedule VIII to the Regulation respecting wildlife sanctuaries.	\$35.54/day	\$71.30/day
	<b>(2) Sector 2:</b> The territory whose plan appears under the heading "Sector 2" in Schedule VIII to the Regulation respecting wildlife sanctuaries.	\$50.00/day	\$100.00/day
	<b>(3) Sector 3:</b> The territory whose plan appears under the heading "Sector 3" in Schedule VIII to the Regulation respecting wildlife sanctuaries.	\$50.00/day	\$100.00/day
	<b>(4) Sector 4:</b> The territory whose plan appears under the heading "Sector 4" in Schedule VIII to the Regulation respecting wildlife sanctuaries.	\$72.18/day	\$144.35/day

## Draft Regulation

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)

### Limit of kill for moose – 1999

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the 1999 limit of kill for moose, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to renew for one year the limit of kill for moose applicable to the Natives and non-Natives in Area 17.

To that end, the Regulation proposes to limit the killing of moose in Area 17 to the same number as for 1998, that is, 140 moose.

To date, study of the matter has revealed no impact on businesses, particularly on small and medium-sized businesses.

Further information may be obtained by contacting:

Mr. Serge Bergeron  
Faune et Parcs  
Service de la réglementation  
675, boulevard René-Lévesque Est, 10<sup>e</sup> étage, boîte 91  
Québec (Québec)  
G1R 5V7

Telephone: (418) 521-3880, extension 4078  
Fax: (418) 528-0834  
Internet: serge.bergeron@mef.gouv.qc.ca

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec), G1R 5H1.

GUY CHEVRETTE,  
*Minister responsible for  
Wildlife and Parks*

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## Regulation respecting the 1999 limit of kill for moose

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1, s. 78, 1st par., subpar. f, and 2nd and 3rd pars.)

**1.** The upper limit of kill for moose allocated to Natives and non-Natives in Area 17 determined by the Fishing, Hunting and Trapping Areas Regulation, made by Order in Council 27-90 dated 10 January 1990, is 140 moose for the period extending from 1 August 1999 to 31 July 2000.

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

2846

## Draft Regulation

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

### Wildlife sanctuaries

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

The purpose of the draft Regulation is to establish norms of a general nature applicable to all users of wildlife sanctuaries and to incorporate the provisions respecting hunting and fishing in those territories.

To that end, all the provisions concerning norms in the nineteen regulations of each wildlife sanctuary are revoked, as is the Regulation respecting hunting in wildlife sanctuaries and the Regulation respecting fishing in certain wildlife sanctuaries.

To date, study of the matter has shown a positive impact on users and businesses. The draft Regulation standardizes, simplifies and streamlines the norms applicable to all the wildlife sanctuaries and facilitates the management of activities and services in those territories. As a result, users of wildlife sanctuaries will be able to obtain information on the norms to be complied with in the territories by consulting a single regulation rather than several individual regulations.

Further information may be obtained by contacting:

Mr. Michel Jean  
Secteur Faune et Parcs  
Direction des territoires fauniques,  
de la réglementation et des permis  
675, boulevard René-Lévesque Est, 10<sup>e</sup> étage  
Québec (Québec)  
G1R 5V7.

Tel. (418) 521-3880, ext. 4095  
Fax: (418) 528-0834  
Internet: michel.jean@mef.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister responsible for Wildlife and Parks, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) GIR 5H1.

GUY CHEVRETTE,  
*Minister responsible for Wildlife and Parks*

## Regulation respecting wildlife sanctuaries

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s.121, pars. 1, 2, 4 and 5 and s. 162, pars. 14, 16 and 18; 1997, c. 95, s. 6; 1998, c. 29, s. 22)

### DIVISION I SCOPE OF APPLICATION

1. This Regulation applies to wildlife sanctuaries referred to in Schedule I.
2. This Regulation does not apply to Cree, Inuit or Naskapi beneficiaries referred to in the Act respecting Cree, Inuit or Naskapi Native persons (R.S.Q., c. A-33.1) in the wildlife sanctuaries of Assinica and Albanel, Mistassini and Waconichi lakes.

### DIVISION II SAFETY NORM

3. A person hunting in the Plaisance Wildlife Sanctuary may not shoot an animal on the right of way of a road and within the limits of the first territory known as La Petite Presqu'île and described in Schedule 1 to the Regulation respecting the Plaisance Wildlife Sanctuary, made by Order in Council 1315-85 dated 26 June 1985.

### DIVISION III RIGHTS OF ACCESS

4. Any person who stays in a wildlife sanctuary for recreational purposes, shall obtain a right of access pass from the designated place at the reception station of the wildlife sanctuary.
5. Any person who engages in a hunting activity in a wildlife sanctuary other than the Rivière Cascapédia Wildlife Sanctuary and the salmon river wildlife sanctuaries of Matapédia-et-Patapédia, Sainte-Anne and Saint-Jean shall obtain a right of access pass from the designated place at the reception station of the sanctuary and pay, if applicable, the right of access fee prescribed in the Regulation respecting the scale of fees and duties related to the development of wildlife made by Order in Council 1291-91 dated 18 September 1991.
6. Any person who engages in a trapping activity in the Plaisance Wildlife Sanctuary or in the Dunière sector of the Matane and Dunière Wildlife Sanctuary shall obtain a right of access pass from the reception station of the wildlife sanctuary and pay, if applicable, the right of access fee prescribed in the Regulation respecting the scale of fees and duties related to the development of wildlife.
7. Any person who engages in a fishing activity in a wildlife sanctuary other than sectors 1(A) and 2(B) of the Rivière Cascapédia Wildlife Sanctuary whose plans appear in Schedule IV shall obtain a right of access pass from the reception station of the wildlife sanctuary and pay, if applicable, the right of access fee prescribed in the Regulation respecting the scale of fees and duties related to the development of wildlife.
8. In the Plaisance Wildlife Sanctuary, any person may build or install a fixed blind for wildfowling if he holds a right of access pass for that activity, obtains an identification plate from the Minister and affixes it to the blind.  

A blind may be built or installed as of 15 August and must be dismantled or removed before 1 December of the same year.
9. A person referred to in sections 4 to 8 shall comply with the dates, times and places indicated in the right of access pass.
10. Where no employee is available to issue a right of access pass, the applicant shall complete the required form at the reception station of the wildlife sanctuary and deposit it at the designated place accompanied with, if applicable, the corresponding fee.

In such cases, the duly completed form shall replace the right of access pass.

#### DIVISION IV HUNTING

##### §1. *Limited access hunting*

**11.** In order to hunt species other than black bear in a limited access hunting sector of a wildlife sanctuary referred to in a regulation of the Minister made under section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) amended by section 8 of Chapter 29 of the Statutes of 1998, a person must be a resident and have been chosen in a draw. If there are any places available for hunting after the draw, any person may hunt therein provided he obtains a reservation.

Notwithstanding the first paragraph, in order to hunt moose in the Portes de l'Enfer, Lac Brulé, Lac Croche-McCormick sectors of the Laurentides Wildlife Sanctuary, a person must obtain a reservation.

**12.** In order to hunt black bear in a limited access hunting sector of a wildlife sanctuary contemplated by the Regulation referred to in section 11, a person must obtain a reservation.

**13.** A person may also hunt species other than black bear in limited access hunting sectors of wildlife sanctuaries contemplated by the Regulation referred to in section 11 if he accompanies a person who has been chosen in a draw or has obtained a reservation.

**14.** In the cases provided for in sections 11 to 13, a person must be the holder of a right of access pass appropriate to the species for which a draw or a reservation has been obtained.

Moreover, a person must rent services such as lodging, equipment for the practice of hunting or other services related to the activity, where they are offered in the location for which a right of access pass is issued.

**15.** Notwithstanding the third paragraph of section 48 of the Regulation respecting hunting made by Order in Council 1383-89 dated 23 August 1989, each additional transportation coupon that must be attached to the animal must come from the hunting licence of a hunter who is authorized to hunt under sections 11 to 13.

**16.** During the hunting period listed in section 11, no person shall be in possession of a firearm or a crossbow in a limited access hunting sector reserved exclusively for bows.

**17.** The following persons may travel at any time in the limited access hunting sectors of the wildlife sanctuaries contemplated by the Regulation referred to in section 11:

(1) a holder of a right of access pass for the hunting sector and date indicated on the pass;

(2) a person who carries out work in the performance of his duties.

**18.** A person who practises hunting must, when leaving the wildlife sanctuary, make a report of that activity, at the place determined for that purpose at the reception station, by indicating any game he bagged; certain parts of the game he bagged may be removed for study.

In the case provided for in section 10, the report shall be made on the form available at the reception station and it must be deposited at the place prescribed for that purpose.

##### §2. *Open access hunting*

**19.** In order to hunt in an open access hunting sector of a wildlife sanctuary contemplated by the Regulation referred to in section 11, a person must rent services, such as lodging, equipment for the practice of hunting or other services available related to the activity, where they are offered in the location for which a right of access pass is issued.

Moreover, the provisions of section 18 apply to a person hunting in a wildlife sanctuary referred to in the first paragraph.

#### DIVISION V FISHING

**20.** In order to fish in a wildlife sanctuary, a person must rent services, such as lodging, rental of equipment for the practice of fishing or other services available related to the activity, where they are offered in the location for which a right of access pass is issued.

**21.** A person must have previously obtained a reservation in order to fish anadromous Atlantic salmon in a wildlife sanctuary or a wildlife sanctuary sector referred to in one of the following provisions of Schedule II:

(1) paragraph 1 of section 2;

(2) paragraph 3 or 4 of section 4;

(3) paragraph 1 or 2 of section 5;

- (4) paragraph 2 of section 6;
- (5) paragraph 1, 2 or 3 of section 7; or
- (6) section 9.

Moreover, in order to fish in sectors 1 and 2 referred to in section 7 of Schedule II, the person must be a resident.

**22.** A person who practises fishing must, at the end of his stay, make a report of that activity at the place determined for that purpose at the reception station of the wildlife sanctuary, by indicating his daily catches, if any; certain parts of his catches may be removed for study.

In the case provided for in section 10, the report shall be made on the form available at the reception station and must be deposited at the place prescribed for that purpose.

**23.** A fisher who catches an anadromous Atlantic salmon must take it, whole, to the area designated for measuring and registering fish.

#### DIVISION VI CARRYING OF IMPLEMENTS

**24.** Any person may carry hunting implements in a wildlife sanctuary if he holds a right of access pass for hunting therein; he may also carry hunting implements in the Rivière Cascapédia Wildlife Sanctuary and the salmon river wildlife sanctuaries of Matapédia-et-Patapédia, Sainte-Anne and Saint-Jean.

Furthermore, the holder of a trapping licence may carry hunting implements in a wildlife sanctuary in the territory where he is authorized to trap during the trapping periods established for that wildlife sanctuary by the Regulation respecting trapping and the fur trade, made by Order in Council 1289-91 dated 18 September 1991.

However, it is prohibited for any person to carry hunting implements in the part of the second territory called "Baie Noire" of the Plaisance Wildlife Sanctuary described in Schedule 1 to the Plaisance Wildlife Sanctuary Regulation.

**25.** Any person may carry fishing implements in a wildlife sanctuary if he holds a right of access pass for fishing therein.

#### DIVISION VII TRAVEL

**26.** Subject to section 17, any person may travel by snowmobile or all-terrain vehicle in a wildlife sanctuary if one of the following conditions is complied with:

(1) he holds a right of access pass for hunting or fishing in the wildlife sanctuary;

(2) he uses the trails designated or developed for those purposes in the wildlife sanctuary;

(3) he is taking part in an organized activity within the meaning of a contract concluded in accordance with the second paragraph of section 118 of the Act respecting the conservation and development of wildlife in the territory of the wildlife sanctuary;

(4) he is practising a trapping-related activity in the wildlife sanctuary.

#### DIVISION VIII OFFENCES

**27.** Any violation of sections 3 to 26 constitutes an offence.

#### DIVISION IX FINAL

**28.** Division II of each of the following Regulations is revoked:

(1) the Regulation respecting the Chic-Chocs Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 55) amended by the Regulations made by Orders in Council 2475-82 dated 27 October 1982, 735-83 dated 13 April 1983, 2482-83 dated 30 November 1983, 1301-84 dated 6 June 1984 and 1024-87 dated 23 June 1987, by Décret 723-92 dated 12 May 1992 and by Order in Council 490-98 dated 8 April 1998;

(2) the Regulation respecting the Dunière Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 57) amended by the Regulations made by Orders in Council 735-83 dated 13 April 1983 and 1302-84 dated 6 June 1984;

(3) the Regulation respecting the île d'Anticosti Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 61) amended by the Regulations made by Orders in Council 1418-82 dated 9 June 1982, 2706-82 dated 24 November 1982, 800-83 dated 20 April 1983, 850-84 dated 4 April 1984, 851-84 dated 4 April 1984, 1303-84 dated 6 June 1984, 1316-86 dated 27 August 1986, by Décrets 496-91 dated 10 April 1991 and 19-96 dated 10 January 1996 and by Order in Council 537-98 dated 22 April 1998;

(4) the Regulation respecting the La Vérendrye Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 64) amended by the Regulations made by Orders in Council 1421-82 dated 9 June 1982, 735-83 dated 13 April 1983, 1304-84 dated 6 June 1984, 2479-85 dated 27 November 1985 and 1437-97 dated 5 November 1997;

(5) the Regulation respecting the Laurentides Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 65) amended by the Regulations made by Orders in Council 735-83 dated 13 April 1983, 1305-84 dated 6 June 1984 and 620-85 dated 27 March 1985 and by Décret 745-90 dated 30 May 1990;

(6) the Regulation respecting the Mastigouche Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 66) amended by the Regulations made by Orders in Council 852-84 dated 4 April 1984, 1306-84 dated 6 June 1984 and 1314-85 dated 26 June 1985 and by Décret 581-92 dated 15 April 1992;

(7) the Regulation respecting the Matane Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 67) amended by Orders in Council 739-83 dated 13 April 1983, 1307-84 dated 6 June 1984, by Décret 722-92 dated 12 May 1992 and by Order in Council 639-95 dated 10 May 1995;

(8) the Regulation respecting the Papineau-Labelle Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 69) amended by the Regulations made by Orders in Council 1419-82 dated 9 June 1982, 735-83 dated 13 April 1983, 1308-84 dated 6 June 1984 and 2480-85 dated 27 November 1985 and 1031-94 dated 6 July 1994;

(9) the Regulation respecting the Portneuf Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 74) amended by the Regulations made by Orders in Council 735-83 dated 13 April 1983 and 1310-84 dated 6 June 1984;

(10) the Regulation respecting the Rimouski Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 75) amended by the Regulations made by Orders in Council 735-83 dated 13 April 1983, 2483-83 dated 30 November 1983, 1311-84 dated 6 June 1984 and 269-98 dated 11 March 1998;

(11) the Regulation respecting the Rouge-Matawin Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 80) amended by the Regulations made by Orders in Council 735-83 dated 13 April 1983, 1312-84 dated 6 June 1984, by Décrets 569-87 dated 8 April 1987 and 1729-90 dated 12 December 1990 and by Order in Council 1017-97 dated 13 August 1997;

(12) the Regulation respecting the Saint-Maurice Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 81) amended by the Regulations made by Orders in Council 951-83 dated 11 May 1983, 853-84 dated 4 April 1984, 1313-84 dated 6 June 1984 and 276-93 dated 3 March 1993;

(13) the Regulation respecting the Port-Daniel Wildlife Sanctuary made by Order in Council 848-84 dated 4 April 1984 and amended by the Regulation made by Order in Council 1298-84 dated 6 June 1984, by Décret 139-92 dated 5 February 1992 and by the Regulation made by Order in Council 27-96 dated 10 January 1996;

(14) the Ashuapmushuan Wildlife Sanctuary Regulation made by Order in Council 1311-85 dated 26 June 1985 and amended by Orders in Council 24-96 dated 10 January 1996 and 1065-97 dated 20 August 1997;

(15) the Assinica Wildlife Sanctuary Regulation made by Order in Council 1312-85 dated 26 June 1985;

(16) the Albanel, Mistassini and Waconichi Lakes Wildlife Sanctuary Regulation made by Order in Council 1313-85 dated 26 June 1985;

(17) the Plaisance Wildlife Sanctuary Regulation made by Order in Council 1315-85 dated 26 June 1985 and amended by the Regulation made by Order in Council 495-92 dated 1 April 1992.

**29.** Sections 1.1, 1.2 and 1.3 of the Regulation establishing the Rivière Cascapédia Wildlife Sanctuary made by Order in Council 1671-82 dated 7 July 1982 and amended by the Regulation made by Order in Council 1061-95 dated 9 August 1995 are revoked.

**30.** The Regulation respecting the salmon river wildlife sanctuaries of Cap-Chat, Matane, Matapédia, Patapédia, Petite-Cascapédia, Petit-Saguenay, Port-Daniel, Ristigouche, Sainte-Anne and Saint-Jean (R.R.Q., 1981, c. C-61, r. 79), amended by the Regulations made by Orders in Council 736-83 dated 13 April 1983, 1382-83 dated 22 June 1983, 849-84 dated 4 April 1984, 1208-84 dated 23 May 1984, 821-86 dated 11 June 1986, 570-87 dated 8 April 1987 and 283-92 dated 26 February 1992 and 1441-97 dated 5 November 1997 and by Décrets 140-92 dated 5 February 1992, 719-92 dated 12 May 1992 and 1282-93 dated 8 September 1993 is further amended



(1) by substituting the following for the title:

“Regulation respecting the salmon river wildlife sanctuaries of Matapédia-et-Patapédia, Sainte-Anne and Saint-Jean”;

(2) by revoking Division II.

**31.** The Regulation respecting the Sept-Îles–Port-Cartier Wildlife Sanctuary (R.R.Q., 1981, c. C-61, r. 83), the Regulation respecting hunting in wildlife sanctuaries made by Order in Council 838-84 dated 4 April 1984 and the Regulation respecting fishing in certain wildlife sanctuaries made by Order in Council 847-84 dated 4 April 1984 are revoked.

**32.** Schedules I to VIII to this Regulation are attached hereto.

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

## SCHEDULE I

(s. 1)

- Ashuapmushuan Wildlife Sanctuary
- Assinica Wildlife Sanctuary
- Dunière Wildlife Sanctuary
- Île d’Anticosti Wildlife Sanctuary
- Rivière Cascapédia Wildlife Sanctuary
- Rivière-Sainte-Anne Wildlife Sanctuary
- Rivière-Saint-Jean Wildlife Sanctuary
- La Vérendrye Wildlife Sanctuary
- Mastigouche Wildlife Sanctuary
- Matane Wildlife Sanctuary
- Papineau-Labelle Wildlife Sanctuary
- Plaisance Wildlife Sanctuary
- Port-Cartier–Sept-Îles Wildlife Sanctuary
- Port-Daniel Wildlife Sanctuary
- Portneuf Wildlife Sanctuary
- Rimouski Wildlife Sanctuary
- Chic-Chocs Wildlife Sanctuary
- Albanel, Mistassini and Waconichi Lakes Wildlife Sanctuary
- Laurentides Wildlife Sanctuary
- Rivières-Matapédia-et-Patapédia Wildlife Sanctuary
- Saint-Maurice Wildlife Sanctuary
- Rouge-Matawin Wildlife Sanctuary

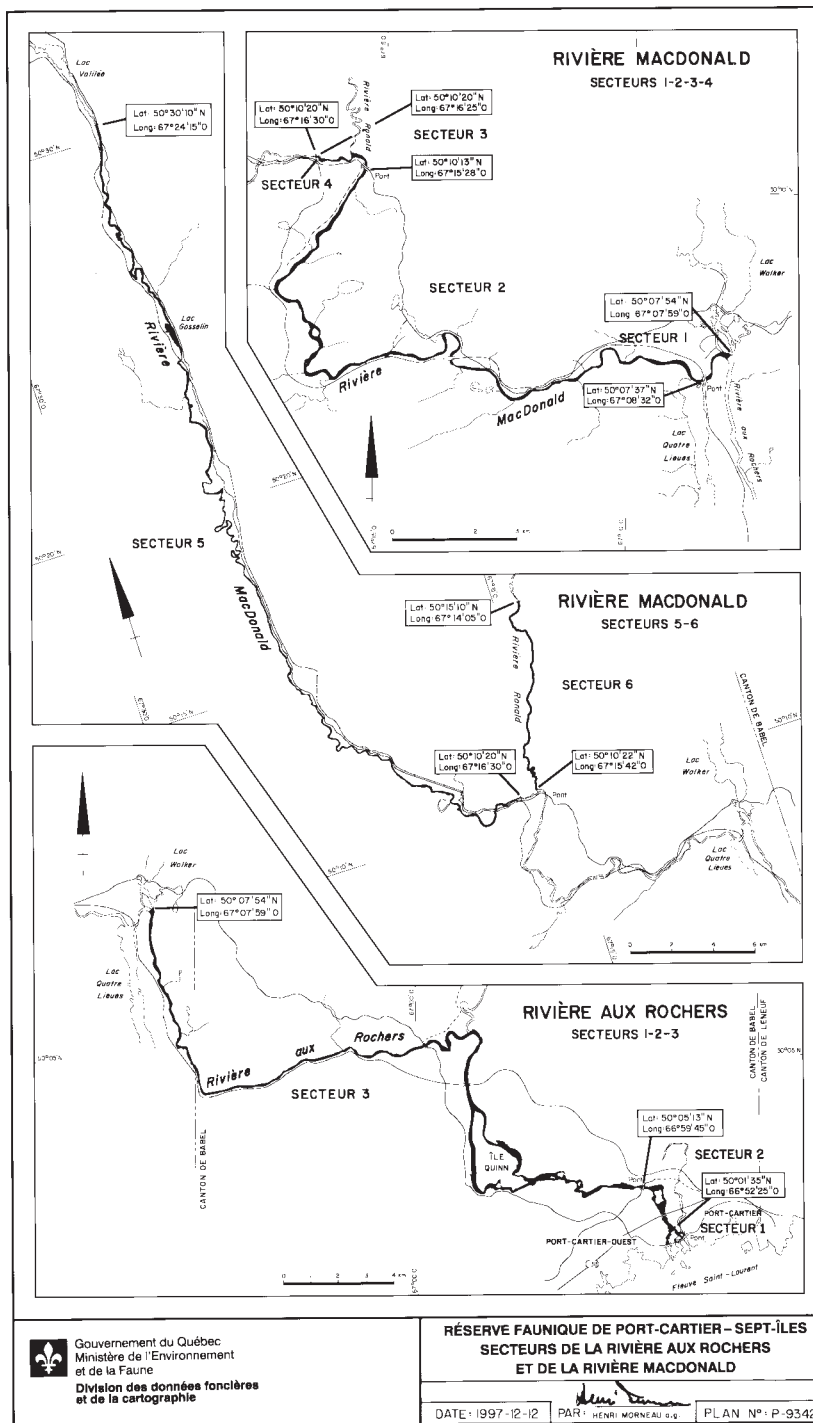
## SCHEDULE II

(s. 21)

Column I Wildlife sanctuaries	Column II Sector
1. Port-Cartier–Sept-Îles Rivière MacDonald sectors	(1) Sector 1: The territory whose plan appears under that heading in Schedule III.
	(2) Sector 2: The territory whose plan appears under that heading in Schedule III.
	(3) Sector 3: The territory whose plan appears under that heading in Schedule III.
	(4) Sector 4: The territory whose plan appears under that heading in Schedule III.
	(5) Sector 5: The territory whose plan appears under that heading in Schedule III.
	(6) Sector 6: The territory whose plan appears under that heading in Schedule III.
2. Port-Cartier–Sept-Îles Rivière aux Rochers sectors	(1) Sector 1: The territory whose plan appears under that heading in Schedule III.
	(2) Sector 2: The territory whose plan appears under that heading in Schedule III.
	(3) Sector 3: The territory whose plan appears under that heading in Schedule III.

<b>Column I Wildlife sanctuaries</b>	<b>Column II Sector</b>
3. Port-Daniel	
4. Rivière Cascapédia	<p>(1) Sector 1(A): The territory whose plan appears under that heading in Schedule IV.</p> <p>(2) Sector 2(B): The territory whose plan appears under that heading in Schedule IV.</p> <p>(3) Sector 3(C): The territory whose plan appears under that heading in Schedule IV.</p> <p>(4) Sector 4(D): The territory whose plan appears under that heading in Schedule IV.</p>
5. Rivières-Matapédia-et-Patapédia Rivière Causapsal sectors	<p>(1) Sector 1: The territory whose plan appears under that heading in Schedule V.</p> <p>(2) Sector 2: The territory whose plan appears under that heading in Schedule V.</p> <p>(3) Sector 3: The territory whose plan appears under that heading in Schedule V.</p>
6. Rivières-Matapédia-et-Patapédia Rivière Matapédia sectors	<p>(1) Sector 1: The territory whose plan appears under that heading in Schedule VI.</p> <p>(2) Sector 2: The territory whose plan appears under that heading in Schedule VI.</p> <p>(3) Sector 3: The territory whose plan appears under that heading in Schedule VI.</p> <p>(4) Sector 4: The territory whose plan appears under that heading in Schedule VI.</p>
7. Rivières-Matapédia-et-Patapédia Rivière Patapédia sectors	<p>(1) Sector 1: The territory whose plan appears under that heading in Schedule VII.</p> <p>(2) Sector 2: The territory whose plan appears under that heading in Schedule VII.</p> <p>(3) Sector 3: The territory whose plan appears under that heading in Schedule VII.</p>
8. Sainte-Anne	
9. Saint-Jean	<p>(1) Sector 1: The territory whose plan appears under that heading in Schedule VIII.</p> <p>(2) Sector 2: The territory whose plan appears under that heading in Schedule VIII.</p> <p>(3) Sector 3: The territory whose plan appears under that heading in Schedule VIII.</p> <p>(4) Sector 4: The territory whose plan appears under that heading in Schedule VIII.</p>

SCHEDULE III



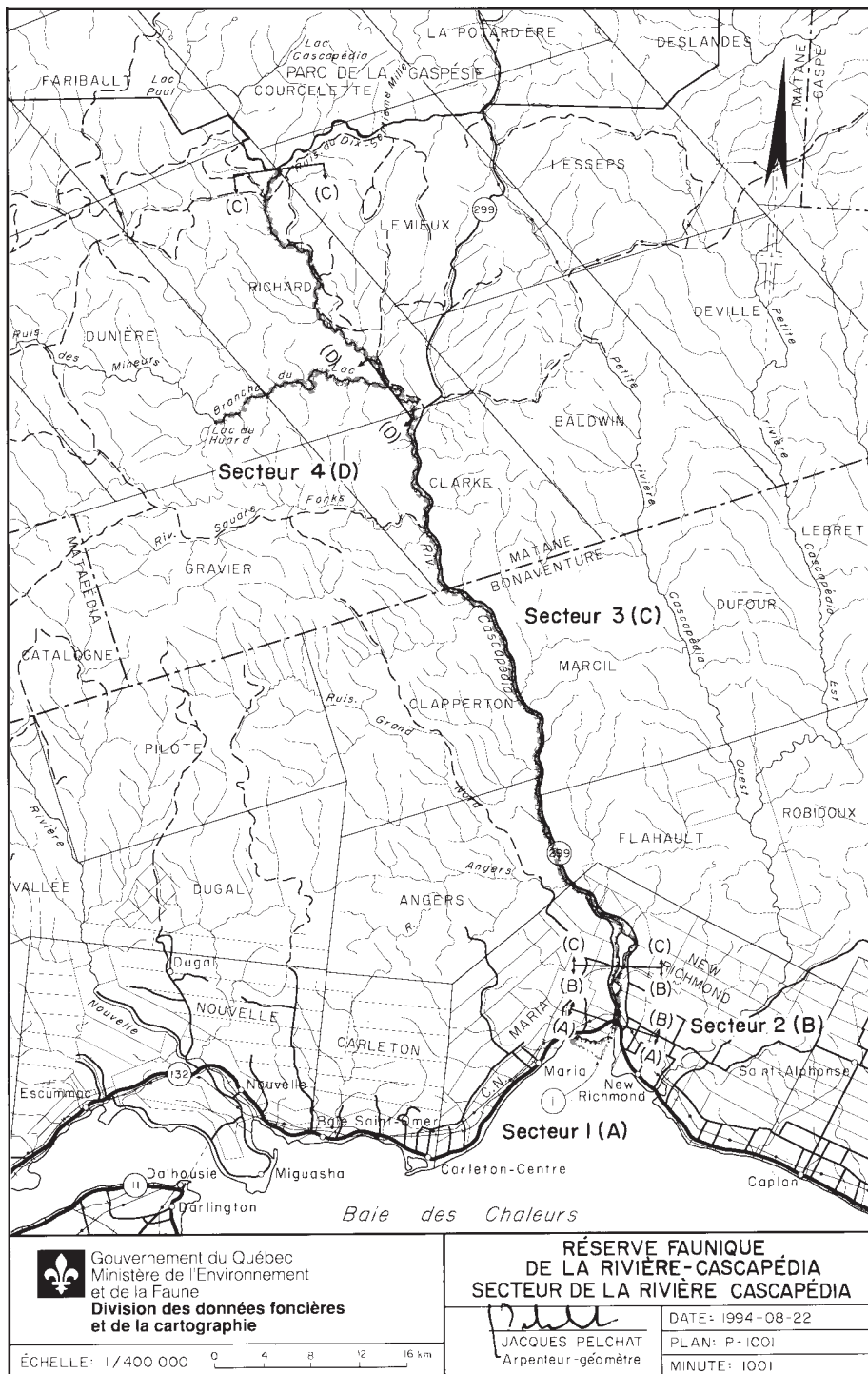
Gouvernement du Québec  
Ministère de l'Environnement  
et de la Faune  
Division des données foncières  
et de la cartographie

RÉSERVE FAUNIQUE DE PORT-CARTIER - SEPT-ÎLES  
SECTEURS DE LA RIVIÈRE AUX ROCHERS  
ET DE LA RIVIÈRE MACDONALD

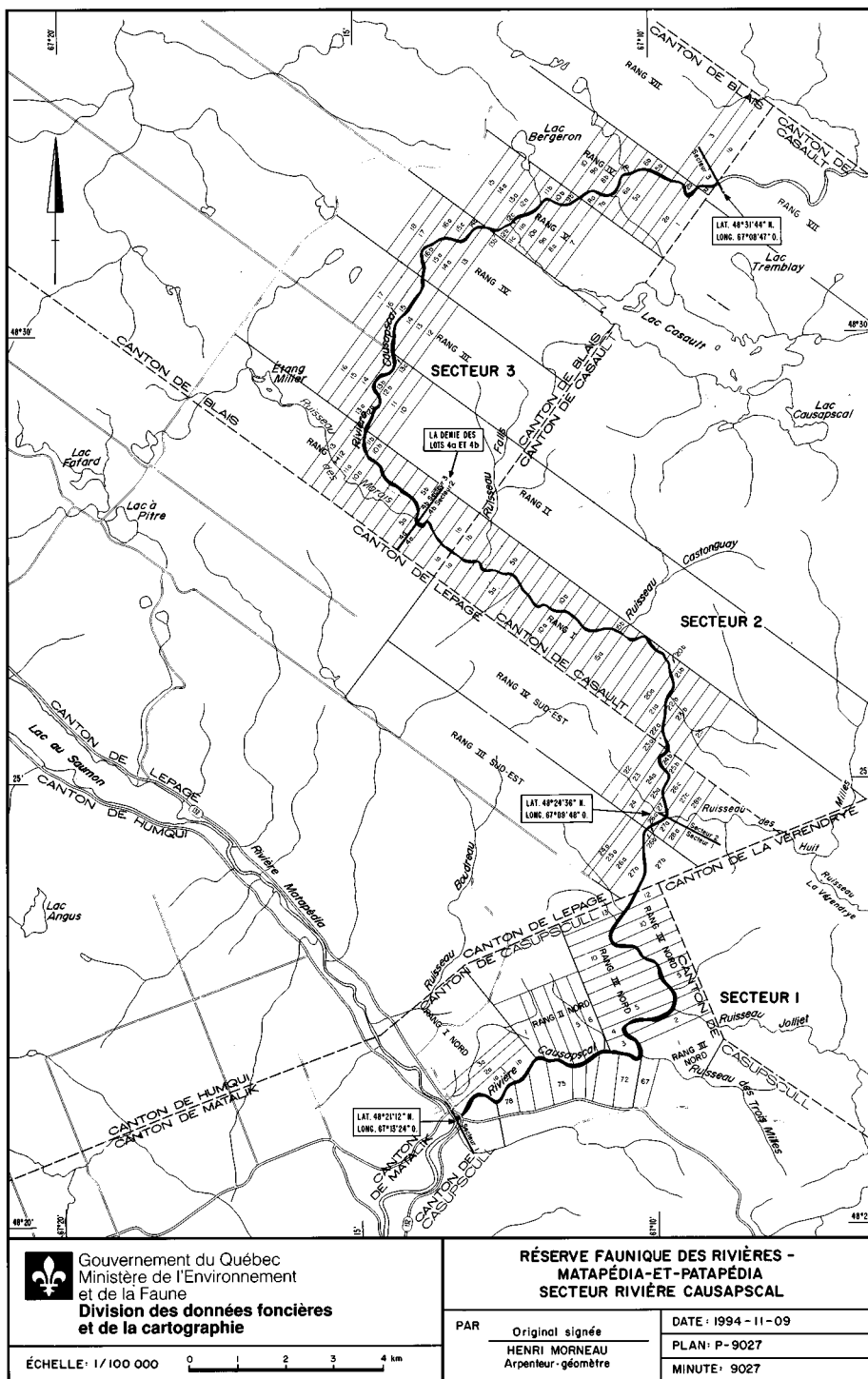
DATE: 1997-12-12 PAR: HENRI MORNEAU G.S. PLAN N°: P-9342-J

A11 Synthes inc

SCHEDULE IV



SCHEDULE V



Gouvernement du Québec  
 Ministère de l'Environnement  
 et de la Faune  
**Division des données foncières  
 et de la cartographie**

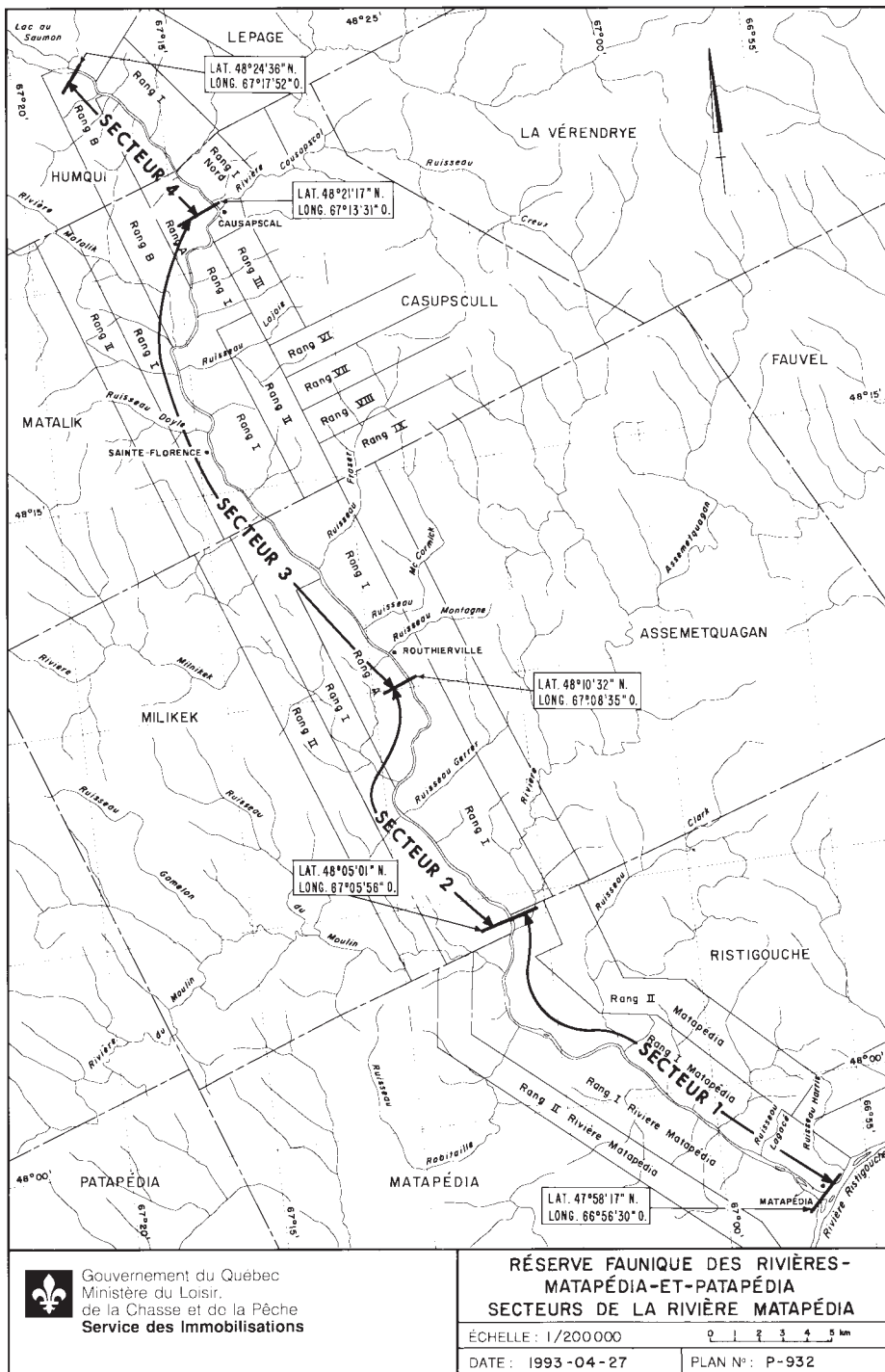
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**RÉSERVE FAUNIQUE DES RIVIÈRES -  
 MATAPÉDIA-ET-PATAPÉDIA  
 SECTEUR RIVIÈRE CAUSAPSCAL**

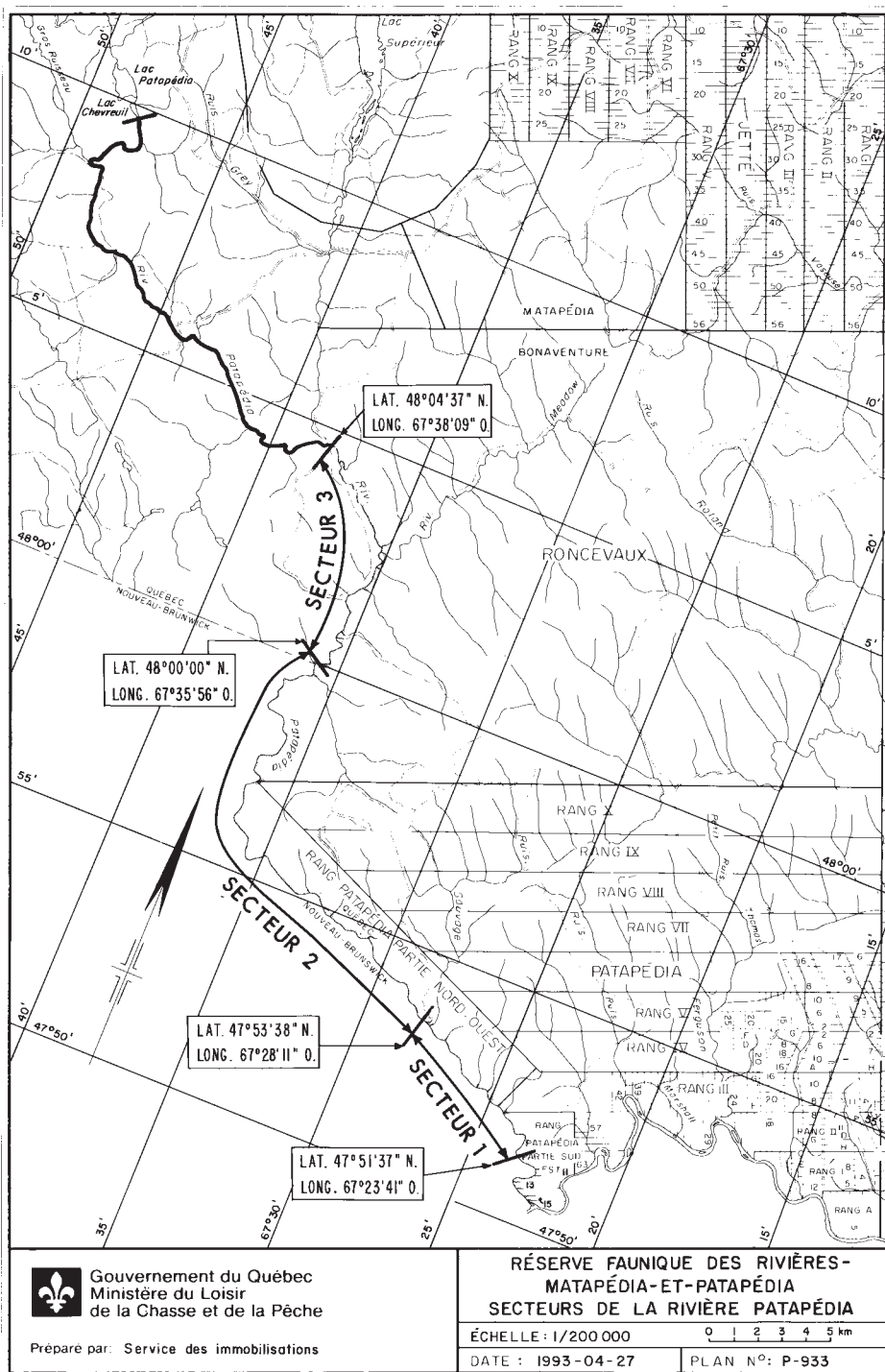
PAR Original signée  
 HENRI MORNEAU  
 Arpentier-géomètre

DATE: 1994-11-09  
 PLAN: P-9027  
 MINUTE: 9027

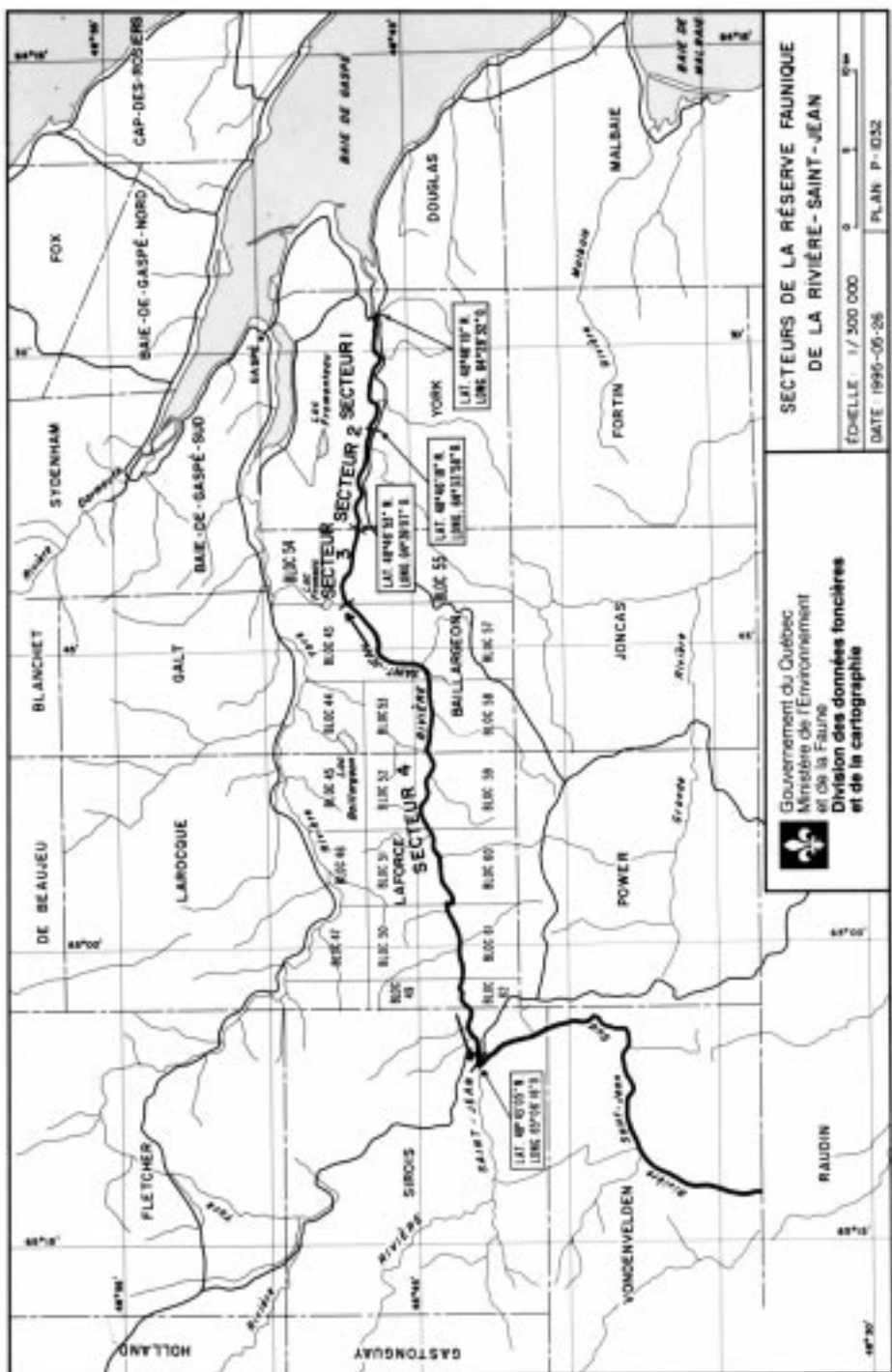
SCHEDULE VI



SCHEDULE VII



## SCHEDULE VIII





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

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Conservation and development of wildlife, An Act respecting... — Wildlife sanctuaries . . . . . (R.S.Q., c. C-61.1)	1296	Draft
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Société de l'assurance automobile du Québec, An Act respecting the... — Delegation of powers . . . . . (R.S.Q., c. S-11.011)	1276	M

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