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Regulations and other acts

Gouvernement du Québec

O.C. 633-99, 9 June 1999

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

Schedules I and II.1 of the Act — Amendments

Amendments to Schedules I and II.1 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS under paragraph 6 of section 2 of that Act, the plan applies to an employee who is released without pay by his employer for union activities and who is in the employ of a body designated in Schedule II.1 if the employee belongs to the class of employees mentioned in that schedule in respect of that body;

WHEREAS under the first paragraph of section 220 of that Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI and any such order may have effect 12 months or less before it is made;

WHEREAS the Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 and its subsequent amendments, determines, in accordance with paragraph 25 of section 134 of that Act, the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1;

WHEREAS Ingenio, subsidiary of Loto-Québec Inc. and the Syndicat de l'enseignement de la région de Québec meet the requirements;

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

THAT the Amendments to Schedules I and II.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Amendments to Schedules I and II.1 of the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220, 1st par.)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended

(1) by inserting the words “Ingenio, subsidiary of Loto-Québec Inc.” in alphabetical order in paragraph 1; and

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R10) was amended, since the last updating of the Revised Statutes of Québec to 1 March 1997, by Orders in Council 629-97 dated 13 May 1997 (1997, *G.O.* 2, 2243), 788-97 dated 18 June 1997 (1997, *G.O.* 2, 3338), 1105-97 dated 28 August 1997 (1997, *G.O.* 2, 4561), 1652-97 dated 17 December 1997 (1997, *G.O.* 2, 6293), 296-98 dated 18 March 1998 (1998, *G.O.* 2, 1425), 297-98 dated 18 March 1998 (1998, *G.O.* 2, 1426), 730-98 dated 3 June 1998 (1998, *G.O.* 2, 2207), 764-98 dated 10 June 1998 (1998, *G.O.* 2, 2289), 1155-98 dated 9 September 1998 (1998, *G.O.* 2, 3889), 1524-98 dated 16 December 1998 (1998, *G.O.* 2, 4801), 231-99 dated 24 March 1999 (1999, *G.O.* 2, 475) and 467-99 dated 28 April 1999 (1999, *G.O.* 2, 1161) and by sections 35 of Chapter 26 of the Statutes of 1997, 33 of Chapter 27 of the Statutes of 1997, 13 of Chapter 36 of the Statutes of 1997, 631 of Chapter 43 of the Statutes of 1997, 57 of Chapter 50 of the Statutes of 1997, 121 of Chapter 63 of the Statutes of 1997, 52 of Chapter 79 of the Statutes of 1997, 37 of Chapter 83 of the Statutes of 1997, 61 of Chapter 17 of the Statutes of 1998, 53 of Chapter 44 of the Statutes of 1998 and 48 of Chapter 42 of the Statutes of 1998.

Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) was amended, since the last updating of the Revised Statutes of Québec to 1 March 1997, by Orders in Council 1106-97 dated 28 August 1997 (1997, *G.O.* 2, 4561), 1525-98 dated 16 December 1998 (1998, *G.O.* 2, 4802) and 467-99 dated 28 April 1999 (1999, *G.O.* 2, 1161).

(2) by inserting the words “the Syndicat de l’enseignement de la région de Québec” in alphabetical order in paragraph 1.

2. Schedule II.1 to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting the words “the Syndicat de l’enseignement de la région de Québec” in alphabetical order.

3. This Order in Council comes into force on the day it is made by the Government but takes effect, in the case of Ingenio, subsidiary of Loto-Québec Inc., on 17 November 1998 and, in the case of the Syndicat de l’enseignement de la région de Québec, on 1 July 1998.

2898

Gouvernement du Québec

O.C. 637-99, 9 June 1999

Crop Insurance Act
(R.S.Q., c. A-30)

Crop insurance
— **Individual plan**
— **Amendments**

Regulation to amend the Regulation respecting crop insurance under the individual plan

WHEREAS under section 23 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles may, by regulation approved by the Government, offer an individual insurance plan for mixed farming crops;

WHEREAS the Régie des assurances agricoles du Québec adopted the Regulation respecting crop insurance under the individual plan, approved by Order in Council 1543-96 dated 11 December 1996;

WHEREAS that Regulation provides protection for the legume crops of farm producers who wish it;

WHEREAS it is expedient to amend the Regulation in order to remove the coverage for legume crops;

WHEREAS at its meeting of 26 March 1999, the Régie des assurances agricoles du Québec adopted the Regulation to amend the Regulation respecting crop insurance under the individual plan, attached to this Order in Council;

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

THAT the Regulation to amend the Regulation respecting crop insurance under the individual plan, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting crop insurance under the individual plan¹

Crop Insurance Act
(R.S.Q., c. A-30, ss. 49, 52, 53 and 74, pars. *e* and *h*)

1. Section 7 of the Regulation respecting crop insurance under the individual plan is amended by deleting the heading “GROUP 9 LEGUMES” and the paragraph following it.

2. The heading “GROUP 9 LEGUMES” before section 16 is deleted.

3. Section 16 is revoked.

4. The words “and Group 9 “Legumes”” are struck out in the second paragraph of section 17.

5. The third paragraph of section 26 is deleted.

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

2897

Gouvernement du Québec

O.C. 655-99, 9 June 1999

An Act respecting the Ministère du Revenu
(R.S.Q., c. M-31)

Coin-operated devices
— **Remission**

CONCERNING the Remission regulation respecting certain coin-operated devices

WHEREAS under section 69.5 of the Act respecting the Québec sales tax (R.S.Q., c. T-0.1), enacted by section 462 of chapter 85 of the statutes of 1997, where the

¹ The Regulation respecting crop insurance under the individual plan, approved by Order in Council 1543-96 dated 11 December 1996 (1996, *G.O.* 2, 5443), was amended by the Regulations approved by Orders in Council 170-99 dated 3 March 1999 (1999, *G.O.* 2, 301) and 239-99 dated 24 March 1999 (1999, *G.O.* 2, 414).

consideration for a supply of corporeal movable property or a service is paid by depositing a single coin in a mechanical coin-operated device that is designed to accept only a single coin of \$0.25 or less as the total consideration for the supply and the corporeal movable property is dispensed from the device or the service is rendered through the operation of the device, the tax payable in respect of the supply is equal to zero;

WHEREAS section 69.5 of that Act only applies to supplies of property and services made through the operation of such a mechanical coin-operated device after 23 April 1996;

WHEREAS the Tax Court of Canada has decided in the case of *Distribution Lévesque Vending (1986) Ltée v. The Queen*, 1997, 2886 ETC, that the goods and services tax provided for in subsection 165(1) of the Excise Tax Act (R.S.C., 1985, c. E-15) should not apply to supplies of property and services made through the operation of such a mechanical coin-operated device before 24 April 1996;

WHEREAS section 16 of the Act respecting the Québec sales tax is harmonized with subsection 165(1) of the Excise Tax Act;

WHEREAS His Excellency the Governor General in Council has made the Coin-Operated Devices Remission Order (P.C. 1999-326 of 4 March 1999) in order to grant relief of the goods and services tax to the merchants registered for the purposes of the goods and services tax with respect to the supplies of property and services they made through the operation of such mechanical coin-operated devices before 24 April 1996;

WHEREAS the Coin-Operated Devices Remission Order applies to the tax collected or collectible during the period beginning on 1 January 1991 and ending on 23 April 1996;

WHEREAS section 94 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), as amended by section 292 of chapter 16 of the Statutes of 1998, allows the Government, whenever it considers it in the public interest, and to save the public from serious inconvenience or individuals from hardship or injustice, to remit any amount payable or refund any amount paid to the State relating to any matter within the powers of the Parliament;

WHEREAS it is expedient in the circumstances to remit any amount payable under Title I of the Act respecting the Québec sales tax in respect of the supplies of property and services made through the operation of such mechanical coin-operated devices during the pe-

riod beginning on 1 July 1992 and ending on 23 April 1996;

WHEREAS it is expedient in the circumstances to remit any amount payable under the Retail Sales Tax Act (R.S.Q., c. I-1) in respect of the property sold through the operation of such mechanical coin-operated devices during the period beginning on 1 January 1991 and ending on 30 June 1992;

WHEREAS it is expedient to make a regulation for this purpose;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without prior publication as prescribed in section 8 of that Act, where the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed therein so warrants;

WHEREAS in the opinion of the Government, the fiscal nature of the norms established, amended or repealed by the Regulation justifies the absence of prior publication and such coming into force;

WHEREAS under the first paragraph of section 97 of the Act respecting the Ministère du Revenu, every regulation made under that Act shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

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

THAT the Regulation entitled "Remission Regulation Respecting Certain Coin-Operated Devices", attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Remission regulation respecting certain coin-operated devices

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31, s. 94; 1998, c. 16, s. 292)

CHAPTER I

REMISSION OF THE QUÉBEC SALES TAX

1. For the purposes of this chapter, the expression:

“Act” means the Act respecting the Québec sales tax (R.S.Q., c. T-0.1);

“eligible period” means the period beginning on 1 July 1992 and ending on 23 April 1996;

“eligible supply” means a supply in respect of which the tax payable under section 16 of the Act would be equal to zero because of section 69.5 of the Act if that section were applicable at the time the supply was made;

“net tax” has the same meaning as in Division III of Chapter VIII of Title I of the Act;

“person” has the meaning assigned by section 1 of the Act;

“registrant” means a person who, at any time during the eligible period, was a registrant within the meaning of section 1 of the Act;

“reporting period” has the meaning assigned by section 1 of the Act.

2. Subject to sections 3 to 5, a registrant who, at any time during the eligible period, makes eligible supplies, is hereby granted, with respect to a reporting period of the registrant beginning in the eligible period, remission of the tax payable under Title I of the Act in respect of the eligible supplies made by the registrant, determined by the formula

A - B.

For the purposes of this formula:

(1) A is the positive or negative amount of the registrant’s net tax for the reporting period;

(2) B is the positive or negative amount that would be the registrant’s net tax for the reporting period if that net tax did not include the amounts collected or collectible by the registrant as or on account of the tax under section 16 of the Act in respect of eligible supplies.

3. The amount of the remission under section 2 with respect to a reporting period of the registrant is reduced by the total of all amounts collected or collectible by the registrant as or on account of the tax under section 16 of the Act in respect of eligible supplies and that are included in the net tax for the reporting period, or portion of that net tax, that remains unpaid at the time the registrant files an application for remission under section 5 if

(1) the net tax is a positive amount;

(2) a determination of that net tax has not been made under the first paragraph of section 25 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31) before the time at which the registrant files the application; and

(3) such determination cannot, because of the second paragraph of section 25 of the Act respecting the Ministère du Revenu, be made at or after the time at which the registrant files the application.

4. Remission of the interest and penalties paid by the registrant in respect of any amount for which a remission is granted under section 2 is also granted to the registrant.

5. A remission shall only be granted if the registrant files an application in writing for the remission with the Minister of Revenue not later than 4 March 2001, to the extent that the amount has not otherwise been refunded, rebated, credited or remitted under the Act or the Act respecting the Ministère du Revenu (R.S.Q., c. M-31).

CHAPTER II

REMISSION OF THE RETAIL SALES TAX

6. For the purposes of this chapter, the expression:

“Act” means the Retail Sales Tax Act (R.S.Q., c. I-1);

“eligible month” means a month included in the eligible period;

“eligible period” means the period beginning on 1 January 1991 and ending on 30 June 1992;

“eligible sale” means a sale of movable property the price of which is paid by means of a single coin deposited in a mechanical coin-operated device that is designed to accept only a single coin of \$0.25 or less as the total sale price and by means of which the property is dispensed;

“vendor” means a vendor who held a registration certificate under section 3 of the Act, in force at any time in the eligible period, or who was required to hold such a certificate under that section at such time.

7. Subject to sections 8 to 10, remission is hereby granted to a vendor of the amounts paid as or on account of the tax under section 6 of the Act collected by that vendor in respect of the eligible sales made by that vendor in an eligible month.

8. The amount of the remission under section 7 for an eligible month is reduced by the total of the amounts collected by the vendor as or on account of the tax under section 6 of the Act in respect of the eligible sales made in that month and that remain unremitted at the time the vendor files an application for remission under section 10 if

(1) a determination of the amounts collected for the month has not been made under the first paragraph of section 25 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31) before the time at which the vendor files the application; and

(2) such determination cannot, because of the second paragraph of section 25 of the Act respecting the Ministère du Revenu, be made at or after the time at which the vendor files the application.

9. Remission of the interest and penalties paid by the vendor in respect of any amount for which a remission is granted under section 7 is also granted to the vendor.

10. A remission shall only be granted if a vendor files an application in writing for the remission with the Minister of Revenue not later than 4 March 2001, to the extent that the amount has not otherwise been refunded, rebated, credited or remitted under the Act or the Act respecting the Ministère du Revenu (R.S.Q., c. M-31).

11. This Regulation comes into force at the time of its publication in the *Gazette officielle du Québec*.

2896

Gouvernement du Québec

O.C. 705-99, 16 June 1999

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

Income security — Amendment

Regulation to amend the Regulation respecting income security

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

WHEREAS it is expedient to amend the Regulation;

WHEREAS under sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting income security was published in Part 2 of the *Gazette officielle du Québec* of 12 May 1999, p. 1227, with a notice that it could be made by the Government upon the expiry of 20 days following that publication;

WHEREAS under section 18 of that Act, a regulation may come into force between the date of its publication in the *Gazette officielle du Québec* and that applicable under section 17 of the same Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such a coming into force:

— the amendment provided for in the Regulation attached to this Order in Council must come into force on 1 July 1999, that is at the same time as the amendment made to the national child benefit supplements granted by the federal government, in order to allow families involved to profit from the increase provided for therein as of that date;

WHEREAS the 20-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 Social Solidarity:

THAT the Regulation to amend the Regulation respecting income security, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income security*

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

1. Section 10.5.1 of the Regulation respecting income security is amended by substituting the amounts “\$65.41”, “\$48.75” and “\$42.50” for the amounts “\$50.41”, “\$33.75” and “\$27.50”.

2. This Regulation comes into force on 1 July 1999.

2899

Gouvernement du Québec

O.C. 709-99, 16 June 1999

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Furniture industry — Amendments

Decree to amend the Decree respecting the furniture industry

WHEREAS the Government made the Decree respecting the furniture industry (Order in Council n° 1809-83 dated 1 September 1983);

WHEREAS the contracting parties within the meaning of that decree have petitioned the Minister of Labour to make certain changes to that decree;

WHEREAS section 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to decree the extension of a collective agreement and to amend an extension decree at the request of the contracting parties by making, where applicable, the amendments that it deems to be opportune;

WHEREAS pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, the draft of the amendment decree attached hereto was published in Part 2 of the *Gazette officielle du Québec* of 27 January 1999 and, on that same date, in a French language newspaper and an English language newspaper, with a notice that it could be made by the Government at the expiry of the 45-day period following that publication;

WHEREAS it is expedient to make this draft Decree with amendments;

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

THAT the Decree to amend the Decree respecting the furniture industry, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the furniture industry*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

1. The first “Whereas” of the Decree respecting the furniture industry is amended by substituting the name “Fraternité nationale des forestiers et travailleurs d’usines (section locale 299)” for the name “Fraternité nationale des charpentiers-menuisiers forestiers travailleurs d’usines”.

* The Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 (1989, *G.O.* 2, 2443), was last amended by the Regulations made by Orders in Council 12-99 dated 13 January 1999 (1999, *G.O.* 2, 86) and 59699 dated 26 May 1999 (1999, *G.O.* 2, 1587). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

* The last amendment to the Decree respecting the furniture industry made by Order in Council n° 1809-83 dated 1 September 1983 (1983, *G.O.* 2, 3370), was made under the regulation made by Order in Council n° 1569-98 dated 16 December 1998 (1998, *G.O.* 2, 4815). For other previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

2. Section 1.01 is amended:

1. by striking subparagraph 4;
2. by adding the following after subparagraph 8.

“9. “workday”: day on which the employee usually works;

10. “layoff”: temporary loss of employment;

11. “dismissal”: permanent loss of employment for economic or technical reasons;

12. “student”: a person who is enrolled in a full-time program of studies offered by an educational establishment and whose term of employment does not exceed 85 workdays per year.”

3. Section 3.01 is amended by striking, in the first paragraph, “, repair, renovation by stripping or otherwise”.

4. Section 3.02 is amended by striking, at the end of subparagraph 4, “, pianos, house organs and harmoniums”.

5. The following is substituted for section 4.01:

“4.01. Employees shall receive at least the following hourly rates:

Duration of continuous service	As of 1999 06 23	As of 2000 01 01
When hired or student	7,20\$	7,40\$;
after 3 months	7,45\$	7,60\$;
after 6 months	7,55\$	7,70\$;
after 12 months	7,75\$	7,90;
after 24 months	8,25\$	8,40\$;
after 36 months	8,75\$	8,90\$.”.

6. Sections 4.03 to 4.05 are revoked.

7. The following is substituted for section 5.01:

“5.01. Notwithstanding any other provision of the Decree, the employer shall pay employees at least 0,20 \$ more than the minimum wage fixed by the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3).”.

8. The following is substituted for section 6.01:

“6.01. The standard workweek is 42 hours scheduled over 5 days with a maximum of 8 h 30 per day from Monday to Thursday and 8 hours on Friday.

The duration of the standard workweek shall be gradually reduced to 40 hours by shortening the workweek by one hour on 1 October for each of the years 1999 and 2000 and, consequently, the duration of the standard workday is also reduced to 8 hours.

6.01.1. The working hours of the various shifts shall be scheduled as follows:

1. first shift: between 7:00 a.m. and 6:00 p.m.;
2. second and third shifts: between 2:00 p.m. and 9:00 a.m.

6.01.2. The employer and the employees may agree, by collective agreement or after agreement between the employer and the majority of the employees concerned, on provisions for scheduling shift working hours, the number of hours in the workday and the number of days in the standard workweek that differ from those mentioned in sections 6.01 and 6.01.1.

Such provisions must be more advantageous for employees and must not be for the purpose of avoiding the payment of overtime hours.

The employer must forward to the Parity Committee a copy of the written agreement before implementing the new provisions.

6.01.3. A weekend shift may be established where two weekly shifts have already been established with working hours scheduled from Monday through Friday. The standard workweek of the weekend shift is 36 hours scheduled from Friday through Sunday with a maximum of 12 hours per day.

6.01.4. Where the regular plant production of the employer is continuous and cannot be interrupted, the employer may schedule employee working hours on a basis other than a weekly basis, if he meets the following conditions:

1. the purpose of the schedule is not to avoid the payment of overtime hours;
2. he has obtained the consent of a majority of the employees concerned or where such the case of the accredited association, where allowed by the collective agreement;

3. the schedule has the effect of granting employees a compensation for the loss in payment of overtime hours;

4. the average number of working hours is equivalent to the number of hours mentioned in section 6.01;

5. working hours are scheduled over a maximum period of two weeks;

6. the duration of the workweek does not exceed 48 hours;

7. the duration of the work schedule cannot exceed one year;

8. he previously forwarded before implementing the schedule, a written notice to that effect to the Parity Committee.

A scheduled period may be modified by the employer or renewed by him at its expiry on the same conditions as those mentioned in the first paragraph.”

9. Section 6.02 is amended:

1. by striking, in the part preceding subparagraph 1, “, from Monday to Friday inclusively,”;

2. by substituting “section 6.01.2” for “paragraph 2 of section 6.01” in subparagraph 1;

3. by substituting the following for subparagraph 2:

“2. in accordance with section 6.01.4; in this case, the premium for overtime hours applies to hours in excess of the number of hours in the workweek established under this section;”;

4. by substituting the words “payment for” for the words “premium for” in subparagraph 3.

10. Section 6.03 is amended by striking paragraph 4.

11. Sections 6.04 and 6.05 are revoked.

12. The following is substituted for section 6.06:

“**6.06.** The employer may, under a collective agreement or an agreement concluded by a majority of the employees concerned and previously forwarded to the parity committee, have work performed by his employees outside the hours of the standard workday or on Saturday and replace the payment of overtime hours by a paid holiday equivalent to the number of overtime hours worked at time and a half and taken during the

Christmas vacation and New Year’s day of the current year.

6.06.1. For the purposes of sections 6.06 and 7.08, the employer must, where applicable, establish and maintain an up-to-date register in which he records the overtime hours that have been worked and replaced by a paid holiday under those sections.

The register must be accessible at any reasonable hour for verification by parity committee inspectors.”

13. Section 7.02 is amended by inserting in the first paragraph and after the words “Good Friday” the words “Easter Monday”.

14. Section 7.03 is amended in the first paragraph:

1. by substituting the following for the part preceding subparagraph 1:

“**7.03.** To be entitled to the general holidays with pay provided in section 7.02, the employee must be present at the end of his shift on the working day preceding the holiday and at the beginning of his shift on the working day following the holiday. However, the employee who is absent from work on the day preceding or the day immediately following the holiday is entitled to the indemnity for the holiday where his absence is due to:”;

2. by substituting the following for subparagraph 2:

“2. a layoff or a dismissal occurring within the 10 working days before the holiday;”.

15. The following is substituted for sections 7.04 and 7.05:

“**7.04.** The indemnity for an employee paid the hourly wage is rate is equal to the wage he would have received for a standard workday paid at his hourly wage rate.

The indemnity for a part-time employee must be equal to his average daily wage earned during the 10 workdays preceding the holiday.

The indemnity for an employee paid the hourly rate and the piece-work rate or the employee paid exclusively the piece-work rate or the employee paid a bonus must be equal to his average daily wage for the days worked during the two weeks preceding the holiday.

7.05. The employee entitled to a holiday provided in section 7.02 and who must work on a day governed by that section is paid at time and a half his hourly wage rate. He is also entitled to the indemnity provided in

section 7.04 or to a compensatory holiday of one day at is hourly wage rate, where such is provided under an agreement concluded between the employer and a majority of the employees concerned and a prior written notice was forwarded to the Parity Committee.

Such compensatory holiday to replace the paid holidays mentioned in section 7.02 is taken in the week that precedes or follows the holiday.”.

16. Section 7.07 is amended:

1. by substituting “6.01.1” for “6.01”;
2. by substituting “section 7.02” for “sections 7.01 and 7.02”.

17. The following is substituted for section 7.08:

“**7.08 Holidays not mentioned:** Under a collective agreement or after an agreement between the employer and the employees concerned, it is permitted, after having previously notified the Parity Committee, to celebrate any holiday not mentioned in this section and to recover the hours of work thus lost at the hourly wage rate during one or several days mutually agreed upon during the week preceding or following the holiday, except for holidays mentioned in section 7.02.”

18. Section 10.02.1 is amended in paragraph 3:

1. by substituting “5 years” for “10 years” in the first subparagraph;
2. by striking the second subparagraph.

19. Section 10.02.1 is amended by adding the following:

“**10.02.1.1. Division:** The annual vacation may be divided into two periods at the request of the employee. The employer may refuse the request if he closes his establishment for a period equal to or longer than the annual vacation of the employee.

The holiday may also be divided into more than two periods at the request of the employee with the consent of the employer.

A vacation that is one week or less may not be divided.”.

20. Section 10.02.2 is amended:

1. by striking paragraph 2;

2. by adding the following after paragraph 3:

“4. Where an employee is absent because of illness or an accident or is on maternity leave during the qualifying year and the result of that absence is a reduction in the indemnity for the annual vacation, the employee is entitled to an equivalent indemnity, and where such is the case, to two, three or four times the average weekly wage earned during the period worked.

The employee mentioned in paragraph 1 of 10.02.1 whose annual vacation is less than two weeks is entitled to that amount as a ratio of the days of vacation that he has accumulated.”.

21. Section 10.07 is amended by striking “5 %”.

22. The following is substituted for section 11.01:

“**11.01.** The Decree remains in force until 31 December 2000. It is then automatically renewed from year to year thereafter, unless the group constituting the employer party or the group constituting the employee party opposes it by a written notice sent to the Minister of Labour and the other group during the month of August of the year 2000 or during the month of August of any subsequent year.”.

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

2902

M.O., 99014

Order of the Minister for Wildlife and Parks dated 10 June 1999

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

CONCERNING the Regulation respecting hunting

THE MINISTER FOR WILDLIFE AND PARKS,

GIVEN THAT the Regulation respecting hunting (O.C. 1383-89 and subsequent amendments) specifies the number of hunting licences available according to areas or parts thereof per year;

GIVEN THAT under section 54.1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), replaced by section 7 of Chapter 29 of the Acts of 1998, the Minister may, by regulation:

1° fix the kinds and classes of licences and certificates, in particular for residents and non-residents, and limit the number of licences of each class for an area, territory or place the Minister indicates;

GIVEN THAT under section 34 of the Act modifying the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29), every order in council made by the Government under sections 54.1 and 56.1 of the Act respecting the conservation and development of wildlife before June 17, 1998 continues to be in force until it is amended or repealed by an order of the Minister of the Environment and Wildlife;

GIVEN THAT under section 164 of the Act respecting the conservation and development of wildlife, replaced by section 23 of Chapter 29 of the Acts of 1998, a regulation made by the Minister under section 54.1 is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING THAT it is expedient to modify the number of licences to hunt white-tailed deer, female or male, whose antlers are less than 7 cm long and licences to hunt female moose aged more than a year old available according to areas or parts thereof and to fix a number of licences for the territories.

ORDERS THAT:

Schedule II attached to this Order be substituted for Schedule II of the Regulation respecting hunting.

GUY CHEVRETTE,
Minister for Wildlife and Parks

SCHEDULE II

(s. 26)

NUMBER OF HUNTING LICENCES AVAILABLE ACCORDING TO AREAS OR PARTS THEREOF AND TERRITORIES PER YEAR

1. For hunting antlerless deer using a type 2 implement:

Area	Number of licences
3, the part described in Schedule X	550
4	1 500
5	1 000
6	0
8, the southern part described in Schedule VI	1 400
9	0
10, except the part described in Schedule XVI	1 000
10 west, the part described in Schedule XVI	3 000
11	500

2. For hunting caribou:

Area	Number of licences
19, the southern part described in Schedule V	600
22, the part described in Schedule VII	2 000, at a rate of 2 licences per hunter selected by a random draw
The parts of Area 19 and Area 23 described in Schedule IX	1 600, at a rate of 2 licences per hunter selected by a random draw

3. For hunting female moose aged more than a year old:

i. In the area

Area	Number of licences
1	800

ii. In wildlife reserves

Wildlife Reserves	Number of licences
Ashuapmushuan	55
Chic-Chocs	10
Dunière	5
Laurentides	85
La Vérendrye	350
Mastigouche	30
Matane	10
Papineau-Labelle	55
Port-Daniel	0
Portneuf	20
Rimouski	20
Rouge-Matawin	50
Saint-Maurice	18

2903

M.O., 1999

Minister's Order making the Regulation respecting road signs dated 15 June 1999

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

THE MINISTER OF TRANSPORT,

CONSIDERING section 289 of the Highway Safety Code (R.S.Q., c. C-24.2), replaced by section 83 of the Act

respecting owners and operators of heavy vehicles (Chapter 40 of the Statutes of 1998);

CONSIDERING section 178 of that Act, which provides that the first regulations made under the new provisions of the Highway Safety Code are not subject to the publication requirement in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the Minister's Order dated 24 November 1989 and published in the *Gazette officielle du Québec* of 13 December 1989, making the Regulation respecting traffic control devices;

CONSIDERING THAT it is expedient to replace that Regulation in order to give effect to the provisions of section 289 of the Highway Safety Code, which allow the Minister of Transport to assign, by order, a meaning to a road or traffic sign message and to determine the manufacturing and installation standards for road signs or signals and to set them out in a traffic control manual;

MAKES the Regulation respecting road signs, attached hereto.

Given at Québec, on 15 June 1999

GUY CHEVRETTE,
Minister of Transport

Regulation respecting road signs

Highway Safety Code
(R.S.Q., c. C-24.2, s. 289; 1998, c. 40, s. 83)

DIVISION I REGULATORY SIGNS

1. Regulatory signs contain messages the non-observance of which is punishable by law.
2. The requirement is indicated by the white colour of the sign and by the mandatory or interdictory symbols described in sections 5 and 6.

However, certain regulatory signs have a black background; they indicate one-ways and the various directions of the traffic lanes to be used.

3. The requirement applies to the place where a regulatory sign is erected. Where a distance is specified on the sign by an arrow, the requirement applies over the distance indicated.

A regulatory sign may also be used to remind of an obligation imposed by law.

4. When a tab sign accompanies a sign with a mandatory message, the message on the tab sign is also mandatory.

5. The mandatory symbol, made up of a green circle, means that the message inside is mandatory, as well as any inscription supplementing the message.



6. The interdictory symbol is made up of a red circle and a red oblique line across it. The message inside the circle announces a prohibition, as well as any inscription supplementing the message.



7. The P-10 "stop" or "arrêt" sign announcing a stop indicates the obligation to stop.



Its form and colours are international.

8. The P-20 "yield" sign indicates the obligation to yield the right-of-way to the traffic having priority.



Its form and colours are international.

9. The P-30 "yield" sign indicates the obligation to yield the right-of-way to oncoming traffic because traffic goes one way at a time.



10. The P-40 sign announcing a prohibited direction indicates the prohibition to take a public road.



That sign has a square white background and a red circle with a white horizontal line at the centre.

11. The P-60 sign announcing a stop line indicates the place where vehicles must stop.



12. The P-70 sign announcing a speed limit indicates the speed limits authorized on autoroutes and other public roads.



13. The P-80-1 sign announcing a one-way indicates the obligation to take a public road in the direction shown.



14. The P-80-3 sign announcing two-way traffic indicates the obligation to travel on the far right of the roadway.



15. The P-90 signs announcing an obstruction indicates the obligation to drive around it in the direction shown by the arrow.



16. The P-100 signs announcing the various directions of the lanes indicate the lane in which road users must drive and remain depending on whether the arrow indicates to go straight ahead or to turn.



17. The P-100-13 and P-100-14 signs announcing lanes adjacent to an alternating lane indicate the obligation to remain in the lane designated by an arrow or the prohibition to take the lane under an X.



18. The P-110-1 to P-110-4 signs announcing manoeuvres that must be made at certain intersections indicate, for all the lanes concerned, the obligation to turn or to keep driving in the direction indicated by the arrow.



19. The P-110-5 sign announcing the prohibition to make a U-turn indicates that it is prohibited to make a U-turn, except for vehicles authorized by the person in charge of the maintenance or management of the public road.



20. The P-110-6 to P-110-8 signs announcing prohibited manoeuvres at certain intersections indicate, for all the lanes concerned, the prohibition to turn or to keep driving in the direction indicated by the arrow.



21. The P-120-1 to P-120-3 signs announcing a route compulsory for certain classes of vehicles indicate the obligation for the drivers of the vehicles pictured to take the route shown.



22. The P-120-4 sign announcing a mandatory route for carriers of dangerous substances indicates the obligation for those carriers to take the route shown.



23. The P-120-5 and P-130-2 signs announcing the obligation or prohibition to travel in a designated lane indicate to the drivers of the vehicles pictured to remain in or to stay out of the lane indicated by the arrow.



24. The P-120-12 to P-120-15 signs indicate to drivers of vehicles travelling in transit to take the direction indicated by the arrows.



25. The P-130-1, P-130-15 to P-130-20 and P-130-25 to P-130-27 signs announcing that a public road is prohibited for trucks indicate to truck drivers that they may not take the public road along which those signs are erected, except for local delivery purposes.



26. The P-130-24 sign announcing that local delivery is authorized indicates to the drivers concerned that they are travelling on a public road prohibited for them, unless they take it to make a local delivery.



27. The P-130-3 to P-130-14 and P-130-21, P-130-22 and P-130-28 to P-130-30 signs announcing a prohibition to take a lane or public road indicate to the drivers of the vehicles pictured that they may not take the lane or public road.

Those signs may refer to individuals.



28. The P-140 sign announcing the presence of a zone where passing is prohibited indicates the prohibition to pass in that zone.



29. The P-150 signs announcing parking regulations indicate the zones where parking is authorized or prohibited.



30. The P-160 signs announcing stopping regulations indicate where stopping is prohibited.



31. The P-195 sign announcing legal weight limits indicates to the drivers of vehicles heavier than the legal limit that they may not travel on certain bridges or overpasses, unless the driver is expressly authorized to do so by a special permit issued under section 463 or 633 of the Highway Safety Code.



32. The P-220 sign announcing a lane for slow traffic indicates the obligation for the drivers of the vehicles pictured to take the designated lane.



33. The P-231 sign announcing a brake check area indicates the obligation for the drivers of certain classes of vehicles whose total loaded mass is at least 3000 kg that they must check the condition of their brakes themselves, having stopped where required.



34. The P-200 signs announcing a weight limit indicate to the drivers of vehicles whose total loaded weight exceeds the specified maximum weight that they may not take the bridge or overpass along which that prohibition is applicable.



35. The P-240 signs announcing the presence of a truck weight station indicate the obligation for the drivers of the vehicles pictured to drive their vehicles there so that they may be inspected as required under the Highway Safety Code. The said obligation is applicable when the lights are flashing.



36. The P-250 signs announcing reserved lanes indicate that a traffic lane is reserved for certain classes of vehicles and that it is prohibited for the other vehicles to take that lane where the prohibition is applicable.



37. The P-260 sign announcing the beginning of a school zone indicates the presence of a school zone in which no one may travel faster than 50 km/h when schoolchildren are entering or leaving school.



That sign is blue.

38. The P-270 signs announcing the presence of a crossing on a public road indicate the obligation for pedestrians to use the crosswalk designated or laid out for their use. Those signs also indicate to road users that they must stop to let pedestrians cross.



39. The P-290 sign announcing exclusive towing rights reminds road users that towing is, over a segment of a public road, regulated and reserved exclusively for the tow truck operators whose telephone numbers appear on the accompanying tab sign.



40. The P-210 sign announcing a thaw reminds drivers of heavy vehicles that they must observe, during thaw periods, the total load limits fixed by the Vehicle Load and Size Limits Regulation, made under the Highway Safety Code.



41. The P-300 sign announcing the obligation to buckle the safety belt reminds of the obligation to buckle up.



42. The P-310 sign announcing the prohibition to throw garbage out of a vehicle reminds that it is prohibited to throw away or leave garbage along a public road.



43. The P-320 sign reminds that it is prohibited to drive a vehicle equipped with a radar detector on a public road.



44. The P-330 sign reminds that it is prohibited to turn right on a red light, unless otherwise indicated.



45. The P-180 sign reminds drivers who are obliged to stop their vehicles at a level crossing under section 413 of the Highway Safety Code that they are not bound to stop at the crossings designated.



46. The P-340 sign reminds of the obligation to close and seal a gas cylinder when a vehicle takes a ferry.



DIVISION II WARNING SIGNS

47. Warning signs contain messages announcing the presence of an actual or potential hazard on a public road.

For instance, they may warn of

- 1° a hazard related to the shape or condition of a public road;
- 2° a manoeuvre to be made;
- 3° a dangerous intersection or the installation of new signs;
- 4° the presence of a crossing;
- 5° a designated roadway;

6° places where wild animals may cross a public road.

48. Warning signs are also used to announce regulatory signs.

49. Warning signs have a yellow background and the shape of a square standing on one corner.

DIVISION III ROADWORK SIGNS

50. Roadwork signs contain messages announcing works on a public road or near it.

They indicate in particular the manoeuvres to be made and the lanes or places where traffic is allowed, detoured or prohibited.

51. Although they have an orange background, roadwork signs indicating a mandatory message must be observed just like regulatory signs.

They indicate speed limits and parking regulations.

52. Roadwork signs have an orange background and the shape of a square standing on one corner. Some of them are square or rectangular.

DIVISION IV INFORMATION SIGNS

53. Information signs contain informative messages indicating in particular the direction to be taken and the distances to be covered to reach various built-up areas, points of interest, services or tourist attractions.

54. Information signs have a green, brown or blue background.

DIVISION V PAVEMENT MARKINGS

55. White or yellow marks on the pavement are used to guide and direct traffic. They are also used to supplement the messages on regulatory signs.

56. This Regulation replaces the Regulation respecting traffic control devices, made by Minister's Order dated 24 November 1989 and published in the *Gazette officielle du Québec* of 13 December 1989.

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

Notice of adoption

An Act respecting racing
(R.S.Q., c. C-72.1)

Rules respecting Standardbred horse racing Rules respecting certification

— Amendments

Notice is hereby given that the Régie des alcools, des courses et des jeux, at its sitting of 27 May 1999, made the Rule to amend the Rules respecting Standardbred horse racing and the Rule to amend the Rules respecting certification, the text of which appears below.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Rules was published in Part 2 of the *Gazette officielle du Québec* of 7 April 1999, with a notice that it could be made by the Régie des alcools, des courses et des jeux upon the expiry of 45 days following that publication.

SERGE LAFONTAINE,
President

Rules to amend the Rules respecting Standardbred horse racing*

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103, 1st par., par. 2, subpar. *a* and *c*)

1. Section 91 of the Rules respecting Standardbred horse racing is amended by substituting subparagraph *b* and *c* of paragraph 1 with the following:

“(b) 9, on a racing strip longer than half a mile but shorter than seven-eighth of a mile;

(c) 11, on a racing strip of no less than seven-eighth of a mile long;”.

2. Section 214 is amended by substituting the number 8 for the number 7 in the first paragraph.

3. Section 217 is amended:

(1) by substituting the words “than seven-eighth of a mile” for the words “than a mile” in paragraph 2 of the second paragraph;

(2) by adding the following paragraph at the end of the second paragraph:

“(3) on a racing strip of not less than seven-eighth of a mile long:

(a) first position on the first line;

(b) second position on the first line;

(c) third position on the first line;

(d) fourth position on the first line;

(e) first position on the second line;

(f) fifth position on the first line;

(g) sixth position on the first line;

(h) seventh position on the first line;

(i) eighth position on the first line;

(j) second position on the second line;

(k) ninth position on the first line;

(l) tenth position on the first line;

(m) eleventh position on the first line;

(n) third position on the second line;

(o) fourth position on the second line;

(p) the others are placed in similar fashion to the right of the horse having the fourth position on the second line.”.

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

* The Rules respecting Standardbred horse racing, made by the Régie des loteries et des courses at its sitting of 19 September 1990 (1990, *G.O.* 2, 2491), were last amended by the Rules to amend the Rules respecting Standardbred horse racing made by the Régie des alcools, des courses et des jeux at its sitting of 2 September 1997 (1997, *G.O.* 2, 4625). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

Rules to amend the Rules respecting certification*

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103, 1st par., par. 2, subpar. *e* and *i*)

1. Section 13 of the Rules respecting certification is amended:

(1) by inserting in subparagraph *a* of paragraph 1 of the first paragraph the words “4620 feet by 21,6 metres” after the words “5280 feet by 24,3 metres”;

(2) by inserting in subparagraph *b* of paragraph 1 of the first paragraph with the following:

“(b) with, all around the inside part, flexible posts or a hub rail which flat surface perpendicular to the ground shall have a minimum width of 30 centimetres and its bottom part shall be situated between 30 centimetres and 60 centimetres from the ground;”;

(3) by substituting subparagraph *a* of paragraph 2 of the first paragraph with the following:

“(a) individual stalls in sufficient number to allow trainers to bring their horses in the paddock two hours before the start of their race;”.

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

2893

M.O., 1999

Order number 1847 of the Minister of Justice and Attorney general dated 14 June 1999

Civil Code of Québec
(1991, c. 64)

Rules to amend the Rules respecting the solemnization of civil marriages

THE MINISTER OF JUSTICE,

CONSIDERING THAT under article 376 of the Civil Code of Québec (1991, c. 64), the Minister of Justice

* The Rules respecting certification, made by the Régie des loteries et des courses at its sitting of 1 October 1984 (1984, *G.O.* 2, 3568), were last amended by the Rules to amend the Rules respecting certification made by the Régie des alcools, des courses et des jeux at its sitting of 27 June 1985 (1985, *G.O.* 2, 2378). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

may prescribe rules for the solemnization of civil marriages;

CONSIDERING the publication of draft Rules to amend the Rules respecting the solemnization of civil marriages in Part 2 of the *Gazette officielle du Québec* of 28 April 1999, with a notice that they could be made by the Minister of Justice upon the expiry of 45 days following that publication;

CONSIDERING THAT it is expedient to make these Rules;

ORDERS:

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

Sainte-Foy, 14 June 1999

LINDA GOUPIL,
Minister of Justice

Rules to amend the Rules respecting the solemnization of civil marriages¹

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

1. The following is substituted for section 5.1 of the Rules respecting the solemnization of civil marriages:

“5.1. Under a pilot project, with the permission of the clerk of the Superior Court, a marriage may be solemnized in a place accessible to the public and laid out for that purpose at one of the following locations:

— in the judicial district of Charlevoix:
at the Manoir Richelieu, 181, avenue Richelieu, La Malbaie – Pointe-au-Pic;

— in the judicial district of Longueuil:
at the Hôtel de ville de Boucherville, 500, rue de la Rivière-aux-Pins, Boucherville;

¹ The Rules respecting the solemnization of civil marriages, made by Minister’s Order No. 1440 dated 6 July 1994 (1994, *G.O.* 2, 2975), were amended once by the Rules made by Minister’s Order No. 1772 dated 13 May 1998 (1998, *G.O.* 2, 2063).

— in the judicial district of Montréal:
at the Montreal Botanical Garden, 4101, rue
Sherbrooke Est, Montréal;

— in the judicial district of Québec:
at the Domaine Catarauqui, 2141, chemin Saint-Louis,
Sillery;

— in the judicial district of Rimouski:
at the Jardins de Métis, at Grand-Métis.

A request to that effect shall be submitted to the clerk before the posting of the notice of marriage or at the time of the application for a dispensation from publication of the notice.”.

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

Draft Regulations

Draft Decree

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Bread Distributors — Montréal — Amendments

Notice is hereby given that the Minister of State for Labour and Employment and Minister of Labour has received a petition for amendments to the Decree respecting bread distributors in the Montréal region (R.R.Q., 1981, c. D-2, r. 28) from the contracting parties governed by the Decree and that, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting bread distributors in the Montréal region, 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 Decree is to update certain terms of employment which have remained unchanged since April 11, 1996.

To do so, it proposes to correct the name of a union contracting party, to harmonize the description of the territorial jurisdiction with the official government appellations, to determine an employee's minimum wages and regular workweek and to grant to employees, with regard to the possibility of bread delivery seven days a week, two consecutive days off per week as well as the related statutory general holidays, leave for family events and annual leave with pay. It also fixes March 31, 2001 as the date on which the Decree ceases being in force, without provision for tacit renewal.

This Draft is currently the subject of an impact study as part of the amendments made to the Act amending the Act respecting collective agreement decrees (1996, c. 71).

During the consultation period, the impact of the amendments sought will be clarified. According to the 1998 annual report of the Comité paritaire sur les distributeurs de pain de la région de Montréal, the Decree governs 83 employers, 179 artisans and 248 employees.

Further information may be obtained by contacting Mr. Jude Bourke, Direction des décrets, ministère du

Travail, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1 (telephone: 418-646-2644; fax: 418-528-0559; e-mail: jude.bourke@travail.gouv.qc.ca).

Any interested person with comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

NORMAND GAUTHIER,
Deputy Minister of Labour

Decree amending the Decree respecting bread distributors in the Montréal region*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. The first “Whereas” of the Decree respecting bread distributors in the Montréal region is amended by replacing the name “Le Syndicat international des travailleurs et travailleuses de la boulangerie, confiserie et du tabac, section locale 55, FAT-COI-CTC-FTQ” by the name “Le Syndicat international des travailleurs et travailleuses de la boulangerie, confiserie, tabac et meunerie, local 55, FAT-COI-CTC-FTQ”.

2. Section 1.01 of the Decree is amended by inserting, after paragraph *c*, the following:

“c-1) “spouse”: a man and a woman who:

a) are married and cohabiting;

b) are living together as husband and wife and are the father and mother of the same child;

c) have been living together as husband and wife for one year or more;”.

3. Section 2.01 of the Decree is replaced by the following:

* The Decree respecting bread distributors in the Montréal region (R.R.Q. 1981, c. D-2, r. 28) was last amended by the regulation made by Order in Council n° 757-98 dated June 3, 1998 (1998, G.O. 2, 2216). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to March 1, 1999.

“2.01. This Decree applies over the territory of the following municipalities:

Administrative Region 06 — Montréal

Communauté urbaine de Montréal

Ville d’Anjou, Ville de Baie-d’Urfé, Ville de Beaconsfield, Cité de Côte Saint-Luc, Ville de Dollard-des-Ormeaux, Cité de Dorval, Ville de Hampstead, Ville de Kirkland, Ville de Lachine, Ville de LaSalle, Ville de L’Île-Bizard, Ville de l’Île-Dorval, Ville de Montréal, Ville de Montréal-Est, Ville de Montréal-Nord, Ville de Montréal-Ouest, Ville de Mont-Royal, Ville de Outremont, Ville de Pierrefonds, Ville de Pointe-Claire, Ville de Roxboro, Ville de Sainte-Anne-de-Bellevue, Ville de Sainte-Geneviève, Ville de Saint-Laurent, Ville de Saint-Léonard, Ville de Saint-Pierre, Village de Senneville, Ville de Verdun, Ville de Westmount.

Administrative Region 13 — Laval

Ville de Laval.

Administrative Region 14 — Lanaudière

In the regional county municipality of Les Moulins:

Ville de Lachenaie, Ville de Mascouche, Ville de Terrebonne.

Administrative Region 15 — Laurentides

In the regional county municipality of Deux-Montagnes:

Ville de Saint-Eustache.

In the regional county municipality of Thérèse-de-Blainville:

Ville de Boisbriand, Ville de Bois-des-Filion, Ville de Lorraine, Ville de Rosemère, Ville de Sainte-Thérèse.

Administrative Region 16 — Montérégie

In the regional county municipality of Champlain:

Ville de Brossard, Ville de Greenfield Park, Ville de LeMoyné, Ville de Longueuil, Ville de Saint-Hubert, Ville de Saint-Lambert.

In the regional county municipality of Lajemmerais:

Ville de Boucherville, Ville de Sainte-Julie.

In the regional county municipality of La-Vallée-du-Richelieu:

Ville de Saint-Bruno-de-Montarville.

In the regional county municipality of Roussillon:

Ville de Candiac, réserve indienne de Kahnawake, Ville de La Prairie, Ville de Sainte-Catherine.

In the regional county municipality of Vaudreuil-Soulanges:

Ville de L’Île-Perrot, Paroisse de Notre-Dame-de-L’Île-Perrot, Ville de Pincourt, Terrasse-Vaudreuil.»

4. Section 4.01 of the Decree is replaced by the following:

“4.01. An employee’s minimum wages are as follows:

	for a regular	for one day
	five-day week	

as of (*insert here the date of the coming into force of this Decree*):

\$340	\$68;	
as of September 1, 2000:	\$355	\$71.”.

5. Section 5.01 of the Decree is replaced by the following:

“5.01. For the computation of overtime hours, the regular workweek is 42 hours, 41 hours as of October 1, 1999 and 40 hours as of October 1, 2000.”.

6. Section 5.07 of the Decree is replaced by the following:

“5.07. The delivery, transportation or shipping, unless the transportation or shipping involve bakery products in transit or intended for a location other than a retail trade establishment, may be carried out seven days a week provided that the person working five days a week is entitled to two consecutive days off per week.”.

7. Section 6.02 of the Decree is replaced by the following:

“6.02. However, if the employee must work on one of the statutory general holidays provided for in section 6.01, the employer, in addition to paying to the employee working on the holiday the wage corresponding to the work performed, must pay him the indemnity provided for in section 6.06 or grant him a compensa-

tory holiday of one day which must be taken within the three weeks preceding or following the holiday.

This section does not apply to an employee carrying out the delivery, transportation or shipping of home-made style bread and specialty bread.”.

8. Section 6.03 of the Decree is revoked.

9. Section 6.05 of the Decree is replaced by the following:

“6.05. Where a holiday coincides with a working day for an employee, the employer must pay to him an indemnity equal to the average of his daily wages for the days worked during the complete period of pay preceding that holiday, excluding overtime.

Notwithstanding the first paragraph, the indemnity paid to an employee remunerated mainly by commission must be equal to the average of his daily wages established from all the complete periods of pay in the three months preceding the holiday.”.

10. Section 6.06 of the Decree is amended by replacing the first paragraph by the following:

“6.06. If one of the statutory general holidays provided for in section 6.01 falls on a non-working day, the employer must pay to the employee, as an indemnity for that statutory holiday, a lump sum of \$68 and, as of September 1, 2000, a lump sum of \$71.

This section does not apply to an employee carrying out the delivery, transportation or shipping of home-made style bread and specialty bread.”.

11. The Decree is amended by adding, after section 6.06, the following:

“6.07. If an employee is on annual leave on one of the holidays provided for in section 6.01, the employer must pay him the indemnity provided for in section 6.06 or grant him a compensatory holiday of one day on a date agreed upon between the employer and the employee.

6.08. To benefit by a statutory general holiday provided for in section 6.01, the employee must be credited with 60 days of uninterrupted service in the undertaking and not be absent from work without the employer’s authorization and without valid cause on the day preceding or on the day following that holiday.”.

12. Sections 8.02 and 8.03 of the Decree are replaced by the following:

“8.02. An employee may be absent from work for two days without reduction of wages by reason of the death or the funeral of his consort, his child or the child of his consort, or of his father, mother, brother or sister. He may also be absent from work, without pay, for three more days on such occasion.

8.03. An employee may be absent from work for one day, without reduction of wages by reason of the death or the funeral of a son-in-law, daughter-in-law, one of his grandparents or grandchildren, or of the father, mother, brother or sister of his consort.

8.04. An employee may be absent from work for one day without reduction of wages, on his wedding day.

An employee may also be absent from work, without pay, on the wedding day of one of his children, of his father, mother, brother or sister or of a child of his consort.

8.05. An employee may be absent from work for five days at the birth of his child or the adoption of a child. The first two days of absence are remunerated if the employee is credited with 60 days of uninterrupted service.

This leave may be divided into days at the request of the employee. It may not be taken more than 15 days after the child arrives at the residence of his or her father or mother.

However, an employee who adopts the child of his consort may be absent from work for only two days, without pay.

8.06. In the circumstances referred to in sections 8.02 to 8.05, the employee must advise his employer of his absence as soon as possible.”.

13. Section 10.01 of the Decree is replaced by the following:

“10.01. This Decree remains into force until March 31, 2001.”.

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

2900

Draft Regulation

An Act respecting correctional services
(R.S.Q., c. S-4.01)

Community work — 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 Community Work Regulation, 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 harmonize various provisions following amendments introduced in 1996 by the Act to amend the Criminal Code (sentencing) and other Acts in consequence thereof (S.C., 1995, c. 22).

Further information may be obtained by contacting Ms. Monique Nadeau, Direction des affaires juridiques, ministère de la Sécurité publique, 2525, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 2L2.

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, at 2525, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 2L2.

SERGE MÉNARD,
Minister of Public Security

Regulation to amend the Community Work Regulation*

An Act respecting correctional services
(R.S.Q., c. S-4.01., ss. 12.1 and 23, pars. *v* and *w*;
1998, c. 28, ss. 3 and 11)

1. The Community Work Regulation is amended by substituting the following for its title: “Community Service Regulation”.

2. Section 1 is amended by substituting the words “involving the performance of hours of community service” for the words “for community work”.

3. Section 2 is amended

(1) by substituting the words “involving the performance of hours of community service” for the words “for community work” in the part preceding paragraph 1;

(2) by substituting the words “hours of community service” for the words “community work” in paragraphs 1 and 2; and

(3) by substituting the words “hours of community service” for the words “community work” in paragraphs 3, 4 and 5.

4. The following is substituted for section 3:

“3. The number of hours of community service determined by an order may not be less than 20 nor greater than 240.”.

5. Section 4 is amended by substituting the words “involving the performance of hours of community service” for the words “for community work” in the part preceding paragraph 1.

6. Section 5 is amended

(1) by substituting the words “involving the performance of hours of community service” for the words “for community work” in the part preceding subparagraph 1 of the first paragraph;

(2) by substituting the words “community service to be performed” for the words “work to be done” in subparagraph 1 of the first paragraph;

(3) by substituting the words “hours of community service” for the word “work” in subparagraph 2 of the first paragraph; and

(4) by substituting the words “hours of community service are” for the words “work is” in subparagraph 3 of the first paragraph.

7. Section 6 is amended by substituting the words “establish in writing the conditions for the performance of the hours of community service” for the words “draw up and record in writing the method of performing the community work”.

8. The following is substituted for Section 7:

“7. Where it is impossible to hold a meeting owing to the absence of one of the three persons involved, the probation officer shall discuss separately with the representative of the community resource and the person mentioned in the order to establish the conditions for the performance of the hours of community service.

* The Community Work Regulation has not been amended since it was made by Order in Council 148-86 dated 19 February 1986 (1986, G.O. 2, 296).

The probation officer shall then draw up the proposed conditions and submit them to the other parties for approval.

Where either party objects to the proposed conditions, the probation officer shall summon them to a meeting at which they shall together establish in writing the proposed conditions for the performance of the hours of community service.”.

9. Section 8 is amended by substituting the words “conditions for the performance of the hours of community service” for the words “method of performance of community work”.

10. The following is substituted for section 9:

“9. The community resource shall inform the probation officer without delay of any failure by the person mentioned in the order to comply with any of the conditions prescribed by the order or set out in the conditions for the performance of the hours of community service.”.

11. Section 10 is amended by substituting the words “conditions for the performance of the hours of community service when they have” for the words “method of performance of the community work, when it has”.

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

2895

Draft Regulation

An Act respecting correctional services
(R.S.Q., c. S-4.01)

Houses of detention — 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 houses of detention, 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 facilitate the administration of houses of detention while maintaining respect for imprisoned persons’ rights. The draft Regulation sets out additional powers that will allow the warden, in certain situations, to restrict or prohibit telephone calls, mail or visits, on condition that the impris-

oned person be notified of this decision and that he be given an opportunity to present observations. The draft regulation also stipulates that the surveillance referred to in the division respecting administrative segregation may be done by video camera. It also proposes amending the Regulation to clarify provisions relating to the management of an imprisoned person’s personal effects, in particular where objects have been abandoned by the imprisoned person or where the owner is unknown.

Further information may be obtained by contacting Ms. Monique Nadeau, Direction des affaires juridiques, ministère de la Sécurité publique, 2525, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 2L2.

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, at 2525, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 2L2.

SERGE MÉNARD,
Minister of Public Security

Regulation to amend the Regulation respecting houses of detention*

An Act respecting correctional services
(R.S.Q., c. S-4.01, s. 23, pars. *b, c, d, d.1, g* and *h*;
1997, c. 43, s. 717)

1. Section 5 of the Regulation respecting houses of detention is amended

(1) by inserting the following paragraphs after paragraph *c*:

“(c.1) prevent an imprisoned person from communicating by letter, by telephone or otherwise with any person where a person’s safety is threatened or where the recipient makes such a request in writing to the warden;

(c.2) restrict or prohibit a visit by a person referred to in section 27 where such a visit would endanger the security of the house of detention or a person’s safety;”;

* The Regulation respecting houses of detention (R.R.Q., 1981, c. P-26, r.1; [S-4.01, r.1]) was last amended by the Regulation made by Order in Council 620-97 dated 7 May 1997 (1997, *G.O. 2*, 1972). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

(2) by adding the following paragraph at the end of the section:

“Where the warden decides to impose restrictions in accordance with subparagraphs *c.1* or *c.2* of the first paragraph, the imprisoned person and, where applicable, the visitor, shall be notified of the grounds for the measure and they shall be given the opportunity to present observations on the matter.”.

2. The Regulation is amended by inserting the following sections after section 12:

12.1 The warden shall dispose of objects seized in an imprisoned person’s cell, other than those prohibited under a law or regulation, where they do not belong to the imprisoned person and where their possession is prohibited under a directive, in the following manner:

(a) by returning the property to its owner, if he is known; or

(b) by handing over the property to the Public Curator.

12.2 The warden shall hand over to the Public Curator any personal effects left behind by an imprisoned person on his departure from the house of detention at the end of one year following the end of his imprisonment.

The warden may not dispose of an imprisoned person’s personal effects until he has taken appropriate measures to ascertain that

(a) the imprisoned person refuses or neglects to take them back or cannot be reached;

(b) the imprisoned person is not being held in a house of detention elsewhere in Québec; and

(c) the imprisoned person did not designate a relative or a friend to whom the personal effects may be sent or the designated person refused to take possession of them.”.

3. Section 13 is amended by deleting the following from the first paragraph: “such as a towel, face-cloth, soap, comb, shampoo and shaving cream”.

4. Section 27 is amended by substituting the following for the part preceding paragraph *a*:

“Subject to the restrictions that may be imposed by the warden under paragraph *c.2* of section 5, an imprisoned person may have the following visitors:”.

5. Section 28 is amended by substituting the words “a person designated by him” for the words “the warden” in paragraph *c*.

6. Section 34.2 is amended by adding the following paragraph at the end:

“The cell is subject to surveillance by videotape recorder and may be equipped with a video camera. The person in administrative segregation shall be notified thereof.”.

7. Section 34.8 is amended by substituting the words “before the end” for the words “at the latest within 48 hours following the beginning”.

8. Section 35 is amended by substituting the words “with other imprisoned persons or with officers or persons in charge of activities” for the words “among other imprisoned persons” in subparagraph *e* of the second paragraph.

9. Section 54 is amended by substituting “29, 30 and 30.1” for “29 and 30” in the second paragraph.

10. Section 57 is revoked.

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

2894

Draft Rules

An Act respecting racing
(R.S.Q., c. C-72.1)

Rules respecting certification for Thoroughbred and Quarter Horse horse racing

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Rules respecting certification for Thoroughbred and Quarter Horse horse racing” hereinafter set forth may be enacted by the Régie des alcools, des courses et des jeux at the end of a 45-day period following this publication.

The draft rules provide conditions prescribed by the government in the “Rules respecting certification for Thoroughbred and Quarter Horse horse racing” pertaining to the issuance of licences for the performance of functions or carrying on of occupations related to Thoroughbred and Quarter Horse horse racing or for a business operating on the premises.

For additional information, please contact:

M^e Marc Lajoie, Régie des alcools, des courses et des jeux, 1281, boulevard Charest Ouest, Québec (Québec) G1N 2C9, Telephone: (418) 644-0815, Fax: (418) 646-0673.

Any interested person may, before the end of this 45-day period, send their comments on the matter in writing to the President at the Régie des alcools, des courses et des jeux, 1281, boulevard Charest Ouest, Québec (Québec) G1N 2C9.

SERGE LAFONTAINE,
President

Rules respecting certification for Thoroughbred and Quarter Horse horse racing

An Act respecting racing (R.S.Q., c. C-72.1, s. 103 1st par., 2nd sub-par. *a, c, e, i* and *l*, par. 3, 7 to 13, 16 to 18, 22 and 2nd par.)

CHAPTER I INTERPRETATION

1. Definitions provided in the Rules respecting certification for Thoroughbred and Quarter Horse horse racing enacted by order (*order number and date*) shall apply *mutatis mutandis*.

CHAPTER II GENERAL

2. To obtain a licence, a person must:

(1) be of legal age, save and excepting specific exemptions stipulated herein;

(2) provide the following documents in English or in French where applying for a first licence:

(a) a birth certificate extract;

(b) a copy of an official document issued by the government, one of its ministries or organizations proving his identity and date of birth;

(c) a copy of an official document issued by a racing commission or any horse race regulating body outside Québec proving his identity or date of birth;

(3) provide two identical 30 mm by 30 mm colour photographs taken within the last six months represent-

ing a full frontal view down to the shoulders, head uncovered, or allow his photograph to be taken:

(a) where applying for a first licence;

(b) every five years thereafter.

3. Documents submitted with a licence application and licences issued by the Régie shall remain the property of the Régie.

4. The holder of a valid licence issued by a horse race regulating body outside Québec with whom the Régie has not entered into a reciprocity agreement shall not be subject to the application hereof regarding examinations for the performance or carrying on of equivalent functions or occupations in Québec. In addition, he shall not be subject to the provisions hereof where optometric certificates and statements of health are concerned.

For licences valid thirty days or less, the holder of a valid licence issued by a horse race regulating body outside Québec who applies for an owner or jockey agent's licence need not produce the documents described in paragraphs 2 and 3 section 2 when applying for a first licence.

5. A natural person who held a licence issued by the Régie any time within a twenty-four month period before filing a licence application may obtain a licence of the same class from the Régie without undergoing the examination prescribed hereunder.

6. A person who wishes to obtain a licence from the Régie under the circumstances prescribed in section 5 shall be authorized to carry on any activity for which the licence is prescribed, upon receipt by the Régie of the licence application and fee payment, provided said person is not in any of the circumstances described in section 77 and 78 of an Act respecting racing.

7. Where an examination is required to obtain a licence, the Régie may grant an equivalence to a person who so requests.

Said person shall then prove, with the aid of supporting documents, that he has a body of knowledge and skills pertaining to Thoroughbred or Quarter Horse horse racing which demonstrating competence and qualifications equal to the required experience.

8. The holder of a licence issued by the Régie shall, for the term of his licence, fulfil all conditions first required to obtain the licence.

9. Any person who fails an examination shall be barred from taking another for a period of thirty (30) days. A candidate must obtain a 60 % grade to successfully complete an examination.

CHAPTER III RACING AND RACE TRACK LICENCES

DIVISION I RACE TRACK LICENCE

10. To obtain a race track licence, a person must provide, among other things, the following documents and information:

(1) a copy of the title authorizing use of the race track;

(2) a plan of the race track layout and location of any other building that has been or shall be erected;

(3) a copy of its constitution, where the applicant is a legal person;

(4) certification from a competent authority attesting that the purpose of the building to be used as a race track complies with applicable zoning by-laws;

(5) certification from a competent authority attesting that the building to be used as a race track and its purpose are in compliance with the Environment Quality Act (R.S.Q., c. Q-2), An Act to Preserve Agricultural Land (R.S.Q., c. P-41.1), and their regulations.

11. A professional race track licence shall be issued to a race track provided it is equipped as follows:

(1) a track which shall be:

(a) at least 1,069.2 metres long, measured 91.44 cm from the inside hub rail, and at least 18.3 m wide, in accordance with a land surveyor affidavit, and have a sand, grass or other surface approved by the Régie, constructed and maintained so as to ensure the safety of jockeys and horses;

(b) fitted along its entire length with an inside hub rail; this protective rail shall stand no less than 96.52 cm and no more than 106.68 cm above the ground and shall be fitted with a goose-neck shaped overhanging which measures at least 60.96 cm with a seamless, smooth covering; the design and structure of this hub rail shall be approved by the Régie before the first race of a race meeting;

(c) protected along its exterior by a fence with gates providing access to the track, the whole of which stands at least 90 cm high;

(2) a starting line and distance markers placed so as to be clearly visible to the racing judges and identified as follows:

1/4-mile marker	—	red and white horizontal stripes
1/8-mile marker	—	green and white horizontal stripes
1/16-mile marker	—	black and white horizontal stripes
201.08 metres (220 yards)	—	green and red
228.5 metres (250 yards)	—	blue
274.2 metres (300 yards)	—	yellow
301.62 metres (330 yards)	—	black and white
319.9 metres (350 yards)	—	red
365.6 metres (400 yards)	—	black
402.16 metres (440 yards)	—	red and black
502.7 metres (550 yards)	—	black and white horizontal stripes
603.24 metres (660 yards)	—	green and white horizontal stripes
703.78 metres (770 yards)	—	black and white horizontal stripes
795.18 metres (870 yards)	—	blue and white horizontal stripes

(3) a paddock with access to the track, including a large enough building to contain:

(a) a sufficient quality of individual stalls to accommodate trainers and their horses in the paddock during the race programme;

(b) facilities for the paddock judge, scale manager, horse identifier and Régie inspectors;

(c) facilities for the Régie veterinarian;

(d) stalls and retention areas to take urine samples in accordance with applicable provisions of the Pari-Mutuel Betting Supervision Regulations (1991, 125 Can. Gaz.-II, 1913);

(4) a covered stand for racing judges positioned so that the finish line cuts across its middle. The stand shall have no less than 10 m² of interior square footage and shall measure at least 4 m across the front. It shall be equipped with adequate sanitary services and positioned near the outer edge of the track, placed and elevated so as to allow a clear, full view of all sections thereof. Adequate security measures shall be taken to forbid access to the judges' stand to non-authorized persons, unless invited by the latter;

(5) a lighting system powerful enough to illuminate the entire track, ensuring the safety of spectators, participants and horses and allowing racing officials to perform their duties should night races be held; emergency lighting shall be provided for safety and evacuation purposes;

(6) facilities inside or near the racing secretariat for the offices of the Régie with no less than 45 m² of space that shall be easily accessible to the public and equipped with a wheelchair ramp;

(7) a sufficient number of stalls to accommodate the horses required to hold a race program.

12. An amateur racing licence shall be issued to a race track provided it is equipped as follows:

(1) a track with a sand, grass or other surface approved by the Régie, constructed and maintained so as to ensure the safety of jockeys and horses and whose length has been certified by a land surveyor;

(2) gates whose design and structure shall be approved by the Régie before the first race of a race meeting;

(3) a starting line and distance markers placed so as to be clearly visible to the racing judges;

(4) a paddock with access to the track which shall be planned so as to assemble horses participating in a race while restricting access to vehicles;

(5) a stand for the racing judges positioned so that the finish line cuts across its middle; this stand shall be placed and elevated so as to allow a clear, full view of all sections of the track;

(6) an emergency lighting system for security and evacuation purposes.

DIVISION II RACING LICENCE

13. To obtain a racing licence to hold a race meeting at a professional race track, a person must provide the following information and documents:

(1) a copy of the title authorizing use of the race track where racing meets are to be held;

(2) a copy of its constitution, where the applicant is a legal person;

(3) the name and address of the bank where purse payment transactions shall be made and the number of the trust account to be used for such transactions;

(4) a copy of the agreement entered into between the applicant and the legal person representing a group of persons involved with racing;

(5) the name, address, date of birth and social insurance number of all partners, administrators, directors and shareholders who own or control a certain number of shares giving them 10 % or more of the legal person's voting rights;

(6) a technical description of the public address system required hereunder for racing judges;

(7) a projected schedule for each race meeting held during the term of the licence indicating:

(a) the day and date of each race program;

(b) the number of races to be held during each race program;

(c) the post time for the first race of a race program with pari-mutuel;

(d) a list of all members of its personnel, indicating the duties, numbers and licences of each;

(8) a copy of track regulations;

(9) a copy of all forms and documents required to organize races, such as:

(a) a declaration form for a regular or special race;

(b) a stall application form.

14. A racing licence authorizing race meetings at a professional race track shall be issued to an applicant who has:

(1) a system approved by the Canadian Pari-Mutuel Agency in accordance with Pari-Mutuel Betting Supervision Regulations for the sale, recording or automatic compilation of pari-mutuel bets;

(2) a display board positioned so that the letters and numbers appearing thereon may be easily read from the grandstands;

(3) a photo finish system at the finish line; such a system shall allow each horse participating in the race to be photographed at the finish line from the same angle to determine its order of finish, the time it required to cover the distance and the distance between it and the other horses;

(4) a public address system to inform the public and participants of race developments and results;

(5) a public address system allowing judges to communicate with:

- (a) the position judge;
 - (b) the starting judge;
 - (c) the paddock judge;
 - (d) the patrol judge;
 - (e) the scale manager;
 - (f) the veterinarian of the Régie;
 - (g) employees of the Canadian Pari-Mutuel Agency;
 - (h) the person in charge of the pari-mutuel;
 - (i) the display board operator;
 - (j) the person responsible for the photo-finish;
 - (k) the chief test inspector;
 - (l) the official announcer;
 - (m) persons responsible for video recording of the races;
- (6) video recording equipment approved by the Canadian Pari-Mutuel Agency in accordance with the provisions of the Pari-Mutuel Betting Supervision Regulations;
- (7) an electronic timing system;
- (8) during racing hours, at least two padded starting gates that are in working order and an attendant at the starting gate for each horse starting in a race; the starting gates shall be approved by the Régie before the first race of a race meeting;
- (9) during training hours, at least one starting gate and training personnel;
- (10) equipment required to move the starting gate; auxiliary equipment must be available immediately in the event of a breakdown;
- (11) an ambulance, facilities and personnel to administer first aid during a race program;
- (12) an ambulance where a horse in distress may be loaded, confined and transported with first aid personnel during a race program or training hours planned by the race track licence holder.

15. The holder of a racing licence shall, during the term of its licence:

- (1) submit to the racing judges two copies of the conditions for participation for each race of a race program, as established and posted by the race secretary, at least twenty-four (24) hours before said race program is held;
- (2) submit to the racing judges ten copies of the race program and two additional copies thereof to the Régie at least twenty-four (24) hours before a race program is held;
- (3) immediately inform the Régie in writing of any race program cancellation;
- (4) obtain authorization from the Régie before modifying the schedule approved at the time the licence was issued; such application shall be submitted to the Régie in writing at least seven (7) days before the scheduled date of modification, except in the case of any superior force;
- (5) obtain authorization from the Régie before modifying the public address system in any way; an application shall be submitted to the Régie in writing at least seven (7) days before the scheduled date of modification.

16. A racing licence authorizing race meetings with pari-mutuel on an amateur race track shall be issued to an applicant who has:

- (1) a system approved by the Canadian Pari-Mutuel Agency in accordance with Pari-Mutuel Betting Supervision Regulations for the sale, recording or automatic compilation of pari-mutuel bets, if races with pari-mutuel bets are to be held;
- (2) a display board positioned so that the letters and numbers appearing thereon may be easily read from the grandstands;
- (3) a public address system to inform the public and participants of race developments and results;
- (4) a public address system allowing judges to communicate with:
 - (a) the starting judge;
 - (b) the paddock judge;
 - (c) the scale manager;

(d) the person in charge of the pari-mutuel;

(e) the official announcer;

(5) during racing hours, at least one padded starting gate that is in working order, an attendant at the starting gate for each horse starting in a race and equipment required to move the starting gate.

CHAPTER IV RACING OFFICIAL LICENCES

DIVISION I RACING JUDGE'S LICENCE

17. To obtain a racing judge's licence, a person must:

(1) provide an optometric and daltonism detection certificate with his application;

(2) be able to express himself in French and have a good working knowledge of English;

(3) have a Diploma of Collegial Studies (DEC) or a high school degree with five (5) years of pertinent, full-time work experience.

18. To obtain a racing judge's licence, a person must successfully complete an examination assessing:

(1) his overall knowledge of the standards regarding Thoroughbred and Quarter Horse horse racing;

(2) his knowledge of the rules of law which apply to the performance of his duties;

(3) his technical knowledge in all matters relating to the preparation and conduct of races;

(4) his speaking and writing abilities;

(5) his technical knowledge of equine equipment and behaviour;

(6) his ability to weigh racing situations, as far as observation and reaction to incidents arising therefrom are concerned;

(7) his problem-solving ability by means of standard cases;

(8) his ability to summarize situations;

(9) his knowledge of the world of racing, its customs and habits.

DIVISION II POSITION JUDGE'S LICENCE

19. To obtain a position judge's licence, a person must:

(1) provide a statement of health with his application;

(2) be able to express himself in French and have a good working knowledge of English;

(3) provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION III STARTING JUDGE'S LICENCE

20. To obtain a starting judge's licence, a person must:

(1) provide a statement of health;

(2) be able to express himself in French and have a good working knowledge of English;

(3) provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION IV PADDOCK JUDGE'S LICENCE

21. To obtain a paddock judge's licence, a person must:

(1) be able to express himself in French and have a good working knowledge of English;

(2) successfully complete a paddock judge's examination;

(3) provide a statement of health.

22. The examination taken by an applicant to obtain a paddock judge's licence must assess:

(1) his knowledge of the standards respecting Thoroughbred and Quarter Horse horse racing which establish his responsibilities and refer to elements of his duties in the preparation and conduct of races;

(2) his technical knowledge of equine equipment and behaviour;

(3) his knowledge of vocabulary and symbols specific to documents required for the preparation and conduct of races.

DIVISION V
PATROL JUDGE'S LICENCE

23. To obtain a patrol judge's licence, a person must:

- (1) provide a statement of health;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION VI
RACE SECRETARY'S LICENCE

24. To obtain a race secretary's licence, a person must:

- (1) be able to express himself in French and have a good working knowledge of English;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence;
- (3) have performed the functions of an assistant race secretary for a six month period under the supervision of a race secretary or demonstrate that he has the overall experience, competence and qualification which confer upon him abilities compatible with the functions of a race secretary.

DIVISION VII
ASSISTANT RACE SECRETARY'S LICENCE

25. To obtain an assistant race secretary's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION VIII
SCALE MANAGER AND
HORSE IDENTIFIER'S LICENCE

26. To obtain a scale manager or horse identifier's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION IX
RÉGIE VETERINARIAN'S LICENCE

27. To obtain a Régie veterinarian's licence, a person must submit a document with his application certifying that he is legally authorized to practice as a veterinarian in Québec.

CHAPTER V
OTHER LICENCES

DIVISION I
VETERINARIAN'S LICENCE

28. To obtain a veterinarian's licence, a person must submit a document with his application certifying that he is legally authorized to practice as a veterinarian in Québec.

DIVISION II
TIMER'S LICENCE

29. To obtain a timer's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION III
RACE TRACK EMPLOYEE'S LICENCE

30. To obtain a race track employee's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION IV
RIDER'S LICENCE

31. To obtain a rider's licence, a person must:

- (1) be at least 16 years old;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION V
JOCKEY LOCKER ROOM CUSTODIAN'S
LICENCE

32. To obtain a jockey locker room custodian's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION VI
JOCKEY VALET'S LICENCE

33. To obtain a jockey valet's licence, a person must:

- (1) be at least 16 years old;
- (2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

CHAPTER VI

PARTICIPANTS' LICENCES

DIVISION I

OWNER'S LICENCE

34. To obtain an owner's licence, a person must provide the names of the legal persons or companies which own the horse and in which he has an interest.

35. A minor may obtain an owner's licence if he meets one of the following conditions:

(1) a parent or tutor aged 18 years or older accepts this person's responsibility of ownership in writing. Said parent or tutor must hold an owner agent's licence;

(2) he is deemed to be of legal age or emancipated.

36. To obtain an owner's licence, a legal person must:

(1) provide a copy of its constitution;

(2) provide the names and addresses of each person who must be individually licenced as owners in accordance with the Regulation respecting Thoroughbred and Quarter Horse horse racing.

DIVISION II

OWNER AGENT'S LICENCE

37. To obtain an owner agent's licence, a person must file a copy of the mandate registered with the Régie authorizing him to act on an owner's behalf.

DIVISION III

JOCKEY AGENT'S LICENCE

38. A person who wishes to obtain a jockey agent's licence shall file a copy of the mandate registered with the Régie authorizing him to act on a jockey's behalf.

DIVISION IV

JOCKEY'S LICENCE

39. To obtain a jockey's licence, a person must:

(1) provide a statement of health;

(2) certify that his weight does not exceed 58.89 kilos (130 pounds) at the time he applies for the licence;

(3) have ridden 45 winners while an apprentice jockey or have held an apprentice jockey licence for three years.

DIVISION V

APPRENTICE JOCKEY'S LICENCE

40. To obtain an apprentice jockey's licence, a person must:

(1) provide a statement of health;

(2) certify that his weight does not exceed 58.89 kilos (130 pounds) at the time he applies for the licence;

(3) have held a licence relating to Thoroughbred or Quarter Horse horse racing for at least three (3) years;

(4) provide a certificate from a licenced trainer or owner stating that he was employed for at least eighteen months and knows how to ride;

(5) provide proof that a licenced trainer or owner wishes to hire him as apprentice jockey;

(6) successfully complete an examination administered by a starting judge testing his ability to start in a race; the starting judge may be assisted by a jury of three licenced jockeys;

(7) successfully complete a practical examination administered by a racing judge assessing his ability to participate in a race; the racing judge may be assisted by a jury of three licenced jockeys.

41. In order to prepare for these examinations, an apprentice jockey may seek the assistance of a jury member.

DIVISION VI

TRAINER'S LICENCE

42. To obtain a trainer's licence, a person must successfully complete a trainer's examination.

43. The examination taken by an applicant to obtain a trainer's licence must assess:

(1) his knowledge of the standards respecting Thoroughbred and Quarter Horse horse racing pertaining to:

(a) a trainer's responsibilities;

(b) the declaration of horses in different types of races;

(2) his technical knowledge of equine equipment, behaviour and training.

DIVISION VII
ASSISTANT TRAINER'S LICENCE

44. To obtain an assistant trainer's licence, a person must successfully complete an assistant trainer's examination.

45. The examination taken by an applicant to obtain an assistant trainer's licence must assess:

(1) his knowledge of the standards respecting Thoroughbred and Quarter Horse horse racing pertaining to:

(a) a trainer's responsibilities;

(b) the declaration of horses in different types of races;

(2) his technical knowledge of equine equipment, behaviour and training.

DIVISION VIII
JOCKEY VALET'S LICENCE

46. To obtain a jockey valet's licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION IX
HORSE EXERCISER AND PONY LICENCES

47. To obtain a horse exerciser licence, a person must provide proof that he has been offered a job by or is working for the holder of a training licence.

48. To obtain a pony licence, a person must provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION X
COOLING OUT LICENCE

49. To obtain a cooling out licence, a person must:

(1) be at least 12 years old;

(2) provide proof that he has been offered a job by or is working for the holder of a racing licence.

DIVISION XI
GROOM'S LICENCE

50. To obtain a groom's licence, a person must:

(1) be at least 12 years old;

(2) provide proof that he has been offered a job by or is working for a trainer.

CHAPTER VII
COLOUR REGISTRATION

51. To register his colours, a person must provide a sketch of each of the following elements of the jockey's uniform:

(1) jacket;

(2) jacket sleeves;

(3) cap.

The front and back of the cap shall be identical in every detail.

CHAPTER VIII
FINAL PROVISION

52. These Rules shall come into force on the fifteenth day following publication hereof in the *Gazette officielle du Québec*.

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Erratum

**Order of the Minister for Wildlife and Parks dated
20 May 1999 concerning the delimiting areas on
land in the public domain in view of increased
utilization of wildlife resources**

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

Gazette officielle du Québec, June 2, 1999, Volume 131,
Number 22, Part 2, page 1552.

The heading should have read “**M.O.-99018**” instead
of “**M.O., 1999**”.

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

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