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Part 2 Laws and Regulations

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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 779-99, 23 June 1999

An Act to facilitate the payment of support
(R.S.Q., c. P-2.2)

Collection of support — Amendments

Regulation to amend the Regulation respecting the collection of support

WHEREAS under paragraphs 2 and 4 of section 71 of the Act to facilitate the payment of support (R.S.Q., c. P-2.2), the Government may determine, by regulation, the nature of the security referred to in sections 3 and 26 of that Act and also the cases and conditions in and on which the Minister may pay sums of money in lieu of support payments and the increase in the maximum amount, for the purposes of section 36 of that same Act;

WHEREAS under the second paragraph of section 36 of that Act, the Minister of Revenue may, however, in the cases and on the conditions prescribed by regulation, pay to the creditor, for a period not exceeding three months, sums of money up to a maximum amount of \$1 000 to stand in lieu of support payments;

WHEREAS under the third paragraph of section 36 of that Act, the Government may, by regulation, provide for an increase in the maximum amount that the Minister may pay under the second paragraph of that section;

WHEREAS in order to improve the efficiency of that Act, it is expedient to add new securities that a debtor of support may provide in certain circumstances provided by law and to increase the maximum amount of advances that the Minister of Revenue may pay to the creditor as support payments;

WHEREAS the Regulation respecting the collection of support (Order in Council 1531-95 dated 22 November 1995) was made under the Act to facilitate the payment of support;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the collection of support was published in Part 2 of the *Gazette officielle*

du Québec of 20 January 1999 with a notice that, upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS following that publication, comments were received;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the collection of support, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the collection of support*

An Act to facilitate the payment of support
(R.S.Q., c. P-2.2, s. 36, third par., and s. 71)

1. The Regulation respecting the collection of support is amended by substituting the words “employment insurance” for the words “unemployment insurance” in paragraph 1 of section 1.

2. Section 2 is amended by adding the following after paragraph 4:

“(5) a written undertaking given by a financial institution having its head office or a place of business in Québec to pay such security to the Minister upon request; or

(6) a written undertaking given by an advocate or a notary who irrevocably holds the security in trust to pay such security to the Minister upon request.”.

* The Regulation respecting the collection of support, made by Order in Council 1531-95 dated 22 November 1995 (1995, *G.O.* 2, 3333), was only amended by the Regulation made by Order in Council 1637-95 dated 13 December 1995 (1995, *G.O.* 2, 3599) and by the Regulation made by Order in Council 38-98 dated 14 January 1998 (1998, *G.O.* 2, 498).

3. Section 6 is amended by substituting the words “Minister of Social Solidarity” for the words “Minister of Income Security” in paragraph 6.

4. The following is substituted for section 6.1:

“**6.1** The maximum amount of the advance paid to the creditor of support pursuant to the second paragraph of section 36 of the Act may not exceed \$1 500.”.

5. Section 7 is amended by substituting the words “Ministère de la Solidarité sociale” for the words “Ministère de la Sécurité du revenu” in paragraph 5.

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

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Gouvernement du Québec

O.C. 789-99, 23 June 1999

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

Pensionable employment — Amendments

Regulation to amend the Regulation respecting pensionable employment

WHEREAS under paragraph *f* of section 4 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), the Régie des rentes du Québec may, by regulation, declare any excepted employment to be pensionable employment;

WHEREAS under paragraph *f* of section 5 of the Act, the Régie may, by regulation, except employment of a casual nature or of short duration;

WHEREAS under section 220 of the Act, the regulations made by the Régie come into force only after approval by the Government;

WHEREAS the Régie, on 11 December 1998, made the Regulation to amend the Regulation respecting pensionable employment;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 31 March 1999, together with a notice indicating that it could be

submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve 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 pensionable employment, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting pensionable employment*

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

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

(1) by revoking paragraph *c* of the first paragraph;

(2) by replacing, in subparagraph *ii* of paragraph *d* of the first paragraph, the word and figures “25 days” with the word and figures “35 hours”;

(3) by replacing the second paragraph with the following paragraphs and subparagraphs:

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

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

(a) 6 days, in the case of employment described in paragraph *b* of the first paragraph;

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

(b) 34 hours, in the case of employment described in paragraph *d* of the first paragraph.”.

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

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Gouvernement du Québec

O.C. 791-99, 23 juin 1999

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

Clothing industry — Extension

CONCERNING the Decree to extend the Collective agreement decrees in the clothing industry

WHEREAS the Act to amend the Act respecting collective agreement decrees (1996, c. 71), assented to on 23 December 1996, introduced, in particular, new criteria concerning the legal extension of collective agreements and amendments to collective agreement decrees;

WHEREAS following the adoption of that Act, the contracting parties were asked to conduct a review of the decree concerning them and to propose amendments to adapt it to the new legal extension criteria;

WHEREAS in order to realise that operation, section 37 of that Act provides that a decree in force on 23 June 1996 shall expire on the furthest effective date, that is on the date provided, where such is determined, that is 23 June 1998;

WHEREAS section 38 of that Act allows the Government to extend the decrees for a maximum period of 18 months;

WHEREAS the collective agreement decrees in the clothing industry were extended until 31 December 1998 under Order in Council no 757-98 dated 3 June 1998;

WHEREAS the decrees in the clothing industry were further extended until 30 June 1999 under Order in Council no 1569-98 dated 16 December 1998;

WHEREAS it is expedient to further extend the decrees in the clothing industry until 23 December 1999;

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

WHEREAS under section 18 of that Act, a regulation may come into force within a period shorter than that provided for in section 17 of the Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

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

WHEREAS the Government deems that the urgency of the following circumstance warrants such absence of publication and such coming into force:

— the extension attached to this Order in Council must come into force before 30 June 1999, expiry date of the decrees in the clothing industry; that date cannot be met if the publication period and the period for the coming into force provided for in sections 17 and 18 respectively were applied;

WHEREAS it is expedient to make the extension decree attached to this Order in Council;

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

THAT the Decree to extend the collective agreement decrees in the clothing industry, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Decree to extend the collective agreement decrees in the clothing industry*

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

1. The following collective agreement decrees are extended until 23 December 1999:

1. Decree respecting the men's and boys' shirt industry (R.R.Q., 1981, c. D-2, r. 11).*

2. Decree respecting the women's clothing industry (R.R.Q., 1981, c. D-2, r. 26).*

3. Decree respecting the men's clothing industry (R.R.Q., 1981, c. D-2, r. 27).*

4. Decree respecting the leather glove industry (R.R.Q., 1981, c. D-2, r. 32).*

2. This decree comes into force on 30 June 1999.

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* The last amendments to this Decree were made by the regulation made under Order in Council no 1569-98 dated 16 December 1998. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

Draft Regulations

Draft Regulation

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

Childcare centres — Amendments

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

This draft Regulation makes various amendments to the classes of age of children, to the ratio between the number of staff members and the number of children of five years of age and over as of 30 September who are received in a childcare centre and to the presence of qualified staff members required to attend the children. It relaxes certain provisions respecting the administration of medication and the laying out of play areas and, in the field of health and safety, provides for a controlled access to the centre and for the labelling of household cleaning products and toxic products and storage of certain products. It also specifies the reasons for suspending or revoking the recognition of a home childcare provider. Finally, the Regulation contains provisions to ensure consistency with the Civil Code of Québec, transitional provisions, provisions to make the text clearer and more understandable, as well as technical amendments.

Under section 12 of the Regulations Act, this draft Regulation may be made at the expiry of a period shorter than the 45-day period applicable under section 11 of that Act by reason of the urgency due to the following circumstances:

— the time granted to permit holders to comply with the obligations regarding the staff's qualifications, the installation of a window to watch the children and of a mechanism for controlling access to the childcare centre will expire on 1 September 1999 and, unless the amendments come into force on that date, permit holders will contravene the Regulation while the proposed amendments are intended to eliminate the obligation in certain cases, to change the requirement or to extend the time allowed to comply;

— the amendments must come into force no later than 1 September 1999 to prevent permit holders from contravening the Regulation between 2 September 1999 and the date of coming into force of those amendments.

Further information may be obtained by contacting Nathalie St-Roch or Daniel Fines, Direction du développement et de la concertation famille et enfance, 600, rue Fullum, Montréal, H2K 4S7; tel. (514) 873-6799, fax: (514) 864-2170.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 20-day period following this publication, to the Minister for Child and Family Welfare, 1050, des Parlementaires, 7^e étage, Québec, G1R 5Z8.

PAULINE MAROIS,
*Minister of Child and
Family Welfare*

NICOLE LÉGER,
*Minister for Child and
Family Welfare*

Regulation to amend the Regulation respecting childcare centres*

An Act respecting childcare centres and childcare services
(R.S.Q., c. S-4.1, s. 73, pars. 1, 2, 4, 6, 13, 14, 17 and 18; 1997, c. 58, s. 122, pars. 1, 2, 4, 9 and 12)

1. Section 2 of the Regulation respecting childcare centres is amended

(1) by substituting the word “inscrite” for the word “enregistrée” in the French version of paragraph 2;

(2) by substituting the word “inscrit” for the word “enregistré” in the French version of paragraph 5;

(3) by substituting the word “seront” for the word “sont” in the French version of the introductory part of paragraph 6;

(4) by substituting the word “inscrit” for the word “enregistré” in the French version of clause *ii* of paragraph 6;

* The Regulation respecting childcare centres, made by Order in Council 1069-97 dated 20 August 1997 (1997, G.O. 2, 4368), has not been amended since then.

(5) by substituting the word “précisant” for the words “lesquelles doivent préciser” in the French version of the introductory part of paragraph 7; and

(6) by deleting subparagraph *i* of paragraph 7.

2. Section 4 is amended

(1) by substituting “less than 5” for “5” in paragraph 3;

(2) by substituting “30 September” for “1 October” in paragraph 4.

3. The following paragraphs are added at the end of section 17:

“Notwithstanding the preceding, the holder of a new centre permit has until the third anniversary of the issuance of his permit to comply with the first paragraph. During that time, the permit holder shall ensure that at least one childcare staff member out of 3 has one of the qualifications required in the first paragraph.”

The holder of a centre permit which has been modified to increase the maximum number of children he may receive in his facility has until the third anniversary of the modification to comply with the first paragraph. During that time, the permit holder shall ensure that, in the facility affected by the modification, at least one childcare staff member out of 3 has one of the qualifications required in the first paragraph.”

4. Section 21 is amended

(1) by substituting “less than 5” for “5” in subparagraph 3 of the first paragraph;

(2) by substituting the following for subparagraph 4 of the first paragraph:

“(4) one member for a maximum of 20 children present, aged 5 years and over as of 30 September.”

5. The following is substituted for paragraph 2 of section 22:

“(2) proof that the members of his childcare staff meet the requirements of section 17 or sections 18 and 20;”

6. Section 29 is amended

(1) by substituting the word “Ces” for the words “Les heures de ces” in the French version of the first paragraph; and

(2) by substituting the word “visits” for the words “interviews and on that visit” in the second paragraph.

7. The following is substituted for paragraphs 1 and 2 of section 34:

“(1) the person has committed, authorized the commission of, consented to or participated in the commission of an offence against any provision of the second or third paragraph of section 8, section 22 or the fifth paragraph of section 39 of the Act;

(1.1) the person has committed, authorized the commission of, consented to or participated in the commission of an offence against any provision of sections 30, 32, 33, 48 to 56, 58 to 72, 80, 81 or 92 to 97 of this Regulation;

(2) the person no longer meets the terms and conditions of the Act or of this Regulation for recognition;”

8. Section 52 is amended by substituting “(C.R.C., c. 931) made” for the word “made”.

9. The word “soit” is struck out in the French version of section 53 after the words “sécuritaire et”.

10. Section 54 is amended by substituting “(SOR/90-39) and the Carriages and Strollers Regulations (SOR/85-379) made under the Hazardous Products Act (R.S.C., 1985, c. H-3)” for “and the Carriages and Strollers Regulations made under the Hazardous Products Act”.

11. Section 57 is deleted.

12. The following is substituted for section 58:

“**58.** A centre permit holder or a provider shall, when providing meals and snacks to children, ensure that they comply with Canada’s Food Guide to Healthy Eating (Health Canada, Ottawa, 1997).”

Where a child is on a special diet prescribed by a member of the Collège des médecins du Québec, the centre permit holder shall follow the parent’s written instructions for the meals and snacks to be provided to that child.”

13. The following is substituted for the heading of Division II of Chapter IV:

“ADMINISTRATION OF MEDICATION”.

14. Section 60 is amended

(1) by substituting the words “member of the Collège” for the words “physician who is a member of the Ordre professionnel” in the first paragraph; and

(2) by substituting the following for the third paragraph:

“Notwithstanding the first paragraph, acetaminophen and oral hydration solutions may be administered without medical authorization to a child received, provided it is done according to the appropriate procedure outlined in Schedule I. Saline nasal drops, zinc oxide-based cream for the seat area and sun cream without PABA may be administered without medical authorization but with the parent’s written authorization to a child received.”.

15. The following is substituted for the heading of Division III of Chapter IV:

“LABELLING AND STORING OF MEDICATION, TOXIC PRODUCTS AND HOUSEHOLD CLEANING PRODUCTS”.

16. The following is substituted for section 64:

“**64.** A centre permit holder or a home childcare provider shall ensure that every medication, household cleaning product or toxic product is clearly labelled and stored in a space intended specifically for that purpose, out of reach of children and separately from all foodstuffs. However, he does not have to keep oral hydration solutions away from food.

When children are received in a facility, the centre permit holder shall keep that storage space under lock and key.

Notwithstanding the second paragraph, hydration oral solutions, saline nasal drops and creams for the seat area do not have to be stored under lock and key.”.

17. The following is substituted for section 66:

“**66.** A crib with posts and bars, a cradle or a playpen used by a home childcare provider shall comply with the standards prescribed in the Cribs and Cradles Regulations (SOR/86-962) and the Playpens Regulations (C.R.C., c. 932) made under the Hazardous Products Act (R.S.C., 1985, c. H-3).

Every bed modified to comply with those Regulations shall be tested according to the standards and meet all the requirements provided for therein.”.

18. The words “unless they are attended” are substituted for the words “when not attended” in section 73.

19. Section 75 is amended

(1) by substituting “(L.R.C., 1985, chapitre H-3)” for “(L.R.C., 1985, c. H-3)” in the French version of the first paragraph; and

(2) by substituting the following for the second paragraph:

“Every bed modified to comply with those Regulations shall be tested according to the standards and meet all the requirements provided for therein.”.

20. The following is inserted after section 77:

“**77.1** A centre permit holder shall ensure that the premises, equipment, furniture and playthings

(1) are kept clean;

(2) are regularly disinfected, in the absence of the children; and

(3) are maintained in good condition or repaired so as to respect their initial conditions of use.”.

21. The following is substituted for section 83:

“**83.** The capacity allowed on the premises where childcare is provided in a facility shall be calculated on the basis of the net area of the play areas:

(1) if the childcare facility receives children younger than 18 months of age, the minimum required space is 4 m² per child and, for each group of 15 children and less, that space shall be divided into at least 2 separate rooms, one for playing and another for rest; in each of the rooms, no more than 15 children may be received at the same time and the rest room shall be used for rest only;

(2) if the childcare facility receives children 18 months of age and older, the minimum required space is 2.75 m² per child. That space may be divided into several rooms and each room may not contain more than 30 children at the same time, except for special activities.”.

22. The following paragraph is added at the end of section 85:

“In addition, in the case of a play area referred to in paragraph 1 of section 83, the permit holder shall make sure that the rooms intended respectively for playing and rest are adjacent and enable to watch the children directly, in particular through a glass opening, between those rooms.”.

23. The word “inscrit” is substituted for the word “enregistré” in subparagraph 2 of the first paragraph of the French version of section 87.

24. The following is substituted for the second paragraph of section 88:

“The premises shall be equipped with a refrigerator, a kitchen range or a hot plate, a telephone line and a first-aid kit whose content is listed in Schedule II.”.

25. The words “or to the premises where children are received” are added after the words “to the centre” in section 91.

26. The words “journées ou demi-journées” are substituted for the words “jours ou demi-jours” in the French version of subparagraph 3 of the first paragraph of section 98.

27. The year “2000” is substituted for the year “1999” in the first paragraph of section 104.

28. The words “was mentioned the class of age of children from birth to 17 months of age, does not have, contrarily to the second paragraph of section 85” are substituted for the words “is mentioned the class of age of children from birth to less than 18 months of age, does not have, contrarily to subparagraph 1 of the first paragraph of section 83” in section 105.

29. The words “if the play area undergoes architectural work” are substituted for the date “as of 1 September 1999” in the second paragraph of section 106.

30. The words “of the sum of the maximum number of children mentioned on each permit” are substituted for the words “of the total of both maximum number of children mentioned on the permits of each holder” in section 108.

31. The year “2000” is substituted for the year “1999” in section 109.

32. The “1. PROCEDURE FOR ADMINISTERING ACETAMINOPHEN” in Schedule I is amended:

(1) by inserting “(R.S.Q., c. S-4.1)” after the words “childcare services” in the first paragraph;

(2) by inserting the word “n” after the word “devrait” in the French version of the fourth paragraph under the heading “*Les règles de base à respecter*”;

(3) by adding the following at the end of the sixth paragraph under the heading “Basic rules”:

“It is also recommended to use only one concentration where several concentrations of acetaminophen are available.”;

(4) by substituting the following for the second item of the first paragraph under the heading “What you should do”:

“• make the child drink often (water, fruit juice, milk);”;

(5) by inserting the words “ou déposer” after the word “verser” in the French version of the third item of the fourth paragraph under the heading “*Ce qu’il faut faire*”;

(6) by deleting the two paragraphs following the table “ACETAMINOPHEN: DOSAGE” under the heading “What you should do”;

(7) by deleting the words “a physician who is” in the first paragraph under the heading “AUTHORIZATION FORM FOR ACETAMINOPHEN”; and

(8) by substituting “(1998)” for “(1993)” at the end of the last paragraph.

33. The “2. PROCEDURE FOR ADMINISTERING ORAL HYDRATION SOLUTIONS” in Schedule I is amended

(1) by inserting “(R.S.Q., c. S-4.1)” after the words “childcare services” in the first paragraph;

(2) by substituting the following for the first, second and third items of the first paragraph under the heading “What you should do”:

“• cease all normal feeding for 15 to 30 minutes;

• avoid giving carbonated drinks and juices;

• later, when the child has stopped vomiting, administer a small quantity (15 to 30 ml) of oral hydration solution approximately every 10 to 20 minutes; administer the solution at room temperature and increase the quantity gradually if the child tolerates it;”;

(3) by deleting the words “a physician who is” in the first paragraph under the heading “AUTHORIZATION FORM FOR ORAL HYDRATION SOLUTIONS”; and

(4) by substituting “(1998)” for “(1992)” at the end of the last paragraph under the heading “AUTHORIZATION FORM FOR ORAL HYDRATION SOLUTIONS”.

34. The procedures “3. PROCEDURE FOR ADMINISTERING SALINE NASAL DROPS”, “4. PROCEDURE FOR ADMINISTERING ZINC OXIDE-BASED CREAMS FOR THE SEAT AREA” and “5. PROCEDURE FOR ADMINISTERING SUN CREAM WITHOUT PABA” are deleted from Schedule I.

35. The following is substituted for the heading and reference at the beginning of Schedule II:

“CONTENT OF FIRST-AID KIT
(ss. 88 and 96, par. 2)”.

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

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Draft Regulation

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

Day care centres — 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 day care centres, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation makes various amendments to the classes of age of children attending day care centres, to the ratio between the number of staff members and the number of children of five years of age and over as of 30 September who are received in a day care centre and to the conditions and qualification requirements that must be met by staff members in order to work in day care centres. The draft Regulation relaxes certain provisions respecting the administration of medication and the laying out of play areas; it also introduces provisions relating to the safety of children as regards the laying out of premises, furniture, equipment and storage of products. In order to ensure the health of the children, the draft Regulation introduces provisions relating, among other things, to the prohibition of animals in day care centres, the obligation to take the children outside and the content of a first-aid kit. The draft Regulation proposes that the capacity of the premises of a day care centre be increased to 80 children and that two permit holders may not occupy the same building; lastly, it proposes that the same outdoor play area may not be shared.

In penal matters, the draft Regulation specifies the provisions of the Regulation whose contravention constitutes an offence punishable by a fine; those provisions have also been rewritten so that the person who infringes them commits his penal responsibility. The draft Regulation contains several consistency provisions that have become necessary following the amendments made to the Act respecting childcare centres and childcare services in 1996 and 1997 and the adoption of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58); it also contains provisions to ensure consistency with the Civil Code of Québec, technical amendments and transitional measures. Lastly, the draft Regulation also contains updating provisions.

The draft Regulation sets out new obligations to be met by the permit holder: hire staff members with no judicial records, keep a record on his staff, install a window to watch the children, provide a mechanism for controlling access to the day care centre, take the children outside when weather is clement and supply the first-aid kit according to the requirements of this Regulation.

Further information may be obtained by contacting Ms. Nathalie St-Roch or Mr. Daniel Fines, Direction du développement et de la concertation famille et enfance, 600, rue Fullum, Montréal (Québec) H2K 4S7; telephone: (514) 873-6799; fax: (514) 864-2170.

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 following this publication, to the Minister for Child and Family Welfare, 1050, des Parlementaires, 7^e étage, Québec (Québec) G1R 5Z8.

PAULINE MAROIS,
*Minister of Child and
Family Welfare*

NICOLE LÉGER,
*Minister for Child and
Family Welfare*

Regulation to amend the Regulation respecting day care centres¹

An Act respecting childcare centres and childcare services
(R.S.Q., c. S-4.1, s. 73, 1st par., subpars. 1 to 6, 17 to 19 and 24; 1997, c. 58, s. 122, pars. 1 to 5, 12 and 16)

1. The Regulation respecting day care centres is amended in the French text by substituting the following for the title:

¹ The Regulation respecting day care centres, made by Order in Council 1971-83 dated 28 September 1983 (1983, *G.O.* 2, 3527), was last amended by the Regulation made by Order in Council 1070-97 dated 20 August 1997 (1997, *G.O.* 2, 4391). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

“RÈGLEMENT SUR LES GARDERIES”.

2. The following is substituted for sections 1 and 2:

“1. An applicant for a day care centre permit must apply in writing to the Minister of Child and Family Welfare giving:

- (1) his name and address;
- (2) the name and address of the centre where the children will be received;
- (3) the age class of the children he intends to receive, as described in section 5, and the number of places solicited for each age class;
- (4) the name, date of birth and address of the residence of each of the members on the board of directors, where applicable.

2. An applicant must include the following information and documents with his application:

- (1) a certified true copy of the incorporating act if the applicant is a corporation other than a municipality;
- (2) a copy of a duly registered declaration of registration or initial declaration and of any declaration amending it if the applicant is required to register under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);
- (3) a certified true copy of a resolution of the corporation authorizing the application, where applicable;
- (4) a written statement from the applicant attesting that no impediment to the issuance of a permit provided for in paragraphs 2 to 5 of section 18.1 of the Act applies to him or, if the applicant is a corporation, a certified true copy of a resolution to the same effect with respect to all the members of its board of directors;
- (5) a copy of the duly registered title deed or of a lease whose term is at least three years or of a written authorization to occupy the premises for free granted for at least three years;
- (6) a floor plan, signed and sealed by an architect, of the rooms in the facility where childcare will be provided;

(7) a plan, true and to scale, of the outdoor area or play area referred to in the first paragraph of section 43, as well as:

(a) a site plan for the outdoor area or play area showing their location in relation to the facility;

(b) in the case of the outdoor area referred to in subparagraph 2 of the first paragraph, a copy of the duly registered title deed, of the lease or of the authorization referred to in that subparagraph;

(8) an attestation from the municipality, in the territory of which the facility is located, certifying that the facility complies with municipal by-laws;

(9) the internal management rules of the day care centre, specifying:

- (a) the general orientations of the institution;
- (b) the opening hours of the day care centre;
- (c) the admission policies respecting children;

(d) the typical schedule of the daily activities of the children, including the outings and meal and snack hours;

(e) the activities envisioned to implement the educational childcare program provided to children;

(10) proof that the day care staff members meet the qualification requirements referred to in sections 9 and 10.”.

3. Section 3 is amended

(1) by substituting the following for the first paragraph:

“3. An applicant for a day care centre permit must, at the time of his application, pay a fee of \$127 for assessment of his application for the permit. That fee is not refunded if the permit is not granted.”.

(2) by substituting the word “Minister” for the word “Bureau” in the fourth paragraph.

4. Section 4 is revoked.

5. Section 5 is amended

(1) by substituting “less than 5” for “5” in paragraph 3;

(2) by substituting “30 September” for “1 October” in paragraph 4.

6. The following is substituted for section 6:

“6. An application for renewal of a day care centre permit must be submitted at least 90 days before the expiry date of the permit and must be accompanied by the information and documents prescribed in section 2, where those that were submitted with the original application for a permit are no longer accurate or complete.

An applicant for renewal of a day care centre permit must, at the time of his application for renewal, submit a fee of \$67 for assessment of his application. That fee is not refunded if the renewal of the permit is not granted.”

7. Section 7 is amended

(1) by substituting the word “garderie” for the words “service de garde en garderie” in the French text;

(2) by substituting the word “Minister” for the word “Bureau”.

8. The following is substituted for the title of Division II:

“STAFF MEMBERS”.

9. The following is substituted for section 8:

“§1. *General*

8. Every staff member who is present during the opening hours of the day care centre, unless he has been rehabilitated or pardoned, shall not have been found guilty of an indictable offence or offence punishable on summary conviction connected with the skills and conduct required to discharge his duties in a day care centre and listed in section 18.1 of the Act.

§2. *Particular provisions*

8.1. In this Subdivision, “day care staff member” means a day care centre staff member involved in implementing the children’s educational childcare program, and “full time” means worked time corresponding, in one year, to 227 days or 1 589 hours.”.

10. Section 9 is amended

(1) by substituting the following for the part preceding subparagraph 1 of the first paragraph:

“9. At a day care centre, the permit holder must ensure that at least one day care staff member out of three has any of the following qualifications:”;

(2) by adding the following after subparagraph 5 of the first paragraph:

“(6) an attestation of college studies in Native children education.”;

(3) by substituting the following for the third paragraph:

“The day care centre permit holder shall ensure that the one day care staff member out of three who has the qualifications required under this section is present with the children each day for at least half of the opening hours.”;

(4) by deleting the fifth paragraph.

11. The following is inserted after section 9:

“9.1. A day care centre permit holder shall keep, at the day care centre, the following up-to-date documents:

(1) proof that his day care staff members meet the requirements in sections 9 and 10;

(2) a document attesting that his staff members meet the requirements in section 8.

He shall keep the documents referred to in the first paragraph for the three years following the date on which the services of a staff member ceased.”.

12. The following is substituted for section 10:

“10. A day care centre permit holder shall ensure that each of his staff members holds a certificate dating back no more than three years and attesting that the member has successfully completed

(1) a general first-aid course of at least eight hours; or

(2) a refresher course of at least six hours intended to update the knowledge acquired in the course referred to in paragraph 1.

13. Section 11 is amended

(1) by substituting “less than 5” for “5” in subparagraph 3 of the first paragraph;

(2) by substituting the following for subparagraph 4 of the first paragraph:

“(4) one member for a maximum of 20 children present, aged 5 years and over as of 30 September.”.

14. Section 12 of the French text is amended by substituting the words “la garderie, le titulaire d’un permis

de” for “un service de garde en garderie, le titulaire d’un permis de service de garde en”.

15. The following is substituted for section 13:

“**13.** A parent must be allowed access by a day care centre permit holder to the premises where childcare is provided at any time during the opening hours and when his child is present.”.

16. Section 14 is amended

(1) by substituting the following for the first paragraph:

“**14.** A day care centre permit may not authorize its holder to receive more than 80 children at one time.”;

(2) by striking out the words “service de garde en” in the second paragraph in the French text;

(3) by deleting the third and fourth paragraphs.

17. The following is inserted after section 14:

“**14.1.** A day care centre permit holder may not carry on his activities in a building already occupied by another day care centre permit holder.”.

18. The following is substituted for sections 15 and 16:

“**15.** No staff member may use alcoholic beverages or tobacco in the premises of the day care centre during opening hours.

16. In the event of a serious accident or illness, a staff member shall immediately call for the necessary medical assistance, in particular by contacting a physician or going to the nearest institution providing emergency services. As soon as possible, he shall notify the parent or any other person designated by the parent in the registration card provided for in section 22 of the Act. The child must be isolated from the others and remain under constant adult supervision.”.

19. Section 17 is amended

(1) by substituting the following for the first paragraph:

“**17.** A staff member may not administer any medication without the written authorization from the parent and from a member of the Collège des médecins du Québec.”;

(2) by substituting the following for the third paragraph:

“Notwithstanding the first paragraph, acetaminophen and oral hydration solutions may be administered without medical authorization to a child received provided it is done according to the appropriate procedure outlined in Schedule I. Saline nasal drops, zinc oxide-based cream for the seat area and sun cream without PABA may be administered without medical authorization but with the parent’s written authorization to a child received.”.

20. The following is substituted for section 18:

“**18.** Medication may be administered to a child only by the person designated in writing for that purpose by the day care centre permit holder or by the person designated in an emergency under section 12.”.

21. Section 19 is amended

(1) by substituting the following for the first paragraph:

“**19.** Except for acetaminophen, oral hydration solutions and sun cream without PABA, only medication provided by the parent may be administered to a child.”;

(2) by inserting the words “label on the” before the words “medication container” in the second paragraph.

22. Section 19.1 is amended by substituting the following for the first paragraph:

“**19.1.** Except for sun cream without PABA and zinc oxide-based cream for the seat area, the administration of medication to a child must be recorded in the register kept for that purpose by the person who administered it.”.

23. Section 19.2 is amended

(1) by substituting the following for the first paragraph:

“**19.2.** A day care centre permit holder shall ensure that every medication, household cleaning product or toxic product is clearly labelled and stored in a space intended specifically for that purpose, out of reach of children, separately from all foodstuffs and under lock and key.”.

(2) by deleting the third paragraph.

24. The following is substituted for sections 20 to 30:

20. A day care centre permit holder must post a list of the following telephone numbers near the telephone:

- (1) Québec Poison Control Centre;
- (2) the person designated in an emergency under section 12;
- (3) the local community service centre in which territory is located the day care centre;
- (4) a taxi service.

A day care centre permit holder must ensure that the following are kept near the telephone:

- (1) a list of the telephone numbers of the regular and substitute staff;
- (2) a list of the telephone numbers of the parent of each child.

21. A day care centre permit holder must ensure that no child is left on his bed or mattress outside the sleep and rest periods provided for in the schedule, except in the case of an illness or accident.

22. A day care centre permit holder must ensure that no child is tied onto his bed.

22.1. A day care centre permit holder must, every day, unless weather is inclement, take the children outside to a safe place allowing for their supervision.

23. A day care centre permit holder may not use bunkbeds or cradles.

24. A day care centre permit holder must, when he provides a crib, ensure that it is not portable and complies with the standards set out in the Cribs and Cradles Regulations (SOR/86-962), made under the Hazardous Products Act (R.S.C., 1985, c. H-3).

Any bed modified in order to comply with the Regulations must be tested according to the standards and meet all requirements provided therein.

25. A day care centre permit holder must ensure that toys are safe, non-toxic, washable, sturdy, in good repair and in compliance with the safety standards set forth in the Hazardous Products (Toys) Regulations (C.R.C., c. 931) made under the Hazardous Products Act (R.S.C., 1985, c. H-3).

26. A day care centre permit holder must ensure that any climbing apparatus, swing, slide or similar device have smooth surfaces with no sharp edges. It shall be

safe and placed on a surface that can absorb the impact of a fall. If installed indoors, it must be designed for indoor use and if installed outdoors, it must be anchored to the ground.

27. A day care centre permit holder must use folding gates, expandable enclosures for children, carriages and strollers for babies and children that comply with the Hazardous Products (Expansion Gates and Expandable Enclosures) Regulations (SOR/90-39) and the Carriages and Strollers Regulations (SOR/85-379) made under the Hazardous Products Act (R.S.C., 1985, c. H-3).

28. A day care centre permit holder must ensure that a wading pool is emptied, disinfected and stored after each use.

29. A day care centre permit holder shall use television or any other audiovisual equipment only as part of an educational childcare program.

30. A day care centre permit holder may not allow animals in the day care centre.

30.1. A day care centre permit holder must ensure that the facility is equipped with a mechanism controlling access to the day care centre or to the premises where the children are received.”.

25. Section 31 is amended by substituting the following for the part preceding paragraph 1:

“**31.** A day care centre permit holder must ensure that the premises, equipment, furniture and play material are”.

26. The following is substituted for sections 32 to 36:

“**32.** A day care centre permit holder shall, when providing meals and snacks to children, ensure that they comply with Canada’s Food Guide to Healthy Eating (Health Canada, Ottawa, 1997).

33. Where a child is on a special diet prescribed by a member of the Collège des médecins du Québec, a day care centre permit holder shall follow the parent’s written instructions for the meals and snacks to be provided to that child.

34. A day care centre permit holder must post the weekly menu for consultation by the staff and the parents; he shall ensure that the meals and snacks served to the children correspond to the posted menu.

35. A day care centre permit holder must keep and serve prepared food and food brought in under sanitary conditions at a suitable temperature.

36. A day care centre permit holder may allow children in the kitchen only under supervision.

27. Section 38 is amended by substituting the words “de la garderie, aux jeux et activités des enfants fréquentant la garderie” for the words “du service de garde en garderie, aux jeux et activités des enfants fréquentant le service de garde en garderie” in the definition of “aire de jeu” in the French text.

28. The following is substituted for sections 39 to 41:

“**39.** The maximum capacity of the premises in a day care centre must be calculated on the basis of the net surface of the play areas:

(1) if the children received are under 18 months, the minimum required area is 4 m² per child and, for every 15 children or less, that space must be divided into at least two separate rooms, one for play and one for rest; in each such room the maximum capacity is 15 children at one time and the room for rest may be used only for rest;

(2) if the children received are 18 months and over, the minimum required area is 2.75 m² per child. That space may be divided into several rooms and the maximum capacity of each room is 30 children at one time except during special activities.

40. A day care centre permit holder must use premises meeting the following standards:

(1) a constant temperature of not less than 20 °C must be maintained;

(2) in a basement, the relative humidity may not exceed 50 % in any season.

41. A day care centre permit holder must make available to the children a play area that meets the following standards:

(1) it must have, on average, at least half of its floor-to-ceiling height above ground level;

(2) the minimum, unobstructed floor-to-ceiling height must be 2.30 m over at least 75 % of its net area, with a minimum, unobstructed floor-to-ceiling height of 2.10 m at any given point in that area;

(3) its walls and floors must be covered in washable materials and the floor surface may not consist of carpeting, except for moveable rugs, concrete, ceramic tile, terrazzo or any other material hard enough to constitute a danger for the children;

(4) it must have a relative humidity of not less than 30 % in winter;

(5) it must always have an unobstructed window to allow observation.

In addition, in the case of a play area referred to in paragraph 1 of section 39, the day care centre permit holder shall make sure that the rooms intended respectively for playing and rest are adjacent and enable to watch the children directly, in particular through a glass opening, between those rooms.

Subparagraphs 1 and 2 of the first paragraph do not apply to day care centres existing as of 19 October 1983, as regards their play areas existing as of 19 October 1985, provided that on this latter date they were in compliance with the other provisions of this Division as they read then and the unobstructed floor-to-ceiling height of the play areas is not less than 2.20 m over at least 75 % of their net areas and 2.10 m at any given point in those areas.

The second paragraph does not apply to day care centres existing before 16 October 1985, which were then authorized to receive children included in the age class from birth to 17 months of age.”.

29. Section 42 is amended by substituting the words “A day care centre permit holder must make available to the children play areas with windows that” for the words “The windows of day care centre play areas” in the first paragraph.

30. Section 43 is amended

(1) by substituting the words “Le titulaire d’un permis de” for the words “Le titulaire d’un permis de service de garde en” in the first paragraph in the French text;

(2) by substituting the following for subparagraphs 2 and 3 of the first paragraph:

“(2) an outdoor play area surrounded by a safe fence at least 1.20 m high located less than 500 m from the day care centre if access to that area is guaranteed to him during the opening hours of the day care centre by a duly registered title deed, by a lease of a duration of at least three years or by written authorization for the same duration guaranteeing him access free of charge;

(3) a children’s play area, located less than 500 m from the day care centre, in a public park, delimited by a fence and accessible during the opening hours of the day care centre.”;

(3) by striking out the words “au service de garde en garderie” in the second paragraph in the French text;

(4) by striking out the words “under section 11 of the Act” in the third paragraph;

(5) by deleting the fourth paragraph;

(6) by substituting the words “est située la garderie” for the words “sont situés les locaux du service de garde” in the fifth paragraph in the French text.

31. Section 44 is amended

(1) by substituting the following for the part preceding paragraph 1:

“44. A day care centre permit holder must have at his disposal service areas containing”;

(2) by substituting the words “by the staff” for the words “on the premises” in paragraph 1;

(3) by substituting the following for paragraph 2:

“(2) a cloakroom for use by the children, unless it is located in a traffic area that is not an exit;”;

(4) by substituting the words “de la” for the words “du service de garde en” in paragraph 3 in the French text;

(5) by substituting the words “la garderie” for the words “le service de garde” in paragraph 3 in the French text;

(6) by substituting the word “la” for the words “le service de garde en” in paragraph 5 in the French text.

32. Section 45 is amended

(1) by substituting the following for the part preceding paragraph 1:

“45. A day care centre permit holder must ensure that the premises where childcare is provided have”;

(2) by substituting the following for paragraph 2:

“(2) a stove or hot plate;”;

(3) by substituting the following for paragraph 4:

“(4) a first-aid kit the content of which is listed in Schedule II.”.

33. Section 46 is amended

(1) by substituting the following for the part preceding paragraph 1:

“46. A day care centre permit holder must make available to the children under 18 months premises that must have”;

(2) by substituting the words “educational day care” for the word “activity” in paragraph 1.

34. Section 47 is amended

(1) by substituting the following for the part preceding subparagraph 1 of the first paragraph:

“47. A day care centre permit holder must make available to the children 18 months and over premises that must have”;

(2) by substituting the words “educational day care” for the word “activity” in subparagraph 1 of the first paragraph;

(3) by substituting the following for the second paragraph:

“A day care centre permit holder must ensure that the premises attended by children from 18 to 35 months have a washable changing table of an appropriate height located near a sink, and a closeable container for soiled diapers.”.

35. The following is substituted for section 48:

“48. The registration card prescribed in section 22 of the Act must include the following information:

(1) the child’s name, date of birth, address and telephone number, as well as the language understood and spoken by the child;

(2) the name, address and telephone number of the parent and of a person authorized to pick up the child and those of a person to contact in an emergency;

(3) the date of admission of the child and the days or half-days of attendance per week;

(4) instructions from the parent regarding measures to be taken in an emergency for the child’s welfare and any conditions governing the child’s participation in organized outings;

(5) particular specifications regarding the child’s health and feeding where special attention is necessary and, where applicable, the name, address and telephone number of his physician.

The cards must be kept at the day care centre and handed over to the parent when the child ceases to attend the day care centre.”.

36. Section 50 is revoked.

37. The following is inserted after section 50:

**“DIVISION VII
PENAL PROVISIONS**

51. A day care centre permit holder who contravenes any of the provisions of sections 9 to 13, 15, 19, 19.2 to 36, 39 to 42, subparagraphs 1 and 2 of the first paragraph of section 43, sections 44 to 49 is liable to the fine provided for in section 74.9 of the Act.

52. Whoever contravenes any of the provisions of sections 17 and 19.1 is liable to the fine provided for in section 74.9 of the Act.

**DIVISION VIII
TRANSITORY**

53. A day care centre permit holder who, on (*enter the date of coming into force of this Regulation*), contrary to section 14.1, carries on his activities in a building already occupied by another permit holder, need not comply with that section.

A person who, on (*enter the date of coming into force of this Regulation*), filed an application for the issuance of a day care centre permit and who intends to carry on his activities in a building occupied by another permit holder, need not, at the time his permit is issued, comply with section 14.1 if he notifies the Minister thereof in writing no later than (*enter the date following by 60 days the date of coming into force of this Regulation*).

The notice must give the name and address of the applicant for the permit and the name and address of the permit holder referred to in the second paragraph, as well as the address of his facility.

The second and third paragraphs also apply, adapted as required, to two persons who, on (*enter the date of coming into force of this Regulation*), filed an application for the issuance of a day care centre permit and who intend to carry on their activities in the same building.

54. A person holding a day care centre permit on (*enter the date before the day on which this Regulation comes into force*) need not comply with section 30.1 before 1 September 2001.

55. A person holding a day care centre permit on (*enter the date before the day on which this Regulation comes into force*) need comply with subparagraph 5 of the first paragraph of section 41 only if the play area undergoes architectural work.

56. Two day care centre permit holders who, on (*enter the date before the day on which this Regulation comes into force*), made available to children an outdoor play area referred to in subparagraph 1 or 2 of the first paragraph of section 43, may continue to use that area as long as its surface area is at least 4 m² per child, considering that it is possible to receive at the same time at least one third of the sum of the maximum number of children indicated on each of the permits.

A person who, on (*enter the date of coming into force of this Regulation*), filed an application for the issuance of a day care centre permit may, at the time his permit is issued, make available to the children an outdoor play area shared with a day care centre permit holder if he notifies the Minister in writing thereof no later than (*enter the date following by 60 days the date of coming into force of this Regulation*) if the area complies with the requirements of the first paragraph.

The notice must give the name and address of the applicant for the permit and the name and address of the permit holder referred to in the second paragraph, the address of his centre, as well as the location of the outdoor play area. The notice must be accompanied by an attestation establishing that the permit holder agrees to the share-out of the outdoor play area.

The second and third paragraphs also apply, adapted as required, to two persons who, on (*enter the date of coming into force of this Regulation*), filed an application for the issuance of a day care centre permit and who intend to share the same outdoor play area.

**DIVISION IX
COMING INTO FORCE**

57. This Regulation comes into force on (*enter the date of coming into force of this Regulation*).”.

38. The following is substituted for Schedule I to the Regulation:

“SCHEDULE I (s. 17)

PROCEDURES

1. PROCEDURE FOR ADMINISTERING ACETAMINOPHEN

This Procedure defines the rules for administering acetaminophen to a child in a day care centre in accordance with the Regulations made under the Act respecting childcare centres and childcare services (R.S.Q., c. S-4.1). “Acetaminophen” is the generic name of the medication that is commercially available under the following brand names: Atasol, Panadol, Tempra, Tylenol and other house brands.

The authorization form must be signed by the parent. The day care centre permit holder undertakes to comply with all the rules prescribed in this Procedure.

Basic rules

Within the framework of this Procedure, acetaminophen may be administered solely to reduce fever. It may not be administered:

- to children less than two months old;
- to relieve pain;
- for more than 48 consecutive hours (two days).

In those three cases, this Procedure does not apply and written authorizations from a physician and the parent are required.

The day care centre may have its own acetaminophen container; the brand name used, the form in which it is presented (drops, tablets, syrup) and the concentration must be indicated on the authorization form.

To avoid confusion, acetaminophen should be kept on hand in only one of its two liquid forms (drops or syrup). If children under the age of 24 months are received in the day care centre, it is recommended that drops be used instead of syrup. If syrup is chosen for the other children, only one concentration should be used.

The dosage indicated below or that prescribed on the medication container may in no case be exceeded.

It is important always to check the concentration of acetaminophen and to follow the instructions concerning dosage printed on the product container since new products of greater or lesser strength may appear on the market. Likewise, where acetaminophen is available in more than one concentration, it is recommended that the day care centre use only one concentration.

Any administration of acetaminophen must be recorded in the register of medications prescribed by the Regulation. That information must be given to the parent.

What you should know

Fever is defined as a body temperature that is higher than normal. Normal temperature may vary somewhat depending on the child, the time of day, the temperature outdoors and the activities taking place. The cause of the fever is more important than the temperature itself.

It is generally considered that there is fever if rectal temperature exceeds 38 °C, oral temperature exceeds 37.5 °C and underarm temperature exceeds 37.2 °C.

The only sure way to measure fever is to take the child’s temperature. A child’s temperature must be checked whenever his general condition (crying, loss of energy, etc.) or physical symptoms (flushed cheeks, excessively warm skin, etc.) seem to indicate fever. When a child receives childcare, the following measures are recommended:

- take the rectal temperature of younger children and oral temperature of older children; use the appropriate thermometer in each case;
- always use disposable plastic tips as they are more hygienic; otherwise, disinfect the thermometer properly after each use;
- if the child has just been extremely active, wait 15 minutes or so as his body temperature may be higher than normal;
- always comply with time requirements for the thermometer used; the time may vary with the thermometer. A digital thermometer is recommended.

What you should do

If rectal temperature is lower than 39 °C (38.5 °C for oral temperature or 38.2 °C for underarm temperature) and if the child’s general condition is good, it is sufficient to:

- remove some of the child’s clothes to lower his temperature;
- give the child something to drink (water, fruit juice or milk) at frequent intervals;
- keep an eye on the child and take his temperature again after 60 minutes, or earlier if the child’s condition seems to worsen;

- inform the parents of the child's condition.

If rectal temperature is 39 °C or higher (38.5 °C for oral temperature or 38.2 °C for underarm temperature) **and if the child is less than two months old**, you must:

- notify the parents immediately, ask them to come and pick up their child and, in the meantime, apply the measures described above;

- if the parents cannot come to pick up their child, take the child to a medical service or to a hospital emergency department; do not administer acetaminophen, unless it has already been prescribed for the child's problem.

If rectal temperature is 39 °C or higher (38.5 °C for oral temperature or 38.2 °C for underarm temperature) **and if the child is more than two months old**, you must:

- apply the measures described for a light fever (remove clothes, give the child something to drink);

- inform the parents of the child's condition;

- administer acetaminophen according to the dosage indicated below or the dosage prescribed on the medication container and in accordance with the rules prescribed in this Procedure;

- one hour after administering acetaminophen, take the child's temperature again; if the temperature is still high, ask the parent to come and pick up the child; if the parent cannot be reached, take the child to a medical service or to a hospital emergency department.

When administering acetaminophen, you must:

- wash your hands before handling the medication;
- check the concentration, dosage and expiry date on the container;

- pour or place the medication in a clean spoon to administer the medication (drops, syrup or tablets) to the child; never place a dropper in the child's mouth, unless it is a disposable dropper. The used spoon must be washed in very hot water;

- use very simple words to explain to the child the relationship between his condition, the medication being taken and the expected results.

ACETAMINOPHEN: DOSAGE*

Age	Weight in kg	Drops	
		Concentration 80 mg/ml	
		ml	dropper
2-3 months	2.4-5.4	0.5	1/2
4-11 months	5.5-7.9	1	1
12-23 months	8.0-10.9	1.5	1 1/2
2-3 years	11.0-15.9	2	2
4-5 years	16.0-21.9	3	3
6-8 years	22.0-26.9	4	4
9-10 years	27.0-31.9	5	5
11-12 years	32.0-43.9	6	6

Age	Weight in kg	Syrup			
		Concentration			
		80 mg/5 ml		160 mg/5 ml	
		ml	tsp	ml	tsp
2-3 months	2.4-5.4	2.5	1/2	1.25	1/4
4-11 months	5.5-7.9	5	1	2.5	1/2
12-23 months	8.0-10.9	7.5	1 1/2	3.75	3/4
2-3 years	11.0-15.9	10	2	5	1
4-5 years	16.0-21.9	15	3	7.5	1 1/2
6-8 years	22.0-26.9	20	4	10	2
9-10 years	27.0-31.9	25	5	12.5	2 1/2
11-12 years	32.0-43.9	30	6	15	3

Age	Weight in kg	Tablets	
		Concentration	
		80 mg/tablet	160 mg/tablet
2-3 years	11.0-15.9	2	1
4-5 years	16.0-21.9	3	1 1/2
6-8 years	22.0-26.9	4	2
9-10 years	27.0-31.9	5	2 1/2
11-12 years	32.0-43.9	6	3

* The dosage unit may be repeated every four hours. No more than six doses may be administered within a 24-hour period.

AUTHORIZATION FORM FOR ACETAMINOPHEN

Parents are not required to sign this Procedure. However, without a signed Procedure, no acetaminophen may be administered without written authorization from the parents and a member of the Collège des médecins du Québec. Parents may, if they wish, limit the period of

validity for the authorization granted by indicating its duration in the space provided.

I hereby authorize

(name of day care centre)

to administer, in accordance with this Procedure, acetaminophen sold under the following brand name:

(brand name and form: drops, syrup or tablets and concentration)

_____ Child's surname and first name	_____ Period of validity of authorization
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_____ Parent's signature	_____ Date
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This Procedure was adapted from a Procedure drawn up by the Office des services de garde à l'enfance and reviewed by the Association des pédiatres du Québec. The information it contains reflects the current state of knowledge on the subject (1998).

2. PROCEDURE FOR ADMINISTERING ORAL HYDRATION SOLUTIONS

This Procedure defines the rules for administering commercial oral hydration solutions to a child in a day care centre in accordance with the Regulations made under the Act respecting childcare centres and childcare services (R.S.Q., c. S-4.1). The authorization form must be signed by the parent. The day care centre permit holder undertakes to comply with all the rules prescribed in this Procedure.

Basic rules

Within the framework of this Procedure, oral hydration solutions (Gastrolyte, Pedialyte, Lytren, etc.) may be administered to supply a controlled amount of sugar, salt and water to a child suffering from diarrhea or vomiting.

The day care centre may have its own commercial oral hydration solution.

The instructions and the dosage prescribed on the medication container must be followed at all times.

Any administration of oral hydration solutions must be recorded in the register of medications prescribed by the Regulation. That information must be given to the parent.

Children suffering from diarrhea or vomiting should not be attending the day care centre. This Procedure therefore applies in cases where such symptoms begin while the child is at the day care centre.

What you should know

It is not infrequent for a young child to suffer from diarrhea or vomiting. There are many causes for this, such as infection, poisoning or food allergy.

Diarrhea is characterized by watery stools and bowel movements that are more frequent than normal. Such a condition may cause dehydration, particularly in a young child.

When a child vomits or begins to have diarrhea, administration of an oral hydration solution is recommended. Such solutions are sold in pharmacies and are distinctly preferable to diluted juices, carbonated drinks or imprecise home made preparations.

Since oral hydration solutions will not keep more than 24 hours once the container is opened, it is better in a childcare service to use a product sold in packets which can be used to prepare small quantities at a time.

What you should do

When a child begins to vomit or have diarrhea, the following measures are recommended:

- cease all normal feeding for approximately 15 to 30 minutes;
- avoid giving carbonated drinks and juices;
- later, when the child has stopped vomiting, administer a small quantity (15 to 30 ml) of oral hydration solution approximately every 10 to 20 minutes; administer the solution at room temperature and increase the quantity gradually if the child tolerates it;
- contact the parents and ask them to come and pick up their child if his condition does not improve;
- limit contact with other children insofar as possible;
- note everything the child drinks and the frequency of bowel movements and vomiting.

Strict hygienic measures must be taken to avoid contamination:

- frequent and thorough hand-washing for the child and the persons looking after him;

- diaper changing tables, counters and potties must be disinfected after each use.

According to certain studies, cases of gastroenteritis in childcare services can be reduced by approximately 50 % through regular and thorough hand washing and adequate disinfecting of the rooms and equipment.

AUTHORIZATION FORM FOR ORAL HYDRATION SOLUTIONS

Parents are not required to sign this Procedure. However, without a signed Procedure, no oral hydration solutions may be administered without written authorization from the parents and a member of the Collège des médecins du Québec. Parents may, if they wish, limit the period of validity for the authorization granted by indicating its duration in the space provided.

I hereby authorize

(name of day care centre)

to administer, in accordance with this Procedure, oral hydration solution sold under the following brand name:

(brand name)

Child's surname and first name

Period of validity of authorization

Parent's signature

Date

This Procedure was adapted from a Procedure drawn up by the Office des services de garde à l'enfance and reviewed by the Association des pédiatres du Québec. The information it contains reflects the current state of knowledge on the subject (1998).

SCHEDULE II

(s. 45, par. 4)

CONTENT OF FIRST-AID KIT

- 1 basic first-aid manual
- 1 pair of bandage scissors
- 1 pair of splinter forceps
- 12 safety pins
- 25 individually wrapped sterile adhesive bandages (25 mm by 75 mm)

25 sterile gauze compresses (102 mm by 102 mm)

8 rolls of sterile gauze bandage (4 rolls 50 mm by 9 m and 4 rolls 102 mm by 9 m)

6 triangular bandages

4 individually wrapped sterile bandage compresses

1 roll of adhesive tape (25 mm by 9 m)

25 individually wrapped antiseptic swabs

25 sterile adhesive bandages of various shapes and sizes

4 eye bandages

1 rectal thermometer and 1 oral thermometer

25 alcohol swabs".

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

2936

Draft Decree

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

Hairdressers — Hull — 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 hairdressers in the Hull region (R.R.Q., 1981, c. D-2, r. 15) 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 amending the Decree respecting hairdressers in the Hull 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 December 28, 1995.

To do so, it proposes to extend the notion of haircutting to shaving, to harmonize the description of the territorial jurisdiction with the official government appellations within the territory of administrative region 07

— Outaouais, to acknowledge the dividing of the annual leave and to take into account leave for family events. It also fixes December 31, 2001 as the date on which the Decree ceases being in force, with 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 coiffeurs de la région de Hull, the Decree governs 96 employers, 289 artisans and 273 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 hairdressers in the Hull region*

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

1. Section 0.01 of the Decree respecting hairdressers in the Hull region is amended by inserting, in paragraph 2, after the word and punctuation “cutting,” the word and punctuation “shaving.”

2. Section 0.02 of the Decree is amended by replacing the definition “continuous service” by the following:

““uninterrupted service”: the uninterrupted period during which the employee is bound to the employer by a contract of employment, even if the performance of work has been interrupted without cancellation of the

contract, and the period during which fixed-term contracts succeed one another without an interruption that would, in the circumstances, give cause to conclude that the contract was not renewed.”.

3. Section 4.02 of the Decree is amended by deleting the second paragraph.

4. The Decree is amended by inserting, after 4.02, the following:

“**4.02.1.** An employee who, at the end of a reference year, is credited with five years of uninterrupted service with the same employer, is entitled to an annual leave of a minimum duration of three consecutive weeks.

4.02.2. The annual leave may be divided into two periods where so requested by the employee. However, the employer may refuse the request if he closes his salon for a period equal to or greater than that of the employee’s annual leave.

The employer may divide the annual leave of an employee into two periods, one being the closing period. One of those periods must, however, last for a minimum of two consecutive weeks.”.

5. Section 6.01 of the Decree is replaced by the following:

“**6.01.** This Decree remains into force until December 31, 2001. It is then automatically renewed from year to year, unless one of the contracting parties opposes it by sending written notice to the Minister of State for Labour and Employment and Minister of Labour and to the other contracting party, during the month of August of 2001 or during the month of August of any subsequent year.”.

6. Section 8.04 of the Decree is amended by replacing paragraphs 3 to 10 by the following:

- (3) the identification of the employee’s occupation;
- (4) the date of the payment and the work period corresponding to the payment;
- (5) the number of hours paid at the prevailing rate;
- (6) the number of hours of overtime paid or replaced by a leave with the applicable premium;
- (7) the nature and amount of the premiums, indemnities, allowances or commissions that are being paid;
- (8) the prevailing wage rate;

* The Decree respecting hairdressers in the Hull region (R.R.Q. 1981, c. D-2, r. 15) was last amended by the regulation made by Order in Council no 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.

(9) the amount of wages before deductions;

(10) the nature and amount of the deductions effected;

(11) the amount of the net wages paid to the employee.”.

7. Section 11.06 of the Decree is revoked.

8. Sections 12.02 and 12.03 of the Decree are replaced by the following:

“**12.02.** An employee may be absent from work for one day, 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.

12.02.1. An employee may be absent from work for one day, without pay, 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.

12.03. 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.

12.04. An employee may be absent from work, without reduction of wages, for two days at the birth of his child or the adoption of a child.

An employee may also be absent from work for three other days on such occasion, but without pay.

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.

12.05. In the circumstances referred to in sections 12.02 to 12.04, the employee must advise his employer of his absence as soon as possible.”.

9. Schedule I of the Decree is replaced by the following:

“**SCHEDULE I**
(s. 1.01)

REGION 07 — OUTAOUAIS

Communauté urbaine de l’Outaouais

Ville de Aylmer, Ville de Buckingham, Ville de Gatineau, Ville de Hull, Ville de Masson-Angers.

Municipalité régionale de comté de La Vallée-de-la-Gatineau

Canton d’Aumond, Blue Sea, Bois-Franc, Bouchette, Cayamant, Déléage, Canton de Denholm, Égan-Sud, Village de Gracefield, Canton de Grand-Remous, Kazabazua, Lac-Sainte-Marie, Canton de Low, Canton de Lytton, Ville de Maniwaki, Messines, Montcerf, Northfield, Sainte-Thérèse-de-la-Gatineau, Canton de Wright.

Municipalité régionale de comté de Les Collines-de-l’Outaouais

Cantley, Chelsea, L’Ange-Gardien, La Pêche, Notre-Dame-de-la-Salette, Pontiac, Val-des-Monts.

Municipalité régionale de comté de Papineau

Boileau, Bowman, Chénéville, Duhamel, Fassett, Lac-des-Plages, Lac-Simon, Canton de Lochaber, Canton de Lochaber-Partie-Ouest, Mayo, Village de Montebello, Montpellier, cantons unis de Mulgrave-et-Derry, Namur, Paroisse de Notre-Dame-de-Bon-Secours-Partie-Nord, Paroisse de Notre-Dame-de-la-Paix, Village de Papineauville, Plaisance, Village de Ripon, Canton de Ripon, Saint-André-Avellin, Saint-Émile-de-Suffolk, Saint-Sixte, Paroisse de Sainte-Angélique, Ville de Thurso, Val-des-Bois.

Municipalité régionale de comté de Pontiac

Cantons unis d’Alleyn-et-Cadwood, Canton de Bristol, Village de Bryson, Village de Campbell’s Bay, Canton de Chichester, Canton de Clarendon, Village de Fort-Coulonge, Canton de Grand-Calumet, cantons unis de Leslie-Clapham-et-Huddersfield, L’Isle-aux-Allumettes, Canton de Litchfield, cantons unis de Mansfield-et-Pontefract, Village de Portage-du-Fort, Rapides-des-Joachims, Village de Shawville, cantons unis de Sheen-Esher-Aberdeen-et-Malakoff, Canton de Thorne, Waltham.

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

Draft Regulation

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

Application of the Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the draft Regulation whose text 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 amend the Regulation respecting the application of the Health Insurance Act to add a new act to the list of insured dental and oral surgery services.

That act is a new operative technique developed by oral surgeons to make the surgery easier, to reduce operative time and to facilitate the patient's postsurgical recovery.

The proposed amendment is therefore intended to add that surgery to the list of services that must be considered as insured under the Health Insurance Act.

Further information may be obtained on the draft Regulation during the 45-day period by contacting Mr. Marc Duclos at the Régie de l'assurance maladie du Québec, 1125, chemin Saint-Louis, 8^e étage, Sillery (Québec) G1S 1E7; tel. (418) 682-5172, fax: (418) 643-7312.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Health and Social Services and Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

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

Regulation to amend the Regulation respecting the application of the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, s. 69, 1st par., subpars. c and d)

1. Paragraph *D* of section 31, paragraph *G* of section 35 and paragraph *G* of section 36 of the Regulation respecting the application of the Health Insurance Act are amended by inserting the term "Submandibular percutaneous intubation" after the word "Tracheotomy".

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

2933

Draft Regulation

An Act respecting immigration to Québec
(R.S.Q., c. I-0.2; 1998, c. 15)

Selection of foreign nationals — Amendments

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

The draft Regulation introduces various amendments relating to the sponsorship of foreign nationals, to the selection certificate, to the discretionary power of the Minister and to the selection grid of independent immigrants.

To that end, as regards sponsorship, the draft Regulation adds certain conditions to the undertaking on behalf of a foreign national of the family class: not having been convicted of violence against a family member during the past five years and showing that the person sponsored is aware of the terms of the undertaking. It also specifies that the spouse must be at least 16 years of age and that an undertaking given abroad on behalf of a

* The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 1) was last amended by Order in Council 924-97 dated 9 July 1997 (1997, *G.O.* 2, 4170). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

dependent child may only refer to a child under 19 years of age who is not married and has no children. For the collective sponsorship of immigrants in the class of persons in distressful situations, the draft Regulation removes the condition relating to the absence of compulsory execution measures and to the obligation to reside in Québec continuously; it also removes the requirement for legal persons who sign an undertaking to file a certified financial statement and it substitutes the requirement to carry on activities and be legally registered for the requirement to have an establishment in Québec.

As regards the selection certificate, the draft Regulation extends its period of validity from 12 months to three years.

As regards the Minister's discretionary power to select immigrants in the class of persons in distressful situations or of independent immigrants, the draft Regulation prescribes that the Minister may assess an application by taking into account the fact that an undertaking was given on their behalf.

As regards the selection grid, the draft Regulation further broadens the criteria of schooling and stay in Québec, standardizes the concepts of occupational experience and specifies that it must have been acquired within the past eight years, indicates that the employment had to be remunerated, restricts the criterion of ties in Québec to close relatives and limits the awarding of points to the factor regarding characteristics of the spouse to a spouse between the ages of 23 and 30.

By adding requirements to sponsor an immigrant, the draft Regulation will counter cases of violence against the family and make sure that the immigrant is informed of the terms of the undertaking given on his behalf. For collective sponsorships, the impact will be to facilitate undertakings by legal persons or groups of persons. The draft Regulation will also, by allowing the Minister to take into account the giving of an undertaking, minimize the possibility that persons thus selected become dependent upon the State. Lastly, the amendments to the selection grid will facilitate the evaluation of independent immigrants who want to settle in Québec.

Further information may be obtained by contacting Ms. Monique Proulx, Director, Politiques et programmes d'immigration, 800, place Victoria, 14^e étage, C.P. 216, Montréal (Québec) H4Z 1E3; telephone: (514) 864-3288; fax: (514) 864-2796.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Relations

with the Citizens and Immigration, 360, rue McGill, 4^e étage, Montréal (Québec) H2Y 2E9.

ROBERT PERREAULT,
*Minister of Relations with the Citizens
and Immigration*

Regulation to amend the Regulation respecting the selection of foreign nationals*

An Act respecting immigration to Québec (R.S.Q., c. I-0.2, ss. 3.1, 3.1.1. and 3.3, 1st par., subpars. *a* to *b.2*, *c* to *c.3*, *d* and *f.1*; 1998, c. 15, ss. 2, 3 and 10)

1. Section 1 of the Regulation respecting the selection of foreign nationals is amended

(1) by striking out the words “or might reasonably be expected to receive” in paragraph *c* of subsection 1; and

(2) by adding the words “who is at least 16 years of age” at the end of item *i* of paragraph *j* of subsection 1.

2. Section 3 is amended by deleting the second paragraph.

3. Section 4 is amended by deleting the second paragraph.

4. Section 15 is amended

(1) by substituting the words “three years” for the words “12 months” in the first sentence of the second paragraph; and

(2) by striking out the words “paragraphs *c* to *g* and *j* of subsection 1 or paragraphs *a* to *c* of subsection 2 of” in the last paragraph.

5. Section 19 is amended by adding the words “who is at least 16 years of age” at the end of subparagraph *a* of the first paragraph.

6. Section 23 is amended

* The Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2) was last amended by the Regulations made by Orders in Council 137-99 dated 17 February 1999 (1999, *G.O.* 2, 199) and 307-99 dated 31 March 1999 (1999, *G.O.* 2, 399). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

(1) by substituting the words “who is at least 16 years of age or his dependent child under 19 years of age who is not married and has no children” for the words “or dependent child” in paragraph *b.2* of the first paragraph;

(2) by inserting the following after subparagraph *b.4*:

“(b.5) the resident, during the five years preceding the application to give an undertaking, has not been convicted of a summary conviction or indictable personal injury offence against a member of his family as referred in section 19 or against his *de facto* spouse or a child of that person;

(b.6) the resident, in the case of an undertaking on behalf of a person of full age or of a minor if that person is his spouse or fiancé, provides a written statement from that person acknowledging that he is aware of the terms and scope of the undertaking;”.

7. Section 27 is amended by adding the following paragraph at the end:

“The Minister may also issue a selection certificate to a foreign national belonging to the class referred to in subparagraph *i* of paragraph *c* of section 18, if that foreign national is a dependant of a person referred to in section 11.2 of the Immigration Regulations of 1978 and if the Minister is of the opinion that he has settled or is able to settle in Québec, particularly because that foreign national is covered by an undertaking given on the prescribed form by the person of whom he is a dependant, in accordance with the conditions provided for in sections 42 and 46.1 to 46.3 and for a three-year period in the case of a spouse or, in the case of a dependent child, for a ten-year period or until he is of full age, whichever is longer.”.

8. Section 28 is amended

(1) by substituting the words “, if he practises activities in Québec and if he is registered in accordance with the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45)” for the words “and has a place of business in Québec including permanent installations” at the end of paragraph *a* of the first paragraph; and

(2) by striking out the words “as well as a certified financial statement for its last financial year” at the end of paragraph *c* of the first paragraph.

9. Section 30 is amended by striking out paragraphs *c* and *f*.

10. Section 31 is amended by inserting the words “who is at least 16 years of age” at the end of the first paragraph and after the word “spouse”.

11. Section 40 is amended by adding the following at the end:

“The Minister may also issue a selection certificate to a foreign national belonging to the class of independent immigrants who was not given a passing score and who is a dependant of a person referred to in section 11.2 of the Immigration Regulations of 1978, if he is of the opinion that the score does not reflect the foreign national’s potential for settling in Québec, particularly because that foreign national is covered by an undertaking given on the prescribed form by the person of whom he is a dependant in accordance with the conditions provided for in sections 42 and 46.1 to 46.3 and for a three-year period in the case of a spouse or, in the case of a dependent child, for a ten-year period or until he is of full age, whichever is longer.

The Minister may also issue a selection certificate to a foreign national of the class of independent immigrants who was not given a passing score, if he is of the opinion that the score does not reflect the foreign national’s potential for settling in Québec, particularly because that foreign national is covered by an undertaking given on the prescribed form by a Québec resident or a legal person within the meaning of section 28 in accordance with the conditions provided for in sections 42 and 46 to 46.3 and for a five-year period.”.

12. Section 42 is amended by inserting the words “or *de facto* spouse” in the part preceding paragraph *a* and after the word “spouse”.

13. Schedule A is amended

(1) by substituting the following for paragraphs *b* to *g* under criterion 1.1, Schooling:

“(b) postsecondary school diploma attesting to one year of full-time studies

(c) postsecondary school diploma attesting to two years of full-time studies

(d) postsecondary school diploma attesting to three years of full-time studies

(e) undergraduate university degree attesting to one year of full-time studies

(f) undergraduate university degree attesting to two years of full-time studies

(g) undergraduate university degree attesting to three years of full-time studies

(h) undergraduate university degree attesting to at least four years of full-time studies

(i) master’s degree

(j) doctorate”;

(2) by substituting the following for paragraphs *b* to *g* under criterion 2.C.1.1 Schooling:

“(b) postsecondary school diploma attesting to one year of full-time studies

(c) postsecondary school diploma attesting to two years of full-time studies

(d) postsecondary school diploma attesting to three years of full-time studies

(e) undergraduate university degree attesting to one year of full-time studies

(f) undergraduate university degree attesting to two years of full-time studies

(g) undergraduate university degree attesting to three years of full-time studies

(h) undergraduate university degree attesting to at least four years of full-time studies

(i) master’s degree

(j) doctorate”;

(3) by substituting the words “Experience is based on the duration of the practice of the profession for which the applicant is assessed, including training periods, whether remunerated or not”, for the words “Experience includes training periods” in criterion 2.C.2, Occupational experience;

(4) by adding the following at the end of criterion 2.C.2, Occupational experience:

“The experience must have been acquired during the eight years preceding the application for a selection certificate and, except for training, the employment must have been remunerated.”;

(5) by substituting the following for criterion 2.C.5.1, Stay in Québec:

“2.C.5.1. Stay in Québec

(a) full-time studies during one semester

(b) full-time studies during at least two semesters

(c) employment whose duration equals at least three months

(d) employment whose duration equals at least six months

(e) training period under a bilateral governmental agreement of at least three months

(f) training period under a bilateral governmental agreement of at least six months

(g) other stay of at least two weeks

The stay must have taken place during the eight years preceding the application for a certificate.”;

(6) by adding the following at the end of criterion 2.C.5.2, Ties in Québec:

“For the purposes of paragraph *a*, a family includes the father, mother, grandfather, grandmother, brother, sister, uncle, aunt, nephew, niece or a fourth degree relative.”;

(7) by substituting the following for the two paragraphs under criterion 3.1 Occupational experience:

“To assess an application according to factor 2A, Assured employment, or 2B, Occupational experience entered on the List of occupations in demand in Québec, occupational experience is based on the duration of the full-time practice of the occupation for which the applicant is assessed with respect to the employment factor, including training, whether remunerated or not, during apprenticeship, training or specialization attested to by a diploma.

To assess an application according to factor 2C, Employability and occupational mobility, occupational experience is based on the duration of the practice of an occupation at a level of qualification higher than D within the meaning of the National Occupational Classification, including training, whether remunerated or not, during apprenticeship, training or specialization attested to by a diploma but excluding experience acquired in an occupation provided for in the List of inadmissible occupations.

The experience must have been acquired during the eight years preceding the application for a selection certificate.”;

(8) by substituting the following for criterion 4.4, Stay in Québec:

“4.4 Stay in Québec

(a) full-time studies during one semester

(b) full-time studies during at least two semesters

(c) employment whose duration equals at least three months

(d) employment whose duration equals at least six months

(e) training period under a bilateral governmental agreement of at least three months

(f) training period under a bilateral governmental agreement of at least six months

(g) other stay of at least two weeks

The stay must have taken place during the eight years preceding the application for a certificate ”;

(9) by adding the following at the end of criterion 4.5, Ties in Québec:

“ For the purposes of paragraph *a*, a family includes the father, mother, grandfather, grandmother, brother, sister, uncle, aunt, nephew, niece or a fourth degree relative.”;

(10) by adding the following paragraph at the end of criterion 7.2, Occupational experience:

“The experience must have been acquired during the eight years preceding the application for a selection certificate.”; and

(11) by substituting “23 to 30 years old” for “30 years old or less” in paragraph *a* of criterion 7.3, Age.

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

Index Statutory Instruments

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

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Childcare centres and childcare services, An Act respecting... — Childcare centres (R.S.Q., c. S-4.1; 1997, c. 58)	1705	Draft
Childcare centres and childcare services, An Act respecting... — Day care centres (R.S.Q., c. S-4.1; 1997, c. 58)	1709	Draft
Clothing industry — Extension (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	1703	N
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Day care centres (An Act respecting childcare centres and childcare services, R.S.Q., c. S-4.1; 1997, c. 58)	1709	Draft
Hairdressers — Hull (An Act respecting collective agreement decrees, R.S.Q., c. D-2)	1720	Draft
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