

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 131
15 December 1999
No. 51

Summary

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Legal deposit — 1st Quarter 1968
Bibliothèque nationale du Québec
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Coming into force of Acts

Gouvernement du Québec

O.C. 1312-99, 1 December 1999

An Act respecting the Société de la faune et des parcs du Québec (1999, c. 36)

— Coming into force of certain sections

COMING INTO FORCE of sections 4, 24 to 32, 34 and 37 to 168 of the Act respecting the Société de la faune et des parcs du Québec

WHEREAS the Act respecting the Société de la faune et des parcs du Québec (1999, c. 36) was assented to on 19 June 1999;

WHEREAS under section 171 of the Act, the provisions of the Act will come into force on the date or dates to be fixed by the Government;

WHEREAS sections 1 to 3, 5 to 23, 33, 35, 36, 169 and 170 of the Act came into force on 8 September 1999 by Order in Council 1020-99 dated 8 September 1999;

WHEREAS it is expedient to fix 1 December 1999 as the date of coming into force of sections 4, 24 to 32, 34 and 37 to 168 of the Act;

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

THAT 1 December 1999 be fixed as the date of coming into force of sections 4, 24 to 32, 34 and 37 to 168 of the Act respecting the Société de la faune et des parcs du Québec (1999, c. 36).

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

3250

Gouvernement du Québec

O.C. 1323-99, 1 December 1999

An Act respecting the Corporation d'hébergement du Québec (1999, c. 34)

— Coming into force

COMING INTO FORCE of the provisions of the Act respecting the Corporation d'hébergement du Québec

WHEREAS the Act respecting the Corporation d'hébergement du Québec (1999, c. 34) was assented to on 19 June 1999;

WHEREAS under section 78 of that Act, its provisions come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 December 1999 as the date of coming into force of sections 1 to 26, 28 to 40, 42 to 55, paragraph 1 of section 56, sections 57 to 61 and 63 to 77 of that Act;

WHEREAS it is expedient to fix 5 January 2000 as the date of coming into force of sections 27 and 62 of that Act;

WHEREAS it is expedient to fix 1 April 2000 as the date of coming into force of section 41 and paragraph 2 of section 56 of that Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services:

THAT 1 December 1999 be fixed as the date of coming into force of sections 1 to 26, 28 to 40, 42 to 55, paragraph 1 of section 56, sections 57 to 61 and 63 to 77 of the Act respecting the Corporation d'hébergement du Québec (1999, c. 34);

THAT 5 January 2000 be fixed as the date of coming into force of sections 27 and 62 of that Act;

THAT 1 April 2000 be fixed as the date of coming into force of section 41 and paragraph 2 of section 56 of that Act.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

3251

Gouvernement du Québec

O.C. 1328-99, 1 December 1999

**An Act to amend the Act respecting health services
and social services as regards access to users'
records (1999, c. 45)**

— Coming into force

COMING INTO FORCE of the Act to amend the Act respecting health services and social services as regards access to users' records (1999, c. 45)

WHEREAS the Act to amend the Act respecting health services and social services as regards access to users' records (1999, c. 45) was assented to on 5 November 1999;

WHEREAS section 6 of the Act provides that its provisions will come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 January 2000 as the date of coming into force of the Act;

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

THAT the provisions of the Act to amend the Act respecting health services and social services as regards access to users' records (1999, c. 45) come into force on 1 January 2000.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

3252

Regulations and other acts

Gouvernement du Québec

O.C. 1329-99, 1 December 1999

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

Devices which compensate for a physical deficiency — Amendments

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

WHEREAS, under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance-maladie du Québec or upon its recommendation, make regulations to determine the services and the prostheses, orthopedic devices, locomotor or posture assists, medical supplies or other equipment that compensate for a physical deficiency indicated therein and that must be considered to be insured services for the purposes of the fifth paragraph of section 3, fix the age at which beneficiaries may be entitled thereto and the classes of such beneficiaries, determine the amount that may be assumed on behalf of a beneficiary indicated therein, the cases, circumstances and conditions in and on which the Régie de l'assurance-maladie du Québec assumes the amount of those insured services and the cases, circumstances and conditions in and on which such services are furnished, and prescribe the cases, circumstances and conditions in and on which such property may be recovered;

WHEREAS the Government made the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act by Order in Council 612-94 dated 27 April 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted in respect of those amendments;

WHEREAS, under section 69.0.1 of the Health Insurance Act, regulations adopted under subparagraph *h*, *h.1* or *h.2* of the first paragraph of section 69 of the Act following a contract with a supplier pursuant to section 3.1 of the Act are not subject to the provisions concerning the obligation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act is made under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act following a contract with suppliers pursuant to section 3.1 of the Act, and it may thus be exempted from the provisions concerning the obligation of publication and the date of coming into force which are set out in sections 8 and 17 of the Regulations Act;

WHEREAS it is expedient that the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act be made;

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

THAT the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, ss. 3, 5th par. and 69, 1st par., subpar. *h*)

1. The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act is amended, in subdivision I of Division I of Part I of Chapter V of Title Two

* The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, made by Order in Council 612-94 dated 27 April 1994 (1994, *G.O.* 2, 1589), was last amended by the Regulations made by Orders in Council 574-99 dated 19 May 1999 (1999, *G.O.* 2, 1394) and 864-99 dated 28 July 1999 (1999, *G.O.* 2, 2307). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

(1) by substituting the price of \$“78.00” for \$“8.00” for a “rigid seat, flat” upon purchase or replacement of a wheel chair in the description of manual wheel chairs of the “Epic” model, manufactured by “Everest and Jennings Canada Ltd”, under the heading “Basic and Optional Component(s)”;

(2) by substituting the unit price of \$“54.00” for \$“19.00” upon replacement of a “safety belt, velcro-type” and the unit price of \$“29.00” for \$“39.00” upon replacement of a “safety belt, auto-type” in the description of manual wheel chairs of the “Prima 100, heavy-duty” model, manufactured by “Orthofab Inc.”, under the heading “Basic and Optional Component(s)”;

(3) by striking out the following components and their prices: “rigid back, straight 62.00 118.50” and “rigid seat, straight 31.50 79.50” in the description of manual wheel chairs of the “Quickie LXI” model, manufactured by “Sunrise Medical Canada Inc.”, under the heading “Basic and Optional Component(s)”;

(4) by striking out the following component and its prices: ““U”-type armrests, detachable, flip-back, height-adjustable, from 9 in. to 13 in. (22.5 cm to 32.5 cm), short or long, a pair 63.00 each 116.50” and, under the heading “Component(s) under special consideration”, by substituting the unit price of \$“58.50” for \$“29.00” for the component “quick-release axles with lever mechanism” in the description of manual wheel chairs of the child, “Quickie 2” model, manufactured by “Sunrise Medical Canada Inc.”, under the heading “Basic and Optional Component(s)”.

2. Subdivision II of Division I of Part I of Chapter V of Title Two is amended by striking out the following component and its prices: “front wheels, semi-pneumatic, 7 in. X 1 in. (17.5 cm X 2.5 cm) a pair 40.00 each 38.00” in the description of lightweight manual wheel chairs of the “Champion 3000” model, manufactured by “Everest and Jennings Canada Ltd”, under the heading “Basic and Optional Component(s)”.

3. Subdivision III of Division I of Part I of Chapter V of Title Two is amended

(1) by substituting \$“103.00” for all the prices of the components “headrest, small” and “headrest, large”, by substituting the price of \$“160.00” for \$“170.00” for a multi-positional switch control box” upon purchase or replacement of a wheel chair and by substituting the unit

price of \$“21.00” for \$“23.00” upon replacement of a “push-button switch” in the description of power wheel chairs of the “MX” model, manufactured by “Everest and Jennings Canada Ltd”, under the heading “Basic and Optional Component(s)”;

(2) by striking out the following component in each model: “power rocking device, 22°, including control system” in the description of power wheel chairs of “Grizzly A600” and “Grizzly A700” models, manufactured by “Orthofab Inc.”, under the heading “Basic Component(s)” of each model;

(3) by striking out the following component and its prices in each model: “aluminum folding footplates 16.00 35.00” in the description of power wheel chairs of “Grizzly A700” and “Kameleon A200-A700” models, manufactured by “Orthofab Inc.”, under the heading “Basic and Optional Component(s)” of each model;

(4) by striking out the following components and their prices: “A700 seat/back structure, reclining back with cylinder* 799.00 799.00”, “A200 seat/back structure, reclining back with cylinder* 799.00 799.00” and “power reclining back, factory installed* 1 045.00 1 445.00” in the description of power wheel chairs of the “Kameleon Jr” model, manufactured by “Orthofab Inc.”, under the heading “Component(s) under special consideration”;

(5) by striking out the following component and its prices: “centre of gravity adjustment 36.00 N/A” in the description of power wheel chairs of the “Storm” model, manufactured by “Invacare Canada Inc.”, under the heading “Basic and Optional Component(s)”.

4. Division II of Part I of Chapter V of Title Two is amended by striking out the following component and its prices: “oversized folding footplates, 27.00 50.00”, in the description of the positioning buggy, child, of the “Action Orbit” model, manufactured by “Invacare Canada Inc.”, under the heading “Basic and Optional Component(s)”.

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

Gouvernement du Québec

O.C. 1330-99, 1 December 1999

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

Devices which compensate for a physical deficiency — Amendments

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act

WHEREAS, under subparagraph *h* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), the Government may, after consultation with the Régie de l'assurance-maladie du Québec or upon its recommendation, make regulations to determine the services and the prostheses, orthopedic devices, locomotor or posture assists, medical supplies or other equipment that compensate for a physical deficiency indicated therein and that must be considered to be insured services for the purposes of the fifth paragraph of section 3, fix the age at which beneficiaries may be entitled thereto and the classes of such beneficiaries, determine the amount that may be assumed on behalf of a beneficiary indicated therein, the cases, circumstances and conditions on which the Régie de l'assurance-maladie du Québec assumes the amount of those insured services and the cases, circumstances and conditions in and on which such services are furnished, and prescribe the cases, circumstances and conditions in and on which such property may be recovered;

WHEREAS the Government made the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act by Order in Council 612-94 dated 27 April 1994;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted in respect of those amendments;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) a text of the draft Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 1 September 1999, on page 2840, with a notice that it could be made by the Government upon the expiry of 45 days following its publication;

WHEREAS following that publication, no comments were made, no briefs were submitted and consequently no amendments were made;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act;

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

THAT the Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act*

Health Insurance Act
(R.S.Q., c. A-29, ss. 3, 5th par. and 69, 1st par., subpar. *h*)

1. The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act is amended by substituting Division III of Schedule 1 to this Regulation for Division III of Part I of Chapter V of Title Two.

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

* The Regulation respecting devices which compensate for a physical deficiency and are insured under the Health Insurance Act, made by Order in Council 612-94 dated 27 April 1994 (1994, *G.O.* 2, 1589), was last amended by the Regulations made by Orders in Council 574-99 dated 19 May 1999 (1999, *G.O.* 2, 1394) and 864-99 dated 28 July 1999 (1999, *G.O.* 2, 2307). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

SCHEDULE 1**DIVISION III
STROLLERS****Device**

| | Price |
|---|--------------|
| Strollers "Buggy Major"- type including FOOTRESTS | |
| 1 year and 2 years* | 460.00 |
| 3 years and over | 460.00 |

Available accessories

| | |
|----------------------------|-------|
| seat, intermediate support | 47.50 |
| rigid seat | 46.00 |
| rigid back | 46.00 |
| harness | 58.00 |

WARRANTY PERIOD: 12 months

Device

| | |
|-----------------|------|
| Other strollers | S.C. |
| 3254 | |

Gouvernement du Québec

O.C. 1332-99, 1 December 1999Automobile Insurance Act
(R.S.Q., c. A-25)**Reimbursement of certain expenses
— Amendments**

Regulation to amend the Regulation respecting the reimbursement of certain expenses

WHEREAS under paragraph 18 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as replaced by paragraph 2 of section 38 of Chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation, prescribe conditions and a computation method for the determination of personal home assistance needs and the amount to be reimbursed and prescribe the cases in which and the conditions subject to which the Société may replace the reimbursement of expenses by an equivalent weekly allowance;

WHEREAS the Société de l'assurance automobile du Québec adopted the Regulation to amend the Regulation respecting the reimbursement of certain expenses;

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 reimbursement of certain expenses was published in Part 2 of the *Gazette officielle du Québec* of 15 September 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the reimbursement of certain expenses, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the reimbursement
of certain expenses***Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 15, 16, 18 and 19; 1999, c. 22, s. 38, par. 2)

1. The Regulation respecting the reimbursement of certain expenses is amended by substituting the following for Chapter I:

"PERSONAL HOME ASSISTANCE

1. This Chapter governs the reimbursement of expenses incurred for the personal home assistance referred to in section 79 of the Automobile Insurance Act (R.S.Q., c. A-25), amended by section 16 of Chapter 22 of the Statutes of 1999.

2. The Société de l'assurance automobile du Québec evaluates the personal home assistance requirements of the following victims, in accordance with the criteria set out in Schedule I.1:

* The Regulation respecting the reimbursement of certain expenses, approved by Order in Council 1925-89 dated 13 December 1989 (1989, *G.O.* 2, 4661), was amended by the Regulation approved by Order in Council 765-96 dated 19 June 1996 (1996, *G.O.* 2, 2883). For previous amendments refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

(1) the victim sustained at least one injury for which the list of injuries gives a detailed evaluation of personal home assistance requirements;

(2) the victim sustained injury to the extent that his mental condition could have an impact on personal assistance requirements;

(3) before the accident, the victim had a medical condition that could have an impact on personal assistance requirements;

(4) the victim is less than 16 years old.

The evaluation of the needs of a victim under 16 years of age is weighted in accordance with the criteria prescribed in Schedule I.2.

3. The expenses incurred that qualify for reimbursement to a victim referred to in section 2 are determined on the basis of the evaluation results, according to the following formula, up to the maximum amount prescribed in section 79 of the Act:

$$\frac{\text{Total number of points}}{174} \times \text{maximum amount prescribed in section 79 of the Act}$$

A total of less than 11 points does not qualify for reimbursement.

Notwithstanding the evaluation results, a victim is entitled to a reimbursement of expenses incurred up to the maximum weekly amount prescribed in section 79 of the Act, where continual attendance is required to ensure appropriate intervention because assistance may be required at any time, in particular, where the victim's behaviour could endanger his health and safety or that of anyone around him.

The maximum daily amount of reimbursement for which a victim may qualify is equal to one-seventh of the amount calculated on a weekly basis.

4. The personal assistance needs of victims other than those specified in section 2 are determined in accordance with the following terms and conditions:

(1) identification, using the List of injuries provided in Schedule I, of the anatomical regions affected;

(2) selection of the anatomical regions affected based on the priority shown in Schedule I.3, up to a maximum of three;

(3) percentage attributed, in accordance with the table provided in Schedule I.3, which corresponds to the anatomical regions previously selected.

The amount of the reimbursement of expenses incurred by a victim referred to in this section is equal to the product obtained by multiplying the percentage attributed by the amount prescribed in section 79 of the Act. The maximum daily amount of reimbursement for which a victim may qualify is equal to one-seventh of the amount calculated on a weekly basis.

Where a personal home assistance is still warranted after a continued period of 180 days, the needs of the victim and the amount of the reimbursement of expenses incurred are determined in accordance with sections 2 and 3 of this regulation.

4.1 Where applicable, the amount of the reimbursement of expenses incurred for personal home assistance is rounded off to the nearest dollar.

4.2 Personal home assistance expenses do not qualify for reimbursement where the personal assistance services are provided by an institution referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2) and the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

4.3 Except where the Société covers lodging expenses for a victim in an institution, the amount of the reimbursement of personal home assistance expenses may be replaced by an equivalent weekly allowance on condition that the victim provides the Société with documents that identify the person providing the personal home assistance services and attesting to the amounts incurred for such services.”.

2. The following is substituted for section 13:

“**13.** Expenses incurred for the correction of a scar qualify for reimbursement up to:

(1) a maximum amount of \$258 for a scar of less than 4 cm²;

(2) a maximum amount of \$387 for a scar of 4 cm² to 10 cm²;

(3) a maximum amount of \$580 for a scar of more than 10 cm² up to 20 cm²;

(4) a maximum amount of \$774 for a scar of more than 20 cm².

Where the correcting of a scar requires several treatment sessions, a treatment plan must be given prior approval by the Société.”.

3. Section 13.1 is amended by substituting the following for the first paragraph:

“**13.1** Expenses incurred for the correction of a deformity qualify for reimbursement up to:

- (1) a maximum amount of \$860 for liposuction in the case of a single lesion;
- (2) a maximum amount of \$430 per liposuction to treat each additional lesion;
- (3) a maximum amount of \$860 for an injection of fat in the case of a single lesion;
- (4) a maximum amount of \$430 per fat injection to treat each additional lesion.”.

4. Section 15 is amended:

- (1) by substituting “15.1” for “16” in the first paragraph;
- (2) by striking out the word “rental” after the word “purchase” in the first paragraph;
- (3) by adding the words “because of an accident” at the end of subparagraph 1 of the first paragraph;
- (4) by deleting the second paragraph.

5. The following sections are inserted after section 15:

“**15.1** Expenses incurred for the purchase of a prosthesis or an orthosis intended for the spinal column or lower or upper limbs qualify for reimbursement when the following conditions are met:

- (1) where the expenses incurred exceed \$500, including delivery and labour charges, the victim provided the Société with a tender giving the name of the victim and of the supplier, the purchase price and any guarantee covering the prosthesis or orthosis;
- (2) except in the case of an orthosis for a fracture, the victim received approval from the Société to purchase the prosthesis or the orthosis at the cost it determined;
- (3) the victim provided the Société with the invoice for the prosthesis or orthosis, which must contain:

- (a) a description and detailed cost of the prosthesis or orthosis including the manufacturer’s code number, where applicable;
- (b) delivery and labour charges;
- (c) the guarantee;

(d) the signature of the victim or the victim’s agent.

15.2 Expenses incurred for the repair of a prosthesis or orthosis intended for the spinal column or lower or upper limbs qualify for reimbursement when the following conditions are met:

- (1) the expenses are for a prosthesis or orthosis, the purchase of which was reimbursed by the Société;
- (2) the expenses do not exceed 80 % of the initial purchase price;
- (3) the expenses are not covered by the supplier’s guarantee;
- (4) the victim provided the Société with an application for reimbursement, duly signed by the victim or the agent, with an invoice for the repair, which must contain:

- (a) a description of the repaired prosthesis or orthosis, including the manufacturer’s code number, where applicable;
- (b) a detailed cost of the repaired or replaced parts;
- (c) delivery and labour charges;
- (d) the guarantee on the repairs.

15.3 Expenses incurred for the replacement of a prosthesis or orthosis intended for the spinal or lower or upper limbs qualify for reimbursement where the victim provided the Société, at his own expense, with an estimate showing that the cost of repair exceeds 80 % of the initial cost and that the conditions prescribed in section 15.1 that applied upon purchase have been met.

15.4 Reimbursement of expenses incurred for the purchase, repair or replacement of a prosthesis or orthosis intended for the spinal column or lower or upper limbs includes delivery and labour charges.”.

6. The following is substituted for section 52:

“**52.** Real loss of wages incurred by a victim who is fit to work may be reimbursed up to a maximum amount of \$100 a day, where the victim has to temporarily leave work to receive medical or paramedical care or to undergo an examination by a health care professional at the request of the Société.”.

7. The following are substituted for Schedule I to the Regulation:

“SCHEDULE I

(ss. 1 and 4)

LIST OF INJURIES

The figure “1” indicates an injury for which the personal home assistance requirements must be evaluated in accordance with the criteria prescribed in Schedule I.1.

The figure “2” indicates an injury for which the expenses incurred for personal home assistance requirements are reimbursed in accordance with the terms and conditions prescribed in section 4 of this Regulation, subject to the cases specified in section 2.

The figure “3” indicates an injury that is not considered for the purposes of personal home assistance.

In cases where an injury is not listed, a similar injury of equivalent severity shall be considered.

Region 1A: Arms and/or thorax (left side)**Region 1B: Arms and/or thorax (right side)****• Amputations**

| | |
|---|---|
| Amputation of a thumb | 2 |
| Amputation of finger(s) other than the thumb | 2 |
| Amputation of the arm or hand (excluding the isolated amputation of finger(s) or thumb) | 1 |

• Musculotendinous impairment

| | |
|-------------------------------------|---|
| Rotator cuff syndrome | 2 |
| Rupture of the rotator cuff | 2 |
| Tendinitis of the elbow | 2 |
| Tendinitis of the wrist or the hand | 2 |

• Burns

| | |
|--------------------------------------|---|
| First-degree burn to the trunk | 3 |
| Second-degree burn to the trunk | 1 |
| Deep second-degree burn to the trunk | 1 |
| Third-degree burn to the trunk | 1 |
| First-degree burn to an arm | 3 |
| Second-degree burn to an arm | 1 |
| Deep second-degree burn to an arm | 1 |
| Third-degree burn to an arm | 1 |

• Contusions where skin is not broken

| | |
|-----------------------------------|---|
| Contusion of the front chest wall | 3 |
| Arm contusion(s) | 3 |
| Breast contusion | 3 |
| Multiple contusions to the trunk | 3 |

• Complications

| | |
|--|---|
| Peripheral vascular complications of the arm | 2 |
| Volkman’s ischemic contracture | 2 |
| Reflex sympathetic dystrophy of the arm | 2 |

| | |
|-----------------------------------|---|
| Pulmonary embolism | 3 |
| Pulmonary insufficiency | 1 |
| Pulmonary edema | 1 |
| Acute pericarditis | 1 |
| Compartmental syndrome of the arm | 2 |
| Paroxysmal tachycardia | 1 |
| Thoracotomy | 2 |

• Sprains

| | |
|---|---|
| Acromioclavicular sprain | 2 |
| Sprain of the chondrocostal articulation | 2 |
| Sprain of the chondrosternal articulation | 2 |
| Elbow sprain | 2 |
| Shoulder sprain | 2 |
| Wrist sprain | 2 |
| Thumb sprain | 2 |

• Fractures

| | |
|--------------------------------|---|
| Thorax | |
| Fracture of one or two ribs | 2 |
| Fracture of three or more ribs | 2 |
| Sternum fracture | 2 |
| Flail chest-type fracture | 2 |

| | |
|--|---|
| Arm | |
| Scapula fracture | 2 |
| Clavicle fracture | 2 |
| Fracture of the carpus | 2 |
| Fracture of one or more metacarpals | 2 |
| Fracture of one or more phalanges of the fingers | 2 |
| Fracture of the upper epiphysis of the humerus | 2 |
| Diaphyseal fracture of the humerus | 2 |
| Inferior epiphyseal fracture of the humerus | 2 |
| Superior epiphyseal fracture of the radius or ulna | 2 |
| Diaphyseal fracture of the radius or ulna | 2 |
| Inferior epiphyseal fracture of the radius or ulna | 2 |

• Dislocations without fracture

| | |
|--|---|
| Shoulder dislocation including acromioclavicular dislocation | 2 |
| Finger dislocation (one or more) | 2 |
| Elbow dislocation | 2 |
| Dislocation of the wrist | 2 |
| Sternoclavicular | 2 |

• Wounds

| | |
|---|---|
| Traumatic arthrotomy of the arm | 2 |
| Wound(s) to arm | 3 |
| Wound(s) to wrist, hand or fingers with damage to tendons | 2 |
| Wound(s) to arm, excluding wrist and hand, with damage to tendons | 2 |
| Wound(s) to the hand or elbow requiring a cast | 2 |
| Wound of the front chest wall | 3 |

• **Internal chest injuries**

| | |
|--|---|
| Pulmonary contusion with or without pleural effusion | 3 |
| Hemothorax | 3 |
| Pneumohemothorax | 3 |
| Pneumothorax | 3 |
| Acute myocardial infarction | 1 |
| Trauma of the lung with penetrating chest wound | 1 |
| Trauma of the diaphragm | 1 |
| Trauma of another intrathoracic organ (bronchi, œsophagus, pleura or thymus) | 1 |

• **Blood vessel damage**

| | |
|--|----------------------|
| Damage to the thoracic aorta | See related injuries |
| Damage to the brachiocephalic artery or subclavicular artery | See related injuries |
| Damage to the superior vena cava | See related injuries |
| Damage to the brachio-cephalic vein or subclavicular vein | See related injuries |
| Damage to the blood vessels in the arm (axillary, brachial, radial, cubital) | See related injuries |
| Damage to pulmonary vessels (artery and/or vein) | See related injuries |

• **Superficial injuries**

| | |
|---------------------------------|---|
| Superficial injury to the arm | 3 |
| Superficial injury to the trunk | 3 |

• **Nerve damage**

| | |
|---|---|
| Damage to the circumflex nerve | 1 |
| Damage to the median nerve | 1 |
| Damage to the ulnar nerve | 1 |
| Damage to the radial nerve | 1 |
| Damage to the musculocutaneous nerve of the arm | 1 |
| Damage to the cutaneous nerves of the arm | 3 |
| Damage to the collateral palmar nerves (digital nerves) | 1 |
| Damage to the brachial plexus | 1 |

Region 2A: Left leg

Region 2B: Right leg

• **Amputations**

| | |
|--|---|
| Amputation of toes | 1 |
| Amputation of the leg, excluding the isolated amputation of toe(s) | 1 |

• **Musculotendinous impairment**

| | |
|-------------------------------------|---|
| Tendinitis of the hip | 2 |
| Tendinitis of the knee | 2 |
| Tendinitis of the ankle and/or foot | 2 |

• **Impairment of menisci**

| | |
|---|---|
| Tear of one or more menisci of the knee | 2 |
|---|---|

• **Burns**

| | |
|----------------------------------|---|
| First-degree burn to a leg | 3 |
| Second-degree burn to a leg | 1 |
| Deep second-degree burn to a leg | 1 |
| Third-degree burn to a leg | 1 |

• **Complications**

| | |
|--|---|
| Peripheral vascular complications of the leg | 2 |
| Reflex sympathetic dystrophy of the leg | 2 |
| Compartmental syndrome of the leg | 2 |

• **Contusions where skin is not broken**

| | |
|-------------------------|---|
| Contusion(s) of the leg | 3 |
|-------------------------|---|

• **Sprains**

| | |
|--------------|---|
| Hip sprain | 2 |
| Knee sprain | 2 |
| Ankle sprain | 2 |
| Foot sprain | 2 |

• **Fractures**

| | |
|--|---|
| Fracture of the acetabulum | 2 |
| Fracture of femoral neck | 2 |
| Diaphyseal fracture of the femur | 2 |
| Inferior epiphyseal fracture of the femur | 2 |
| Fracture of the patella | 2 |
| Superior epiphyseal fracture of the tibia and/or fibula | 2 |
| Diaphyseal fracture of the tibia and/or fibula | 2 |
| Ankle fracture | 2 |
| Calcaneal fracture | 2 |
| Fracture of the talus | 2 |
| Fractures of other bones of the tarsus and/or metatarsus | 2 |
| Fracture of one or more phalanges of the toes | 2 |

• **Dislocations without fracture**

| | |
|----------------------------|---|
| Dislocation of the hip | 2 |
| Dislocation of the patella | 2 |
| Dislocation of the knee | 2 |
| Dislocation of the ankle | 2 |
| Dislocation of the foot | 2 |

• **Wounds**

| | |
|--|---|
| Traumatic arthrotomy of the knee | 2 |
| Traumatic arthrotomy of the ankle | 2 |
| Wound(s) to the ankle or knee requiring a cast | 2 |
| Leg wound(s), with damage to tendons | 2 |
| Leg wound(s) | 3 |

• **Nerve damage**

| | |
|---|---|
| Damage to the sciatic nerve | 1 |
| Damage to the crural nerve | 1 |
| Damage to the posterior tibial nerve | 1 |
| Damage to the common fibular nerve | 1 |
| Damage to the lumbosacral plexus | 1 |
| Damage to the cutaneous nerves of the leg | 3 |

- **Blood vessel damage**

| | | |
|--|----------------------|--|
| Damage to the common and/or superficial femoral artery | See related injuries | |
| Damage to the femoral and/or saphenous veins | See related injuries | |
| Damage to popliteal blood vessels | See related injuries | |
| Damage to tibial blood vessels | See related injuries | |

- **Superficial injuries**

| | | |
|-----------------------------|--|---|
| Superficial injury to a leg | | 3 |
|-----------------------------|--|---|

Region 3A: Spinal column (fracture or dislocation)
Region 3B: Spinal column (hernia or sprain)

- **Contusions**

| | | |
|--|--|---|
| Contusion of the posterior wall of the trunk | | 3 |
|--|--|---|

- **Sprains**

| | | |
|--|--|---|
| Cervical or cervicothoracic sprain | | |
| Cervical sprain without objective clinical sign (cervicalgia, WAD I) | | 3 |
| Cervical sprain with musculoskeletal signs (WAD II) | | 2 |
| Cervical sprain with neurological signs (WAD III) | | 2 |
| Thoracic or thoracolumbar sprain | | |
| Thoracic or thoracolumbar sprain without objective clinical sign (dorsalgia) | | 3 |
| Thoracic or thoracolumbar sprain with musculoskeletal signs | | 2 |
| Thoracic or thoracolumbar sprain with neurological signs | | 2 |
| Lumbar or lumbosacral sprain | | |
| Lumbar or lumbosacral sprain without objective clinical sign (lumbago) | | 3 |
| Lumbar or lumbosacral sprain with musculoskeletal signs | | 2 |
| Lumbar or lumbosacral sprain with neurological signs | | 2 |
| Sacral sprain | | 2 |
| Coccygeal sprain | | 2 |

- **Fractures**

| | | |
|--|--|---|
| Cervical spine | | |
| Fracture of one or more cervical vertebrae without neurological lesion | | 2 |
| Fracture of one or more cervical vertebrae with neurological lesion | | 1 |
| Thoracic spine | | |
| Fracture of one or more thoracic vertebrae without neurological lesion | | 2 |
| Fracture of one or more thoracic vertebrae with neurological lesion | | 1 |

| | | |
|--|--|---|
| Lumbar and sacral spine | | |
| Fracture of one or more lumbar vertebrae without neurological lesion | | 2 |
| Fracture of one or more lumbar vertebrae with neurological lesion | | 1 |
| Fracture of the sacrum and/or coccyx without neurological lesion | | 2 |
| Fracture of the sacrum and/or coccyx with neurological lesion | | 1 |

- **Dislocations without fracture**

| | | |
|--|--|---|
| Dislocation of one cervical vertebra | | 2 |
| Dislocation of one thoracic and/or lumbar vertebra | | 2 |

- **Wounds**

| | | |
|--|--|---|
| Wound to the posterior wall of the trunk | | 3 |
|--|--|---|

- **Isolated injury to the spinal cord**

| | | |
|---|--|---|
| Spinal cord injury of the cervical spine without vertebral lesion | | 1 |
| Spinal cord injury of the thoracic spine without vertebral lesion | | 1 |
| Spinal cord injury of the lumbar spine without vertebral lesion | | 1 |
| Spinal cord injury to the sacral spine without vertebral lesion | | 1 |
| Cauda equina injury without vertebral lesion | | 1 |

- **Damage to the roots and rachidian plexus**

| | | |
|--------------------------------------|--|---|
| Damage to one or more cervical roots | | 1 |
| Damage to one or more thoracic roots | | 1 |
| Damage to one or more lumbar roots | | 1 |
| Damage to one or more sacral roots | | 1 |

- **Other impairments of the spine**

| | | |
|--|--|---|
| Herniated cervical disc | | 2 |
| Herniated thoracic, lumbar or lumbosacral disc | | 2 |
| Acquired spondylolisthesis | | 2 |

Region 4: Pelvis, abdomen and pelvic structures

- **Amputations**

| | | |
|--|--|---|
| Amputation of the penis | | 2 |
| Amputation of the testicles, including rupture | | 2 |

- **Complications**

| | | |
|-----------------------------------|--|---|
| Premature delivery or miscarriage | | 1 |
| Pregnancy complications | | 1 |
| Laparotomy | | 2 |

- **Contusions where skin is not broken**

| | | |
|-----------------------------|--|---|
| Wound of the abdominal wall | | 3 |
| Wound of genital organs | | 3 |

| | |
|--|--------------------|
| Fracture of the palate and/or tooth sockets | 3 |
| Fracture of the orbit (excluding fractures of the upper wall or orbital floor) | 3 |
| Fracture of base without intracranial trauma | 1 |
| Fracture of base with intracranial trauma | 1 |
| Fracture of calvarium without intracranial trauma | 1 |
| Fracture of calvarium with intracranial trauma | 1 |
| • Dislocations | |
| Temporo-maxillary dislocation | 3 |
| • Wounds | |
| Facial wound | 3 |
| Thyroid gland wound | See related wounds |
| Head wound, excluding face | 3 |
| Outer ear injury | 3 |
| Injury of the internal parts of the mouth, including the tongue | 3 |
| Neck wound | 3 |
| Laryngeal and/or tracheal wound | See related wounds |
| Pharyngeal wound | See related wounds |
| Wound of the tympanum and/or eustachian tube | See related wounds |
| • Intracranial trauma not associated with a skull fracture | |
| Concussion | |
| Mild craniocerebral trauma (loss of consciousness for less than 30 minutes and/or Glasgow Coma score of 13 or more and/or post-traumatic amnesia for less than 24 hours) | 3 |
| Moderate or severe craniocerebral trauma | 1 |
| Cerebral contusion or laceration | 1 |
| Intracranial hemorrhage | 1 |
| Subarachnoid hemorrhage, extradural or subdural hematoma | 1 |
| Trauma to the labyrinth | 1 |

| | |
|---|---|
| • Superficial trauma | |
| Superficial trauma of the conjunctiva | 3 |
| Superficial trauma of the cornea | 3 |
| Superficial injury to the face, neck and/or scalp | 3 |
| Damage to superficial nerves of head and/or neck | 3 |
| • Cranial nerve damage | |
| Damage to the common motor ocular nerves | 1 |
| Damage to the abducens nerve | 1 |
| Damage to the optic nerve and/or visual pathways | 2 |
| Damage to the trochlear (pathetic) nerve | 1 |

SCHEDULE I.1

(s. 2)

DETAILED EVALUATION OF PERSONAL HOME ASSISTANCE REQUIREMENTS

Each activity in the detailed table must be evaluated to determine the personal home assistance requirements:

No assistance required: the victim is capable of carrying out the activity alone, safely and effectively.

Partial assistance required: the victim is capable of safely and effectively carrying out alone a significant part of the activity, but requires the regular help of another person to carry out the activity completely.

Maximum assistance required: the victim is incapable of safely and effectively carrying out the activity alone and requires the help of another person during the entire activity or most of it. The assistance may be physical or verbal.

DETAILED EVALUATION CHART

| Personal home assistance requirements | None | Partial | Maximum |
|---|------|---------|---------|
| Personal hygiene and care | | | |
| 1. personal hygiene | 0 | 5 | 9 |
| 2. dressing and undressing | 0 | 3 | 6 |
| 3. eating | 0 | 8 | 15 |
| Bladder and intestinal elimination | | | |
| 4. use of toilet | 0 | 6 | 11 |
| 5. menstrual hygiene | 0 | 0.3 | 0.6 |

| Personal home assistance requirements | None | Partial | Maximum |
|---|-------------|----------------|----------------|
| 6. use of disposable briefs | 0 | 7 | 14 |
| 7. emptying of bladder into a bag attached to the skin | 0 | 5 | 9 |
| 8. emptying of bladder by catheterism | 0 | 14 | 27 |
| 9. emptying of bladder by a catheter à demeure | 0 | 6 | 12 |
| 10. emptying of the bladder by urinary condom | 0 | 7 | 15 |
| 11. emptying of the bladder by urinary condom and by tapping | 0 | 11 | 21 |
| 12. emptying of the intestine into a bag attached to the skin | 0 | 8 | 15 |
| 13. emptying of the intestine through the use of a suppository, an enema solution or anal stimulation | 0 | 5 | 9 |
| 14. irrigation of the bladder | 0 | 1 | 2 |
| Health care | | | |
| 15. taking of medication | 0 | 2 | 3 |
| 16. tracheostomy maintenance and aspiration | 0 | 8 | 15 |
| 17. clapping, thoracic pressure, postural drainage | 0 | 2 | 4 |
| 18. skin care (prevention of pressure wounds) | 0 | 2 | 3 |
| 19. home exercise program | 0 | 2 | 3 |
| 20. other health care (in accordance with the method prescribed in the description of activities) | 0 | — | 36 |
| 21. putting in place a prosthesis or an orthosis | 0 | 2 | 3 |
| 22. maintenance of special equipment | 0 | 1 | 2 |
| Locomotion | | | |
| 23. arising from bed and going to bed | 0 | 3 | 6 |
| 24. use of available facilities at home | 0 | 2 | 3 |
| 25. using a mode of transportation | 0 | 1 | 2 |
| 26. use of patient lifting devices or transfers with two helpers | 0 | — | 6 |
| Household activities | | | |
| 27. preparation of a light meal | 0 | 5 | 9 |
| 28. preparation of a complex meal | 0 | 4 | 7 |

| Personal home assistance requirements | None | Partial | Maximum |
|--|-------------|----------------|----------------|
| 29. daily housekeeping | 0 | 3 | 6 |
| 30. weekly housecleaning | 0 | 2 | 3 |
| 31. care of household linen and clothes | 0 | 1 | 2 |
| 32. shopping and services | 0 | 2 | 3 |
| 33. budget management | 0 | 0.5 | 1 |
| 34. Leisure activities | 0 | 12 | 30 |
| 35. Sleep | 0 | 48 | 72 |
| TOTAL SCORE | — | — | — |

DESCRIPTION OF ACTIVITIES

Personal hygiene and care

(1) **personal hygiene** means to wash every part of the body including hair; dental hygiene; transfer to bathtub or shower, grooming (shaving, applying makeup, combing hair; doing nails, hair removal). If the assistance requirements are for appearance purposes only, they must involve at least three activities to be rated “partial assistance;”

(2) **dressing and undressing** means to dress and undress oneself, including outdoor clothing;

(3) **eating** means to serve oneself a beverage, season and cut food, lift food to one’s mouth. This includes feeding oneself using special equipment, such as a nasogastric tube or a tube used in a gastrostomy;

Bladder and intestinal elimination

(4) **use of toilet** means to use a toilet or commode, a urinal or bedpan; wipe oneself, rearrange clothing and stand up. This activity is rated “no assistance” where a special device for bladder or intestinal elimination is used;

(5) **menstrual hygiene** means to put a sanitary napkin, tampon or disposable brief in place and clean the genital region;

(6) **use of disposable briefs** means to put on and remove the brief; ensure hygiene; put on clothing and transfer to bed if necessary. This activity is rated “no assistance” where another special device for bladder or intestinal elimination is used (activities 7 through 14) or if activity No. 4 “use of toilet” is rated;

(7) **emptying of bladder into a bag attached to the skin (ileac bladder)** means to use (put in place and remove) and maintain the equipment, ensure hygiene; rearrange clothing;

(8) **emptying of bladder by catheterism** means to use and maintain the equipment, ensure hygiene, rearrange clothing, perform transfers;

(9) **emptying of bladder by a catheter à demeure (and bag)** means to use and maintain the equipment, ensure hygiene, rearrange clothing;

(10) **emptying of the bladder by urinary condom (and bag)** means to use and maintain the equipment (including emptying the bag), ensure hygiene, rearrange clothing, perform transfers;

(11) **emptying of the bladder by urinary condom with tapping (and bag)** means to use and maintain the equipment; tapping, ensure hygiene, rearrange clothing, perform transfers;

(12) **emptying of the intestine into a bag attached to the skin (colostomy, ileostomy)** means to use and maintain the equipment; ensure hygiene, rearrange clothing;

(13) **emptying of the intestine with an enema solution, a suppository or anal stimulation** means to use and maintain the equipment; ensure hygiene, put the disposable brief in place if necessary and rearrange clothing;

(14) **irrigation of the bladder** means to use and maintain the equipment; ensure hygiene;

Health care

(15) **taking of medication** means to prepare, ingest or apply medication (pills, ointments, drops, bandages, and injections). If the medication is associated with the accident, required assistance is rated whether or not it is a result of the accident. If the medication is not associated with the accident, required assistance is rated if it is a result of the accident;

(16) **tracheostomy maintenance and aspiration** means to maintain the tracheostomy and withdraw secretions;

(17) **clapping, thoracic pressure, postural drainage** means to apply the techniques of clearing the respiratory tract during infections. It is rated "maximum assistance" where the assistance is required more than three months a year;

(18) **skin care** means to carry out daily skin care to prevent pressure-induced ulcerations; repositioning regularly during the day, regular skin examination. The required assistance to turn the person over at night will be evaluated in activity No. 35 "Sleep;"

(19) **home exercise program** means to carry out an exercise program prescribed and supervised by a health professional. The program's aim must be to treat injuries associated with the accident or maintain the person's state of health, and must present advantages over direct treatment by the health professional alone;

(20) **other health care** means to provide medically prescribed health care other than that specifically provided for in the grid. Three points are attributed for every 15 minutes of assistance required per day. A maximum of 36 points (3 hours per day) may be attributed. If the other health care is associated with the accident, the required assistance, whether or not it is a result of the accident, must be rated according to the grid. If the other health care is not associated with the accident, the required assistance must be a result of the accident in order to be rated according to the grid;

(21) **putting in place a prosthesis or an orthosis** means to put on or take off a prosthesis or orthosis, including compressive clothing, splints or compensatory aids;

(22) **maintenance of special equipment** means to clean and maintain special equipment such as a wheelchair, prosthesis, orthosis or compensatory aid. This excludes equipment for bladder and intestinal elimination with a special device. Where maximum assistance is required less than three times a week, it is rated as "partial assistance;"

Locomotion

(23) **arising from bed and going to bed** means to get out of bed and to go to bed for the night;

(24) **use of available facilities at home** means to move about inside the home; to enter and leave one's home; to make use of the facilities other than those required for the activities provided for in the grid; to open and close the windows and doors; to make use of the furniture, to operate switches and use communication devices (telephone, radio, television);

(25) **using a mode of transportation** means to get into a vehicle, to get out of it; put in and take out a wheelchair or walking assists if necessary. This excludes assistance required for health services associated with the accident;

(26) **use of patient lifting devices or transfers with two helpers** means that it is necessary to use a lifting device or two helpers are required to perform transfers; where only one helper is required, it is evaluated in the "personal hygiene and care" section;

Household activities

(27) **preparation of a light meal** means to plan and prepare two meals per day consisting of simple foods, reheated meals or those requiring little preparation. The activity usually corresponds to the preparation of breakfast and lunch;

(28) **preparation of a complex meal** means to plan and prepare one meal per day requiring several steps in its preparation. The activity usually corresponds to the preparation of dinner;

(29) **daily housekeeping** means to wash the dishes; to wipe the counters, the table and cooking surface; to clean the sink; to put things away; to sweep the floor; to make the bed;

(30) **weekly housecleaning** means to wash the floors, bathroom appliances and electrical appliances; to dust; to vacuum; to take out the garbage. The activity includes the annual cleanup: to wash the windows, walls and ceilings; to clean the cupboards, closets, floors, carpets; to wash the curtains and clean the drapes;

(31) **care of household linen and clothes** means to wash, dry, iron, fold and put away household linen and clothes;

(32) **shopping and services** means to plan and make purchases, including household items and clothing, shop-

ping for groceries, at the drugstore, hardware store; to make appointments; to use public transit and services, including personal care (hairstylist, dentist, physician). This excludes activities related to health services associated with the accident;

(33) budget management means to plan and carry out activities related to managing personal finances and supervising income and expenses. Managing the budget is considered to occur before shopping and using services;

Other activities

(34) leisure activities means the physical or verbal assistance required so that the health and safety of the victim and those close to him are not endangered while the victim is awake and not busy with the activities listed in the grid. Having no service would result in the deterioration of the victim's physical or mental condition. This excludes other services by accompanying persons already provided for by the Société through other measures, such as an availability allowance or rehabilitation. This includes additional assistance, but not special assistance, that is required to do school work at home;

(35) sleep means the physical or verbal assistance required so that the health and safety of the victim and those close to him are not endangered while the victim is asleep. Having no service would result in the deterioration of the victim's physical or mental condition. Assistance required to turn the victim over at night is rated "partial assistance."

SCHEDULE I.2

(s.2)

— Adjustment of the detailed evaluation of personal home assistance requirements for victims under 16 years of age

— Where the independence of a victim under 16 years of age is rated "none" or "limited" in accordance with the adjustment table, only the "no assistance" or "partial

assistance" ratings may be attributed to the detailed evaluation table. However, the "partial assistance" rating is attributed to the detailed evaluation table if the assistance requirement is significantly greater than the usual parental assistance expected for a person of that age.

— Where the independence of a victim under 16 years of age is rated "total" in accordance with the adjustment table, the rating attributed to the assistance requirement is not adjusted.

— For household activities (activities 27 to 33), no assistance requirement is recognized for a victim under 12 years of age.

— The indication "N.A." means no adjustment is applicable to this activity.

— An asterisk indicates that the adjustment is made only if the activity is associated with the automobile accident. If the activity is related to a condition prior to the accident, the adjustment is made according to the age at which independence would normally be acquired had the accident not occurred.

Description of the levels of independence

None: The contribution to the activity of the child under 16 years of age is slight. The parent must be present at all times, so that the activity is carried out safely and effectively.

Limited: The contribution to the activity of the child under 16 years of age is significant. The parent must, however, get involved regularly, either with verbal or physical assistance, so that the activity is carried out safely and effectively.

Total: The child under 16 years of age is able to carry out the activity safely and effectively. The parent does not have to get involved on a regular basis.

ADJUSTMENT TABLE

| Independence of a child according to age (in years) | None (age) | Limited (age) | Total (age) |
|--|--------------------------------------|--|------------------------------------|
| Personal hygiene and care | | | |
| 1. personal hygiene | 0 to 4 ¹ / ₂ | 4 ¹ / ₂ to 6 ¹ / ₂ | 6 ¹ / ₂ or + |
| 2. dressing and undressing | 0 to 2 | 2 to 6 | 6 or + |
| 3. eating | 0 to 2 | 2 to 6 | 6 or + |
| Bladder and intestinal elimination | | | |
| 4. use of toilet | 0 to 2 ¹ / ₂ | 2 ¹ / ₂ to 6 | 6 or + |
| 5. menstrual hygiene | N.A. | N.A. | N.A. |
| 6. use of disposable briefs | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 7. emptying of the bladder into a bag attached to the skin | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 8. emptying of the bladder by catheterism | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 9. emptying of the bladder by a catheter à demeure | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 10. emptying of the bladder by urinary condom | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 11. emptying of the bladder by urinary condom and by tapping | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 12. emptying of the intestine into a bag attached to the skin | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 13. emptying of the intestine through the use of a suppository, an enema solution or anal stimulation | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| 14. irrigation of the bladder | 0 to 2 ¹ / ₂ * | 2 ¹ / ₂ to 6* | 6 or +* |
| Health care | | | |
| 15. taking of medication | N.A.* | N.A.* | N.A.* |
| 16. tracheostomy maintenance and aspiration | N.A.* | N.A.* | N.A.* |
| 17. clapping, thoracic pressure, postural drainage | N.A.* | N.A.* | N.A.* |
| 18. skin care (prevention of pressure wounds) | N.A.* | N.A.* | N.A.* |
| 19. home exercise program | N.A. | N.A. | N.A. |
| 20. other health care (in accordance with the method prescribed in the description of activities) | N.A. | N.A. | N.A. |
| 21. putting in place a prosthesis or an orthosis | N.A. | N.A. | N.A. |
| 22. maintenance of special equipment | N.A. | N.A. | N.A. |
| Locomotion | | | |
| 23. arising from bed and going to bed | 0 to 2 | 2 to 7 | 7 or + |
| 24. use of available facilities at home | 0 to 7 | 7 to 12 | 12 or + |
| 25. using a mode of transportation | 0 to 2 | 2 to 7 | 7 or + |
| 26. use of patient lifting devices or transfers with two helpers | N.A. | N.A. | N.A. |
| Household activities | | | |
| 27. preparation of a light meal | 0 to 12 | 12 to 16 | 16 or + |
| 28. preparation of a complex meal | 0 to 12 | 12 to 16 | 16 or + |
| 29. daily housekeeping | 0 to 12 | 12 to 16 | 16 or + |
| 30. weekly housecleaning | 0 to 12 | 12 to 16 | 16 or + |
| 31. care of household linen and clothes | 0 to 12 | 12 to 16 | 16 or + |
| 32. shopping and services | 0 to 12 | 12 to 16 | 16 or + |
| 33. budget management | 0 to 12 | 12 to 16 | 16 or + |
| 34. Leisure activities | 0 to 12 | 12 to 16 | 16 or + |
| 35. Sleep | 0 to 12 | 12 to 16 | 16 or + |

SCHEDULE I.3

(s.4)

TABLE

Where injuries were sustained in more than one anatomical region for which personal home assistance expenses were reimbursed in accordance with section 4 of this Regulation, the selection priority for a maximum of three anatomical regions is determined in the following order:

- (1) arms or thorax (regions 1A and 1B);
- (2) legs (regions 2A and 2B);
- (3) spinal column (fracture or dislocation) (region 3A);
- (4) pelvis, abdomen, pelvic structures (region 4);
- (5) spinal column (hernia or sprain) (region 3B);
- (6) head, neck, face (region 5).

| Region | Region | Region | % |
|--|---------------------------------|---|------|
| arms or thorax- one side injured | | | 17 % |
| arms or thorax- both sides injured | | | 44 % |
| arms or thorax- one side injured | leg one leg injured | | 31 % |
| arms or thorax- one side injured | leg both legs injured | | 44 % |
| arms or thorax- both sides injured | leg one leg injured | | 44 % |
| arms or thorax- both sides injured | leg both legs injured | | 44 % |
| arms or thorax- one side injured | leg one leg injured | spinal column (fracture or dislocation) | 38 % |
| arms or thorax- one side injured | leg both legs injured | spinal column (fracture or dislocation) | 44 % |
| arms or thorax- both sides injured | leg one leg injured | spinal column (fracture or dislocation) | 44 % |
| arms or thorax- both sides injured | leg both legs injured | spinal column (fracture or dislocation) | 44 % |
| arms or thorax- one side injured | leg one leg injured | pelvis, abdomen, pelvic structures | 38 % |
| arms or thorax- one side injured | leg both legs injured | pelvis, abdomen, pelvic structures | 44 % |
| arms or thorax- both sides injured | leg one leg injured | pelvis, abdomen, pelvic structures | 44 % |
| arms or thorax- both sides injured | leg both legs injured | pelvis, abdomen, pelvic structures | 44 % |
| arms or thorax- one side injured | leg one leg injured | spinal column (hernia and/or sprain) | 31 % |
| arms or thorax- one side injured | leg both legs injured | spinal column (hernia and/or sprain) | 44 % |
| arms or thorax- both sides injured | leg one leg injured | spinal column (hernia or sprain) | 44 % |

| Region | Region | Region | % |
|--|---|--|------|
| arms or thorax- both sides injured | leg both legs injured | spinal column (hernia and/or sprain) | 44 % |
| arms or thorax- one side injured | leg one leg injured | head, neck, face | 31 % |
| arms or thorax- one side injured | leg both legs injured | head, neck, face | 44 % |
| arms or thorax- both sides injured | leg one leg injured | head, neck, face | 44 % |
| arms or thorax- both sides injured | leg both legs injured | head, neck, face | 44 % |
| arms or thorax- one side injured | spinal column (fracture or dislocation) | | 24 % |
| arms or thorax- both sides injured | spinal column (fracture or dislocation) | | 44 % |
| arms or thorax- one side injured | spinal column (fracture or dislocation) | pelvis, abdomen, pelvic structures | 31 % |
| arms or thorax- both sides injured | spinal column (fracture or dislocation) | pelvis, abdomen, pelvic structures | 44 % |
| arms or thorax- one side injured | spinal column (fracture or dislocation) | spinal column (hernia or sprain) | 24 % |
| arms or thorax- both sides injured | spinal column (fracture or dislocation) | spinal column (hernia or sprain) | 44 % |
| arms or thorax- one side injured | spinal column (fracture or dislocation) | head, neck, face | 24 % |
| arms or thorax- both sides injured | spinal column (fracture or dislocation) | head, neck, face | 44 % |
| arms or thorax- one side injured | pelvis, abdomen, pelvic structures | | 31 % |
| arms or thorax- both sides injured | pelvis, abdomen, pelvic structures | | 44 % |
| arms or thorax- one side injured | pelvis, abdomen, pelvic structures | spinal column (hernia or sprain) | 31 % |
| arms or thorax- both sides injured | pelvis, abdomen, pelvic structures | spinal column (hernia or sprain) | 44 % |
| arms or thorax- one side injured | pelvis, abdomen, pelvic structures | head, neck, face | 31 % |
| arms or thorax- both sides injured | pelvis, abdomen, pelvic structures | head, neck, face | 44 % |
| arms or thorax- one side injured | spinal column (hernia or sprain) | | 24 % |
| arms or thorax- both sides injured | spinal column (hernia or sprain) | | 44 % |
| arms or thorax- one side injured | spinal column (hernia or sprain) | head, neck, face | 24 % |
| arms or thorax- both sides injured | spinal column (hernia or sprain) | head, neck, face | 44 % |
| arms or thorax- one side injured | head, neck, face | | 24 % |
| arms or thorax- both sides injured | head, neck, face | | 44 % |

| Region | Region | Region | % |
|----------------------------------|------------------------------------|---------------------------|------|
| leg | | | 17 % |
| one leg injured | | | |
| leg | | | 31 % |
| both legs injured | | | |
| leg | spinal column | | 24 % |
| one leg injured | (fracture or dislocation) | | |
| leg | spinal column | | 31 % |
| both legs injured | (fracture or dislocation) | | |
| leg | spinal column | pelvis, abdomen, | 24 % |
| both legs injured | (fracture or dislocation) | pelvic structures | |
| leg | spinal column | pelvis, abdomen, | 31 % |
| one leg injured | (fracture or dislocation) | pelvic structures | |
| leg | spinal column | spinal column | 24 % |
| one leg injured | (fracture or dislocation) | (hernia or sprain) | |
| leg | spinal column | spinal column | 31 % |
| both legs injured | (fracture or dislocation) | (hernia or sprain) | |
| leg | spinal column | head, neck, face | 24 % |
| one leg injured | (fracture or dislocation) | | |
| leg | spinal column | head, neck, face | 31 % |
| both legs injured | (fracture or dislocation) | | |
| leg | pelvis, abdomen, | | 24 % |
| one leg injured | pelvic structures | | |
| leg | pelvis, abdomen, | | 31 % |
| both legs injured | pelvic structures | | |
| leg | pelvis, abdomen, | spinal column | 24 % |
| one leg injured | pelvic structures | (hernia or sprain) | |
| leg | pelvis, abdomen, | spinal column | 31 % |
| both legs injured | pelvic structures | (hernia or sprain) | |
| leg | pelvis, abdomen, | head, neck, face | 24 % |
| one leg injured | pelvic structures | | |
| leg | pelvis, abdomen, | head, neck, face | 31 % |
| both legs injured | pelvic structures | | |
| leg | spinal column | | 24 % |
| one leg injured | (hernia or sprain) | | |
| leg | spinal column | | 31 % |
| both legs injured | (hernia or sprain) | | |
| leg | spinal column | head, neck, face | 24 % |
| one leg injured | (hernia or sprain) | | |
| leg | spinal column | head, neck, face | 31 % |
| both legs injured | (hernia or sprain) | | |
| leg | head, neck, face | | 17 % |
| one leg injured | | | |
| leg | head, neck, face | | 31 % |
| both legs injured | | | |
| Region | Region | Region | % |
| spinal column | | | 24 % |
| (fracture or dislocation) | | | |
| spinal column | pelvis, abdomen, pelvic structures | | 24 % |
| (fracture or dislocation) | | | |
| spinal column | pelvis, abdomen, | spinal column | 24 % |
| (fracture or dislocation) | pelvic structures | (hernia or sprain) | |
| spinal column | pelvis, abdomen, | head, neck, face | 24 % |
| (fracture or dislocation) | pelvic structures | | |

| Region | Region | Region | % |
|--|-------------------------------------|------------------|------|
| spinal column (fracture or dislocation) | spinal column (hernia or sprain) | | 24 % |
| spinal column (fracture or dislocation) | spinal column (hernia or sprain) | head, neck, face | 24 % |
| spinal column (fracture or dislocation) | head, neck, face | | 24 % |

| Region | Region | Region | % |
|---------------------------------------|-------------------------------------|------------------|------|
| pelvis, abdomen, pelvic structures | | | 24 % |
| pelvis, abdomen, pelvic structures | spinal column (hernia or sprain) | | 24 % |
| pelvis, abdomen, pelvic structures | spinal column (hernia or sprain) | head, neck, face | 24 % |
| pelvis, abdomen, pelvic structures | head, neck, face | | 24 % |

| Region | Region | Region | % |
|---|------------------|--------|------|
| spinal column (hernia or sprain) | | | 17 % |
| spinal column (hernia and/or sprain) | head, neck, face | | 24 % |

| Region | Region | Region | % |
|------------------|--------|--------|------|
| head, neck, face | | | 17 % |

8. The provisions of Chapter I of the Regulation respecting the reimbursement of certain expenses, enacted by section 1 of this Regulation, apply to victims of automobile accidents occurring from 1 January 2000 onward; the victims of accidents occurring before that date continue to be governed by the provisions of Chapter I of the Regulation as they read on 31 December 1999.

9. This regulation comes into force on 1 January 2000.

3259

Gouvernement du Québec

O.C. 1333-99, 1 December 1999

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

Lump-sum compensation for non-pecuniary damage

Regulation respecting lump-sum compensation for non-pecuniary damage

WHEREAS under paragraph 12 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as replaced by paragraph 1 of section 38 of chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation, determine the injuries, the

functional or cosmetic sequelae and the minimum eligibility requirements applicable to the compensation of non-pecuniary damage under section 73 of the Act, as amended by section 15 of chapter 22 of the Statutes of 1999, and prescribe rules for evaluating non-pecuniary damage and rules for fixing indemnity amounts;

WHEREAS the Société de l'assurance automobile du Québec adopted the Regulation respecting lump-sum compensation for non-pecuniary damage;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting lump-sum compensation for non-pecuniary damage was published in Part 2 of the *Gazette officielle du Québec* of 15 September 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting lump-sum compensation for non-pecuniary damage, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting lump-sum compensation for non-pecuniary damage

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, par. 12; 1999, c. 22, s. 38, par. 1)

1. This regulation applies to victims of automobile accidents occurring from 1 January 2000 onward.

2. Where the non-pecuniary damage sustained by a victim was only temporary, it is estimated in accordance with the following terms and conditions:

1. identifying the injuries sustained during the accident and determining their severity rating, in accordance with the List of Injuries in Schedule I;

2. determining the injury with the highest rating under each of the titles in the List of Injuries;

3. adding the square of the highest ratings (up to a maximum of three) among those above;

4. determining the category of severity in accordance with Table I:

Table I

| Total of ratings | Category of severity |
|------------------|----------------------|
| 1 to 8 | a |
| 9 to 15 | b |
| 16 to 24 | c |
| 25 to 35 | d |
| 36 and more | e |

3. The amount of the lump-sum compensation is established on the basis of the category of severity, in accordance with Table II. Category of severity *a* does not entitle the victim to any indemnity.

Table II

| Category of severity | Amount of indemnity |
|----------------------|---------------------|
| a | \$0 |
| b | \$300 |
| c | \$500 |
| d | \$800 |
| e | \$1,000 |

4. Until the coming into force of the provisions with respect to compensation for a victim sustaining a permanent non-pecuniary damage due to functional or cosmetic sequelae, made under paragraph 12 of section 195 of the Automobile Insurance Act, enacted by section 38 of Chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, in accordance with section 83.21 of this Act, pay the victim of such damage an advance equivalent to the amount that the Société would have paid if the Regulation respecting Permanent Impairments, approved by Order in Council 1921-89 dated 13 December 1989 and amended by the Regulation approved by Order in Council 766-96 dated 19 June 1996, had been applied.

5. This regulation comes into force on 1 January 2000.

SCHEDULE I

LIST OF INJURIES

| | |
|-------------|-------------------------------|
| Title I: | Head and Neck |
| Title II: | Face |
| Title III: | Thorax |
| Title IV: | Abdomen and Pelvic Structures |
| Title V: | Spinal Column |
| Title VI: | Right Arm |
| Title VII: | Left Arm |
| Title VIII: | Right Leg |
| Title IX: | Left Leg |
| Title X: | Psychic System |
| Title XI: | Body Surface |
| Title XII: | Complications |

In cases where an injury is not listed in the schedule, a rating for a similar injury of equivalent severity shall be assigned.

Title I: Head and Neck

| | Severity Rating |
|---|----------------------------|
| Burns | see Title XI: Surface |
| Contusions where skin is not broken | see Title XI: Surface |
| Sprains | |
| Cervical sprain | see Title V: Spinal Column |
| Fractures | |
| Skull | |
| Fracture of calvarium without intracranial trauma | 3 |
| Fracture of calvarium with intracranial trauma | 6 |
| Fracture of base without intracranial trauma | 4 |
| Fracture of base with intracranial trauma | 6 |
| Neck | |
| Cervical spine fracture | see Title V: Spinal Column |
| Fracture of larynx or trachea | 6 |
| Dislocations without fracture | |
| Dislocation of cervical vertebrae | see Title V: Spinal Column |

Severity Rating**Wounds**

| | | |
|---|-----------------------|---|
| Trauma to the tympanum or eustachian tube | see Title II: Face | |
| Laryngeal or tracheal wound | | 3 |
| Thyroid gland wound | | 3 |
| Pharyngeal wound | | 3 |
| Other head and neck wounds | see Title XI: Surface | |

Intracranial trauma not associated with a skull fracture

| | | |
|--|--|---|
| Concussion | | |
| Mild craniocerebral trauma | | |
| (loss of consciousness for less than 30 minutes with Glasgow | | |
| Coma score of 13 or more and/or post-traumatic amnesia | | |
| for less than 24 hours) | | |
| | | 2 |
| Moderate or severe craniocerebral trauma | | |
| | | 4 |
| Cerebral contusion or laceration | | |
| | | 6 |
| Intracranial hemorrhage | | |
| | | 6 |
| Subarachnoid hemorrhage, extradural or subdural hematoma | | |
| | | 6 |
| Trauma to the labyrinth | | |
| | | 4 |

Cranial nerve damage

| | | |
|---|--|---|
| Damage to the olfactory nerve (I) | | 4 |
| Damage to the optic nerve (II) or visual pathways | | 4 |
| Damage to the common motor ocular nerves (III) | | 4 |
| Damage to the trochlear (pathetic) nerve (IV) | | 4 |
| Damage to the trigeminal nerve (V) | | 4 |
| Damage to the abducens nerve (VI) | | 4 |
| Damage to the facial nerve (VII) | | 4 |
| Damage to the auditory nerve (VIII) | | 4 |
| Damage to the glossopharyngeal nerve (IX) | | 4 |
| Damage to the vagal nerve (X) | | 4 |
| Damage to the spinal nerve (XI) | | 4 |
| Damage to the hypoglossal nerve (XII) | | 4 |

Blood vessel injuries

| | | |
|---|--|---|
| Carotid artery injury | | 5 |
| Injury of the internal jugular vein | | 5 |
| Other injuries to vessels of the head or neck | | 4 |

Superficial trauma

Cutaneous foreign body

see Title XI: Surface
see Title XI: Surface

Mental disorders

see Title X: Psychic System

Title II: Face**Severity Rating****Impairment of the eye and of its adjacent structures**

| | | |
|---|-----------------------|---|
| Burn to the eye and its adjacent structures | see Title XI: Surface | |
| Burn to the cornea or conjunctival sac | | 2 |
| Contusion of orbital tissue | | 1 |
| Eyeball contusion | | 1 |
| Foreign body in the cornea | | 1 |

| | Severity Rating |
|--|--|
| Foreign body in the conjunctival sac | 1 |
| Eyelid tear with impairment of the lacrimal ducts | 3 |
| Eyelid tear without impairment of the lacrimal ducts | see Title XI: Surface |
| Choroidal or retinal detachment | 5 |
| Traumatic enucleation | 6 |
| Hemorrhage of the iris or ciliary body | 4 |
| Vitreous hemorrhage | 4 |
| Hemorrhage or rupture of the choroid | 4 |
| Retinal or preretinal hemorrhage | 2 |
| Subconjunctival hemorrhage | 1 |
| Perforation of the eyeball | 6 |
| Trauma to the eyeball | 5 |
| Orbital wound | 4 |
| Superficial trauma of the cornea | 1 |
| Superficial trauma of the conjunctiva | 1 |
| Burns | |
| Burn to the mucous membrane of the mouth or pharynx | 4 |
| Burn to the eye | see Impairment of the eye and of its adjacent structures |
| Other burns | see Title XI: Surface |
| Contusions where skin is not broken | |
| Eyeball contusion | see Impairment of the eye and of its adjacent structures |
| Other contusions | see Title XI: Surface |
| Foreign bodies | |
| Foreign body in the ear | 1 |
| Foreign body in the mouth | 1 |
| Foreign body in the eye | see Impairment of the eye and of its adjacent structures |
| Cutaneous foreign bodies (superficial injury) | see Title XI: Surface |
| Sprains | |
| Sprain (displacement) of the nasal septum cartilage | 2 |
| Maxillary sprain | 2 |
| Fractures | |
| One or more broken teeth | 2 |
| Fracture of bones of the nose | 3 |
| Mandibule fracture | 4 |
| Fracture of the malar bone or maxilla | 4 |
| LeFort I-type fracture | 4 |
| LeFort II-type fracture | 4 |
| LeFort III-type fracture | 5 |
| Fracture of the orbital floor or lower orbital wall | 4 |
| Fracture of the palate or tooth sockets | 3 |
| Fracture of the orbit (excluding fractures of the upper wall or orbital floor) | 3 |

| | Severity Rating |
|---|--|
| Dislocation without fracture | |
| Temporo-maxillary dislocation | 3 |
| Wounds | |
| Trauma of the tympanum or the eustachian tube | 3 |
| Injury of the internal parts of the mouth, including the tongue | 2 |
| Eyelid wound with impairment of the lacrimal ducts | see Impairment of the eye and of its adjacent structures |
| Eyelid wound without impairment of the lacrimal ducts | see Title XI: Surface |
| Eyeball wound | see Impairment of the eye and of its adjacent structures |
| Penetrating orbital wound | see Impairment of the eye and of its adjacent structures |
| Other facial wounds | see Title XI: Surface |
| Nerve damage | |
| Damage to superficial nerves of head or neck | 2 |
| Cranial nerve damage | see Title I: Head and Neck |
| Superficial injuries | |
| Cutaneous foreign bodies | see Title XI: Surface see Title XI: Surface |
| Title III: Thorax | |
| | Severity Rating |
| Burns | |
| Internal burn of the larynx, trachea or lung | 4 |
| Other burns | see Title XI: Surface |
| Contusions where skin is not broken | see Title XI: Surface |
| Foreign bodies | |
| Foreign body in the respiratory apparatus, excluding the lung | 4 |
| Foreign body in the lung | 6 |
| Cutaneous foreign bodies (superficial injury) | see Title XI: Surface |
| Sprains | |
| Sprain of the chondrocostal articulation | 3 |
| Sprain of the chondrosternal articulation | 3 |
| Thoracic sprain | see Title V: Spinal Column |
| Fractures | |
| Rib fracture | |
| Fracture of one or two ribs | 3 |
| Fracture of three or more ribs | 4 |
| Flail chest-type fracture | 6 |
| Sternum fracture | 4 |

| | Severity Rating |
|--|----------------------------|
| Dislocations without fracture | |
| Sternoclavicular dislocation | 4 |
| Wounds | see Title XI: Surface |
| Internal chest injuries | |
| Hemothorax | 4 |
| Pneumohemothorax | 4 |
| Pneumothorax | 4 |
| Acute myocardial infarction | 6 |
| Trauma of the heart | 6 |
| Pulmonary contusion with or without pleural effusion | 3 |
| Penetrating chest wound | 6 |
| Trauma of the diaphragm | 6 |
| Trauma of another intrathoracic organ (bronchi, œsophagus, pleura or thymus) | 6 |
| Nerve damage | |
| Trauma of one or more nerves of the trunk | 4 |
| Blood vessel damage | |
| Damage to the thoracic aorta | 6 |
| Damage to the brachiocephalic artery | 6 |
| Damage to the superior vena cava | 6 |
| Damage to the brachio-cephalic vein | 6 |
| Damage to pulmonary vessels (artery or vein) | 6 |
| Damage to other thoracic blood vessels (intercostal or thoracic) | 4 |
| Superficial injuries | see Title XI: Surface |
| Cutaneous foreign bodies | see Title XI: Surface |
| Title IV: Abdomen and Pelvic Structures | |
| | Severity Rating |
| Burns | see Title XI: Surface |
| Contusions where skin is not broken | see Title XI: Surface |
| Foreign bodies | |
| Foreign body in the digestive apparatus | 4 |
| Cutaneous foreign body (superficial injury) | see Title XI: Surface |
| Sprains | |
| Back or lumbar sprain | see Title V: Spinal Column |
| Pregnancy and childbirth | |
| Premature delivery or miscarriage | 6 |
| Pregnancy complications | 5 |

Severity Rating**Dislocations**

Dislocation in the pelvic region

see Titles VIII and IX:
Lower Limbs**Wounds**

see Title XI: Surface

Injury to internal organs of the abdomen and pelvis

| | |
|--|---|
| Damage to the stomach | 4 |
| Damage to the small intestine | 4 |
| Damage to the large intestine or rectum | 4 |
| Damage to the pancreas | 4 |
| Damage to the liver | 4 |
| Damage to the spleen | 4 |
| Damage to the kidney | 4 |
| Damage to the bladder or to the urethra | 4 |
| Damage to the urethra | 4 |
| Damage to internal genital organs | 4 |
| Damage to other intra-abdominal organs (gall bladder, cystic ducts, peritoneum, adrenal gland) | 4 |

Damage to external genital organs

| | |
|---|-----------------------|
| Amputation of the penis | 6 |
| Amputation of the testicle(s) | 6 |
| Vaginal injury | 3 |
| Other wounds of the external genital organs | see Title XI: Surface |

Abdominal wall, inguinal or femoral trauma

| | |
|--------------------------------|---|
| Inguinal or femoral hernia | 4 |
| Epigastric or umbilical hernia | 4 |

Blood vessel damage

| | |
|---|---|
| Damage to the abdominal aorta | 6 |
| Damage to the inferior vena cava | 6 |
| Damage to the celiac trunk or mesenteric arteries | 6 |
| Damage to the portal vein or splenic vein | 6 |
| Damage to renal blood vessels | 6 |
| Damage to iliac blood vessels | 6 |

Superficial injuries

Cutaneous foreign bodies

see Title XI: Surface
see Title XI: Surface**Title V: Spinal Column****Severity Rating****Sprains**

| | |
|--|---|
| Cervical or cervicothoracic sprain | |
| Cervical sprain without objective clinical sign (cervicalgia, WAD I) | 1 |
| Cervical sprain with musculoskeletal signs (WAD II) | 2 |
| Cervical sprain with neurological signs (WAD III) | 4 |
| Thoracic or thoracolumbar sprain | |
| Thoracic or thoracolumbar sprain without objective clinical sign (dorsalgia) | 1 |
| Thoracic or thoracolumbar sprain with musculoskeletal signs | 2 |
| Thoracic or thoracolumbar sprain with neurological signs | 4 |

Severity Rating

| | |
|---|---|
| Lumbar or lumbosacral sprain | |
| Lumbar or lumbosacral sprain without objective clinical sign (lumbago) | 1 |
| Lumbar or lumbosacral sprain with musculoskeletal signs | 2 |
| Lumbar or lumbosacral sprain with neurological signs | 4 |
| Sacral sprain | 2 |
| Coccygeal sprain | 2 |

Fractures

| | |
|--|---|
| Cervical spine | |
| Fracture of one or more cervical vertebrae without neurological lesion | 5 |
| Fracture of one or more cervical vertebrae with neurological lesion | 6 |

| | |
|--|---|
| Thoracic spine | |
| Fracture of one or more thoracic vertebrae without neurological lesion | 4 |
| Fracture of one or more thoracic vertebrae with neurological lesion | 6 |

| | |
|--|---|
| Lumbar and sacral spine | |
| Fracture of one or more lumbar vertebrae without neurological lesion | 5 |
| Fracture of one or more lumbar vertebrae with neurological lesion | 6 |
| Fracture of the sacrum or coccyx without neurological lesion | 4 |
| Fracture of the sacrum or coccyx with neurological lesion | 6 |

Dislocations without fracture

| | |
|--|---|
| Dislocation of one cervical vertebra | 5 |
| Dislocation of one thoracic or lumbar vertebra | 5 |

Isolated injury to the spinal cord

| | |
|---|---|
| Spinal cord injury of the cervical spine without vertebral lesion | 6 |
| Spinal cord injury of the thoracic spine without vertebral lesion | 6 |
| Spinal cord injury of the lumbar spine without vertebral lesion | 6 |
| Spinal cord injury of the sacral spine without vertebral lesion | 6 |
| Cauda equina injury without vertebral lesion | 6 |

Damage to the roots and rachidian plexus

| | |
|--------------------------------------|---|
| Damage to one or more cervical roots | 4 |
| Damage to one or more thoracic roots | 4 |
| Damage to one or more lumbar roots | 4 |
| Damage to one or more sacral roots | 4 |
| Damage to the brachial plexus | 6 |
| Damage to the lumbosacral plexus | 6 |

Other impairments of the spine

| | |
|--|---|
| Herniated cervical disc | 5 |
| Herniated thoracic, lumbar or lumbosacral disc | 5 |
| Acquired spondylolisthesis | 4 |

Titles VI and VII: Arms**Title VI: Right Arm****Title VII: Left Arm**

Severity Rating**Amputations**

| | |
|---|---|
| Amputation of a thumb | 5 |
| Amputation of finger(s) other than the thumb | 5 |
| Amputation of the arm or hand (excluding the isolated amputation of finger(s) or thumb) | 6 |

Musculotendinous impairment

| | |
|-------------------------------------|---|
| Rotator cuff syndrome | 3 |
| Rupture of the rotator cuff | 4 |
| Tendinitis of the elbow | 3 |
| Tendinitis of the wrist or the hand | 3 |

Burns

see Title XI: Surface

Contusions where skin is not broken

see Title XI: Surface

Sprains

| | |
|--------------------------|---|
| Acromioclavicular sprain | 3 |
| Shoulder sprain | 3 |
| Elbow sprain | 3 |
| Wrist sprain | 3 |
| Hand sprain | 2 |

Fractures

| | |
|--|---|
| Clavicle fracture | 4 |
| Scapula fracture | 4 |
| Fracture of the upper epiphysis of the humerus | 5 |
| Diaphyseal fracture of the humerus | 4 |
| Inferior epiphyseal fracture of the humerus | 5 |
| Superior epiphyseal fracture of the radius or ulna | 5 |
| Diaphyseal fracture of the radius or ulna | 4 |
| Inferior epiphyseal fracture of the radius or ulna | 5 |
| Fracture of the carpus | 4 |
| Fracture of one or more metacarpals | 4 |
| Fracture of one or more phalanges of the fingers | 3 |

Dislocations without fracture

| | |
|--|---|
| Shoulder dislocation including acromioclavicular dislocation | 4 |
| Elbow dislocation | 4 |
| Dislocation of the wrist | 4 |
| Finger dislocation (one or more) | 3 |

Wounds

| | |
|---|-----------------------|
| Traumatic arthrotomy of the arm | 4 |
| Wound(s) without damage to tendons | see Title XI: Surface |
| Wound(s) to arm, excluding wrist and hand, with damage to tendons | 4 |
| Wound(s) to wrist, hand and/or fingers with damage to tendons | 5 |

Nerve damage

| | |
|--------------------------------|---|
| Damage to the circumflex nerve | 4 |
| Damage to the median nerve | 4 |
| Damage to the ulnar nerve | 4 |

| | Severity Rating |
|--|--|
| Damage to the radial nerve | 4 |
| Damage to the musculocutaneous nerve of the arm | 3 |
| Damage to the cutaneous nerves of the arm | 3 |
| Damage to the collateral palmar nerves (digital nerves) | 3 |
| Blood vessel damage | |
| Damage to the blood vessels in the arm (axillary, brachial, radial, cubital) | 4 |
| Superficial injuries | |
| Cutaneous foreign bodies | see Title XI: Surface see Title XI: Surface |
| Titles VIII and IX: Legs | |
| Title VIII: Right Leg | |
| Title IX: Left Leg | |
| | Severity Rating |
| Amputations | |
| Amputation of toes | 4 |
| Amputation of the leg, excluding the isolated amputation of toe(s) | 6 |
| Musculotendinous impairment | |
| Tendinitis or bursitis of the hip | 3 |
| Tendinitis of the knee | 3 |
| Tendinitis of the ankle or foot | 3 |
| • Impairment of menisci | |
| Tear of one or more menisci of the knee | 3 |
| Burns | |
| | see Title XI: Surface |
| Contusions where skin is not broken | |
| | see Title XI: Surface |
| Sprains | |
| Hip sprain | 3 |
| Knee sprain | 3 |
| Ankle sprain | 3 |
| Foot sprain | 2 |
| Sacroiliac sprain | 3 |
| Pelvic sprain (pubic symphysis) | 3 |
| Fractures | |
| Fracture of the acetabulum | 5 |
| Fracture of the pubis | 4 |
| Fracture of the ilium or ischium | 4 |
| Multiple fractures of the pelvis | 5 |
| Fracture of femoral neck | 5 |
| Diaphyseal fracture of the femur | 5 |
| Inferior epiphyseal fracture of the femur | 5 |
| Fracture of the patella | 4 |
| Superior epiphyseal fracture of the tibia or fibula | 5 |

| | Severity Rating |
|---|--|
| Diaphyseal fracture of the tibia or fibula | 4 |
| Ankle fracture | 4 |
| Calcaneal fracture | 4 |
| Fracture of the talus | 4 |
| Fractures of other bones of the tarsus or metatarsus | 4 |
| Fracture of one or more phalanges of the toes | 3 |
| Dislocations without fracture | |
| Dislocation in the pelvis | 4 |
| Dislocation of the hip | 5 |
| Dislocation of the patella | 3 |
| Dislocation of the knee | 6 |
| Dislocation of the ankle | 4 |
| Dislocation of the foot | 3 |
| Wounds | |
| Traumatic arthrotomy of the knee | 4 |
| Traumatic arthrotomy of the ankle | 4 |
| Leg wound, without damage to tendons | see Title XI: Surface |
| Leg wound, with damage to tendons | 4 |
| Nerve damage | |
| Damage to the sciatic nerve | 5 |
| Damage to the crural nerve | 4 |
| Damage to the posterior tibial nerve | 4 |
| Damage to the common fibular nerve | 4 |
| Damage to the cutaneous nerves of the leg | 3 |
| Blood vessel damage | |
| Damage to the common or superficial femoral artery | 6 |
| Damage to the femoral or saphenous veins | 4 |
| Damage to popliteal blood vessels | 4 |
| Damage to tibial blood vessels | 4 |
| Superficial injuries | |
| Cutaneous foreign bodies | see Title XI: Surface see Title XI: Surface |
| Title X: Psychic System* | |
| | Severity Rating |
| Anxiety | 2 |
| Reactive depression | 4 |
| Acute reactive state resulting from a difficult situation | 4 |
| Neurosis or psychoneurosis | 4 |

* For psychic system complications resulting from an injury, see Title XII: Complications

Title XI: Body Surface

Severity Rating

Burns

| | | |
|---|-------------------------|---|
| Head, face and neck | | |
| Burn to the cornea or conjunctival sac | see Title II: Face | |
| Unspecified burn to the eye and its adjacent structures | | 2 |
| Burn to the eyelid or periocular region | | 2 |
| First-degree burn to the head or neck | | 2 |
| Second-degree burn to the head or neck | | 3 |
| Deep second-degree burn to the head or neck | | 4 |
| Third-degree burn to the head or neck | | 5 |
| Internal burn to the larynx, trachea or lung | see Title III: Thorax | |
| Trunk | | |
| First-degree burn to the trunk | | 2 |
| Second-degree burn to the trunk | | 3 |
| Deep second-degree burn to the trunk | | 4 |
| Third-degree burn to the trunk | | 5 |
| Arm | | |
| First-degree burn to an arm | | 2 |
| Second-degree burn to an arm | | 3 |
| Deep second-degree burn to an arm | | 4 |
| Third-degree burn to an arm | | 5 |
| Leg | | |
| First-degree burn to a leg | | 2 |
| Second-degree burn to a leg | | 3 |
| Deep second-degree burn to a leg | | 4 |
| Third-degree burn to a leg | | 5 |
| Multiple or extensive burns | | |
| Burn(s) covering less than 10 % of the body | see the specific region | |
| Burns covering 10 % to 19 % of the body | | 6 |
| Burns covering 20 % to 29 % of the body | | 6 |
| Burns covering 30 % to 39 % of the body | | 6 |
| Burns covering 40 % to 49 % of the body | | 6 |
| Burns covering 50 % to 59 % of the body | | 6 |
| Burns covering 60 % to 69 % of the body | | 6 |
| Burns covering 70 % to 79 % of the body | | 6 |
| Burns covering 80 % to 89 % of the body | | 6 |
| Burns covering 90 % to 99 % of the body | | 6 |
| Contusions where skin is not broken | | |
| Multiple-site contusions | | 1 |
| Head - face and neck | | |
| Contusion of the face, scalp or neck | | 1 |
| Contusion of the eyelid or the periocular region | | 1 |
| Contusion of orbital tissue | see Title II: Face | |
| Contusion of the eyeball | see Title II: Face | |

| | Severity Rating |
|---|---|
| Trunk | |
| Breast contusion | 1 |
| Contusion of the front chest wall | 1 |
| Contusion of the abdominal wall | 1 |
| Contusion of the posterior wall of trunk | 1 |
| Contusion of genital organs | 2 |
| Multiple contusions to the trunk | 1 |
| Arm | |
| Arm contusion(s) | 1 |
| Leg | |
| Leg contusion(s) | 1 |
| Foreign bodies | |
| Cutaneous foreign bodies | see Superficial injuries |
| Wounds | |
| Multiple-site wounds | 2 |
| Head, face and neck | |
| Tear of the eyelid or periocular region, without impairment of the lacrimal ducts | 2 |
| Tear of the eyelid with impairment of the lacrimal ducts | see Title II: Face |
| Head wound, excluding face | 2 |
| Facial wound | 2 |
| Outer ear injury | 2 |
| Wound of the tympanum or eustachian tube | see Title II: Face |
| Eyeball wound | see Title II: Face |
| Penetrating orbital wound | see Title II: Face |
| Neck wound | 2 |
| Trunk | |
| Wound of the front chest wall | 2 |
| Wound of the posterior wall of the trunk | 2 |
| Wound of external genital organs | 3 |
| Wound of the front or side abdominal wall | 2 |
| Wound of the perineum | 2 |
| Vaginal wound | see Title IV: Abdomen and Pelvic Region |
| Arm | |
| Arm wound(s) with tendon impairment | see Titles VI-VII: Arms |
| Arm wound(s) | 2 |
| Leg | |
| Leg wound(s) with tendon impairment | see Titles VIII-IX: Legs |
| Leg wound(s) | 2 |

Severity Rating**Superficial injuries**

(abrasions, scratches, friction burns, foreign body (splinter)
without major wound)

| | |
|---|---|
| Superficial injury to the face, neck or scalp | 1 |
| Superficial injury to the trunk | 1 |
| Superficial injury to an arm | 1 |
| Superficial injury to a leg | 1 |
| Superficial injuries at multiple sites | 1 |

Title XII: Complications**Severity Rating**

| | |
|-------------------------------------|---|
| Stroke | 6 |
| Cardiopulmonary arrest | 6 |
| Traumatic shock (hypovolemic shock) | 6 |
| Post-operative shock | 6 |
| Coagulopathy | 4 |
| Peripheral vascular complications | 4 |
| Volkman's ischemic contracture | 5 |
| Reflex sympathetic dystrophy | 6 |
| Cerebral embolism | 6 |
| Pulmonary embolism | 6 |
| Traumatic subcutaneous emphysema | 3 |
| Paranoid state | 4 |
| Myocardial infarction | 6 |
| Infection of a wound | 3 |
| Post-operative infection | 5 |
| Pulmonary insufficiency | 6 |
| Kidney failure | 5 |
| Pulmonary edema | 5 |
| Acute pericarditis | 6 |
| Compartmental syndrome | 5 |
| Paroxysmal tachycardia | 6 |
| Peptic ulcer | 4 |

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Gouvernement du Québec

O.C. 1334-99, 1 December 1999

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

Defining certain words and expressions
— **Amendments**

Regulation to amend the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act

WHEREAS under paragraphs 33 and 35 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as enacted by paragraph 4 of section 38 of Chapter 22 of

the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation:

– determine the professional orders whose members are health professionals for the purposes of Chapter VI of Title II of the Automobile Insurance Act;

– prescribe cases requiring the payment of interest by the Société;

WHEREAS the Société de l'assurance automobile du Québec adopted the Regulation to amend the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regu-

lation to amend the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 15 September 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 33 and 35; 1999, c. 22, s. 38, par. 4)

1. The following is substituted for the title of the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act:

“Regulation respecting the application of the Automobile Insurance Act”.

2. The Regulation is amended by inserting the following after section 14:

“DIVISION VII HEALTH PROFESSIONAL

14.1. For purposes of Chapter VI of Title II of the Act, a health professional is a member of any of the following professional orders:

L’Ordre professionnel des médecins du Québec;
L’Ordre professionnel des dentistes du Québec;

L’Ordre professionnel des pharmaciens du Québec;
L’Ordre professionnel des optométristes du Québec;
L’Ordre professionnel des technologues en radiologie du Québec;
L’Ordre professionnel des denturologistes du Québec;
L’Ordre professionnel des opticiens d’ordonnance du Québec;
L’Ordre professionnel des chiropraticiens du Québec;
L’Ordre professionnel des audioprothésistes du Québec;
L’Ordre professionnel des podiatres du Québec;
L’Ordre professionnel des infirmières et infirmiers du Québec;
L’Ordre professionnel des acupuncteurs du Québec;
L’Ordre professionnel des diététistes du Québec;
L’Ordre professionnel des travailleurs sociaux du Québec;
L’Ordre professionnel des psychologues du Québec;
L’Ordre professionnel des conseillers et conseillères d’orientation du Québec;
L’Ordre professionnel des hygiénistes dentaires du Québec;
L’Ordre professionnel des techniciens et techniciennes dentaires du Québec;
L’Ordre professionnel des orthophonistes et audiologistes du Québec;
L’Ordre professionnel des physiothérapeutes du Québec;
L’Ordre professionnel des ergothérapeutes du Québec;
L’Ordre professionnel des infirmières et infirmiers auxiliaires du Québec;
L’Ordre professionnel des technologues médicaux du Québec;
L’Ordre professionnel des inhalothérapeutes du Québec;
L’Ordre professionnel des sages-femmes du Québec.

A person who practises legally outside Québec the same profession as are the members of any of the orders in the first paragraph is also considered to be a health professional.

DIVISION VIII PAYMENT OF INTEREST

14.2 The Société is required to pay interest on the amount of an indemnity that has been awarded or increased, whichever the case, following reconsideration of a decision under section 83.44.1 of the Act.

Interest is calculated from the date of the decision refusing to recognize entitlement to an indemnity or to increase its amount”.

3. This regulation comes into force on 1 January 2000.

* The Regulation defining certain words and expressions for purposes of the Automobile Insurance Act approved by Order in Council 1922-89 dated 13 December 1989 (1989, *G.O.* 2, 4650) had not been amended since its approval.

Gouvernement du Québec

O.C. 1335-99, 1 December 1999

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

**Payment of income compensation entitlement
in a single amount**

Regulation respecting the payment of income compensation entitlement in a single amount

WHEREAS, under paragraph 34 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as enacted by paragraph 4 of section 38 of Chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation, prescribe rules, conditions and a method applicable to the computation of a single-payment indemnity paid under section 83.22 of that Act, as amended by section 22 of Chapter 22 of the Statutes of 1999;

WHEREAS the Société de l'assurance automobile du Québec adopted the Regulation respecting the payment of income compensation entitlement in a single amount;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the payment of income compensation entitlement in a single amount was published in Part 2 of the *Gazette officielle du Québec* of 15 September 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the payment of income compensation entitlement in a single amount, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

**Regulation respecting the payment of
income compensation entitlement in a
single amount**

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, par. 34; 1999, c. 22, s. 38,
par. 4)

1. The conversion of an income replacement indemnity entitlement into a single payment by the Société de l'assurance automobile du Québec is subject to the following rules and terms:

(1) the victim's medical condition is stable: no improvement or deterioration that would affect the victim's fitness for work can be expected in the short or long term;

(2) the amount of income replacement indemnity payment is stable: there is no foreseeable reduction in the regular payment due to a disability benefit payable under a programme referred to in section 83.68 of Automobile Insurance Act;

(3) application of basic mortality rates used by the Régie des rentes du Québec for the actuarial valuation at 31 December 1994, which were determined from data on death rates for the years 1990 to 1992 supplied by the Institut de la statistique du Québec;

(4) adjustment of mortality rates with dynamic improvement factors used by the Régie des rentes du Québec for the actuarial valuation at 31 December 1994, by applying the following formula:

$$q_x(s, x, y) = q_x(s, x, d) \times \text{fac}_x(s, x)^{(y-d)}$$

where

s: sex, x: age, y: projection year, d: 1991

fac_x(s,x) = dynamic improvement factor by sex, age

(5) in order to reflect the specific experience of death rates for victims receiving an income replacement indemnity from the Société, application of the following correction factors, which vary with the level of anatomophysiological deficit (DAP), to mortality rates calculated above, using the formula:

$${}^{\text{dap}}q_x(s,x) = 1 - \exp(a \times \ln(1 - q_x(s,x)))$$

where

s: sex, x: age

a: correction factor according to DAP:

DAP of 0.00 % to 35 %: 1.046

DAP of 35.01 % to 75 %: 1.393

DAP of over 75 %: 2.113

DAP undetermined: 1.272

(6) application of a net interest rate for the first fifteen years after the date of the calculation corresponding to the most recently available real interest rate at the end of the month on Government of Canada bonds, as published by the Bank of Canada (reference no. B14081), adjusted as follows:

a) addition of 0.25 %;

b) conversion of the resulting nominal interest rate, which is compounded on a semi-annual basis, to the equivalent annual rate;

(7) as of the sixth year, application of an interest rate of 3.25 %.

2. This regulation comes into force on 1 January 2000.

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Gouvernement du Québec

O.C. 1336-99, 1 December 1999

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

Compensation under Chapter II of Title IV of the Act

Regulation respecting compensation under Chapter II of Title IV of the Automobile Insurance Act

WHEREAS under paragraph 36 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as enacted by paragraph 4 of section 38 of chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation, determine rules governing the application of Chapter II of Title IV of the Act as well as rules for the determination of the deductibles provided for in sections 145 and 148 of the Act as amended by sections 28 and 29 of chapter 22 of the

Statutes of 1999 and prescribe the reimbursement of other expenses to victims, the maximum amount that may be so reimbursed and the conditions for reimbursement;

WHEREAS the Société de l'assurance automobile du Québec adopted the Regulation respecting compensation under Chapter II of Title IV of the Automobile Insurance Act;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting compensation under Chapter II of Title IV of the Automobile Insurance Act was published in Part 2 of the *Gazette officielle du Québec* of 15 September 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting compensation under Chapter II of Title IV of the Automobile Insurance Act, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY
Clerk of the Conseil exécutif

Regulation respecting compensation under Chapter II of Title IV of the Automobile Insurance Act

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, par. 36; 1999, c. 22, s. 38, par. 4)

1. A person who submits a claim for compensation to the Société de l'assurance automobile du Québec must also submit the sworn statement prescribed by section 144 of the Automobile Insurance Act (R.S.Q., c. A-25), and in the case of a claim covered by section 148 of the Act, amended by section 29 of chapter 22 of the statutes of 1999, the police report on the accident or event.

2. For the purposes of implementing section 145, amended by section 28 of chapter 22 of the statutes of 1999, and section 148 of the Automobile Insurance Act, the deductible is the greater of the following:

(1) \$500;

(2) for damage to an automobile, 10 % of the value of the automobile determined on the day of the accident according to the gross sale price indicated for a vehicle of the same make, model and features, in the latest edition of the Guide d'Évaluation des Automobiles or, the Guide d'Évaluation des Camions Légers, in such case, published by Hebdo Mag Inc.

For a model year prior to those covered by the edition, the sale price considered is the one indicated in the edition for the nearest model year, from which amount must be subtracted 1% of the sale price for each month elapsed between the vehicle's model year and the earliest year covered by the edition.

Where the make or model of automobile is not covered by the Guide, the Société shall make an evaluation of the automobile or have this done.

3. The following qualify for reimbursement on presentation of receipts, according to the rates prescribed by the Regulation respecting towing and impounding charges for road vehicles seized under sections 209.1 and 209.2 of the Highway Safety Code (Order in Council 1426-97 dated 29 October 1997):

(1) towing charges for the damaged automobile from the site of the accident to the nearest garage;

(2) daily impounding charges for the automobile from the date the claim for reimbursement is submitted, to the date on which the damage appraisal was made by the expert designated by the Société under subparagraph 1 of the first paragraph of section 148 of the Automobile Insurance Act.

4. Where the owner chooses not to have repairs made to property that been damaged, the Société pays:

(1) in the case of an automobile, the cost of labour at an hourly rate of \$18;

(2) in the case of other goods, half the cost of labour for the repair of damage, as appraised by the expert designated by the Société under section 148.

5. Before making payment, a check of repairs to damaged property may be required.

6. This regulation comes into force on 1 January 2000.

Draft Regulations

Draft Regulation

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Classification of services provided by intermediate resources

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Classification of the services provided by intermediate resources, the text of which appears below, may be established by the Minister of State for Health and Social Services and Minister of Health and Social Services upon the expiry of 45 days following this publication.

That classification establishes a point rating system to measure the extent of the services provided by intermediate resources and to rate them according to five different levels.

That classification will have an impact on the determination of the compensation to be paid to intermediate resources.

Further information may be obtained by contacting:

Mr. Vital Simard
1075, chemin Sainte-Foy, 10^e étage
Québec (Québec)
G1S 2M1
Tel.: (418) 643-6386
Fax: (418) 643-9024.

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*

Classification of the services provided by intermediate resources

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 303)

1. The services provided by intermediate resources are rated from level one to level five by using “Form for Determining the Extent of Services Required from the Intermediate Resource” appearing in Schedule 1.

2. Intermediate resources may provide different levels of services.

3. This Classification will come into force on the same date as section 95 of Chapter 39 of the Statutes of 1998.

APPENDIX I**FORM FOR DETERMINING THE EXTENT OF THE SERVICES REQUIRED FROM AN INTERMEDIATE RESOURCE****Instructions****(Frame of reference for intermediate resources – November 1998)****Table of contents**

Form for determining the extent of services required from the intermediate resource

PART A – IDENTIFICATION OF USER(S) AND INSTITUTION

1. User's name
 - 1.1. Date of birth
 - 1.2. Sex
 - 1.3. Problems

2. Authority responsible for identifying extent of services required by user and provided by resource

PART B – DETERMINATION OF EXTENT OF SUPPORT SERVICES OR ASSISTANCE REQUIRED BY USER AND PROVIDED BY RESOURCE

1. Characteristics of user and of intervention
 - 1.1. User characteristics
 - 1.1.1. Distinction between state and functioning
 - 1.1.2. Special considerations for coding children
 - 1.1.3. Choice of descriptors
 - 1.2. Characteristics of intervention
2. Basic services required by user and provided by resource
3. Classification of services

PART C – IDENTIFICATION OF RESOURCE

FORM FOR DETERMINING THE EXTENT OF SERVICES REQUIRED FROM THE INTERMEDIATE RESOURCE

PART A – IDENTIFICATION OF USER(S) AND INSTITUTION

1. User's family name and given name: _____ or standard profil:
- 1.1 Date of birth: ____/____/____ or Age: ____ to ____ 1.2 Sex: F M
- 1.3 Problems: 1.3.1 Main problem: _____ 1.3.2 Associated problems: _____
2. Authority or body responsible for identifying extent of services required by user and provided by resource:
 - 2.1 Institution _____
 - 2.2 Code: _____
 - 2.3 Caseworker _____
 - 2.4 File N°: _____

**PART B – IDENTIFICATION OF EXTENT OF SUPPORT SERVICES OR ASSISTANCE REQUIRED
BY USER AND PROVIDED BY RESOURCE**

| Characteristics of user and of intervention | | | | | Basic services | |
|---|-------------------------|--------------|---------------------------------|----------------------|---|------|
| Facet of personal life (C.1) | Characteristics of user | | Characteristics of intervention | | Services | Cote |
| | State (C.2) | Funct. (C.3) | Nature (C.4) | Expertise (C.5) | | |
| 3.1 Physical | | | | | 3.10 Meal services | |
| 3.1.1 Eating | X | | | | | |
| 3.1.2 Dressing | X | | | | 3.11 Laundry services | |
| 3.1.3 Hygiene | X | | | | | |
| 3.1.4 Excretory functions | X | | | | 3.12 Housekeeping | |
| 3.1.5 Mobility | X | | | | | |
| 3.2 Cognitive | | | | | 3.13 Personal presence | |
| 3.3 Affective | | | | | | |
| 3.4 Behavioural | | | | | 3.14 Night-time supervision | |
| 3.5 Relational | | | | | | |
| 3.6 TOTAL | | | | | 3.15 Presence of a second person | |
| 3.7 Maximum authorized | 25 | 30 | 20 | 35 | 3.16 Total (Add 3.10 à 3.15) | |
| 3.8 Applicable score | | | | | Carry total on 3.16 to line 3.17 | |
| 3.9 TOTAL (L.3.8 C.2+C.3+C.4+C.5) Carry to line 3.17 | | | | <input type="text"/> | | |

Services classification

3.17 Characteristics of user and of intervention (L.3.9) _____ + Basic services (L.3.16) _____ = _____

3.18 Level of service: _____ 3.19 Type of residential organization: _____

PART C – IDENTIFICATION OF RESOURCE

4.1 Name of resource: _____

4.2 Name of person in charge: _____

4.3 Address: _____

4.4 Telephone N°: _____ 4.5 Guaranteed compensation: _____ per day

4.6 Client program or field of activity targeted: _____

Signature: _____ Date: _____ / _____ / _____
Year Month Day

Appendix I

GUIDE FOR THE FORM FOR DETERMINING THE EXTENT OF THE SERVICES REQUIRED FROM AN INTERMEDIATE RESOURCE

The form for determining the extent of the services required from an intermediate resource is used to establish or revise the amount of support or assistance to be provided by the resource for a user or a group of users (standard profile).

PART A IDENTIFICATION OF USER(S) AND INSTITUTION

1. Name of user

- If a single user is being evaluated, enter his name.
- If a standard profile is being established for a group of users, check off the appropriate box.

1.1 Date of birth and age

Enter the user's date of birth, in "year/month/day" order. If a standard profile is being established for a group of users, enter the age category of the users.

1.2 Sex

Enter 1 for female, 2 for male and 3 for a standard profile for both sexes.

1.3 Problems

Enter in box 1.3.1 the number corresponding to the user's main problem. If other associated problems are also significant, enter the corresponding number(s) in box 1.3.2.

- | | |
|---------------------------------------|---|
| 1. <u>Need for social protection</u> | Refers to a person's vulnerability, resulting from a loss of autonomy, or the absence or inadequacy of, or threats from, his family or social environment (sexual abuse, neglect, social isolation, violence, etc.) |
| 2. <u>Social maladjustment</u> | Refers to the presence of behavioural or social adjustment problems (behaviour disorders, alcoholism, etc.) |
| 3. <u>Loss of autonomy due to age</u> | Refers to all the biological, psychological and social problems associated with normal or premature aging |
| 4. <u>Mental health problem</u> | Refers to mental illness, personality disorders or psycho-affective disturbances |
| 5. <u>Physical health problem</u> | Refers to physical illness or organic impairments |
| 6. <u>Sensory impairment</u> | Refers to the loss of or a permanent anomaly in a sensory organ |
| 7. <u>Motor impairment</u> | Refers to the loss of or a permanent anomaly in a limb |
| 8. <u>Intellectual impairment</u> | Refers to the simultaneous presence of a significant intellectual handicap and problems related to adaptive behaviour |

2. Authority responsible for identifying the services required by the user and provided by the resource

Enter in the appropriate space:

- 2.1 The name of the institution responsible for determining the extent of the services.
- 2.2 The institution's code.
- 2.3 The name of the caseworker who made the determination.
- 2.4 The user's file number.

**PART B DETERMINATION OF EXTENT OF SUPPORT SERVICES OR ASSISTANCE
REQUIRED BY USER AND PROVIDED BY RESOURCE**

1- CHARACTERISTICS OF THE USER AND OF THE INTERVENTION

For each facet in this section, you must enter the rating corresponding to the descriptor that best reflects:

- the user's state (enter rating in column C.2);
- the user's functioning (enter rating in column C.3);
- the nature of the intervention provided by the resource (enter rating in column C.4);
- the expertise required to enable the resource to provide the required service (enter rating in column C.5).

Fill in the four columns for a given facet before going on to the next facet (for example, Cognitive: C.2-C.3-C.4-C.5).

Then add up the ratings in each column and enter the result on line 3.13.

For each column, enter the lesser of lines 3.13 (total) and 3.14 (maximum authorized) on line 3.15 and add up all the amounts on that line.

Finally, enter on line 3.16 the total thus obtained.

1.1 Characteristics of the user

1.1.1. DISTINCTION BETWEEN STATE AND FUNCTIONING

– **state** refers to a trend, a predisposition or a given condition. For some characteristics (physical, relational and social), a state can be identified through the signs or symptoms a person displays, and through individual attitudes and behaviour. For other characteristics (cognitive, affective and behavioural), a state must be subjected to an overall intellectual assessment of the usual quality of the affect or of the type of personality that determines a behavioural tendency.

Bear in mind that the state refers to more basic, continuous or permanent elements of the facet evaluated. Hence, a temporary, transitory or non-significant element that could affect the evaluation of the user's state for any of the facets examined in this section should not be considered.

The question to ask here is:

- Is the user or is the user not _____? **OR** Does the user or does the user not have _____?

– **functioning** represents the more dynamic or fluctuating nature of the characteristic, its actualization or operationalization, the degree to which it is realized or expressed. For all characteristics, the type of functioning is established through direct or indirect observation (by an outside observer) of the attitudes or behaviour displayed by the user, or of the user's activities.

Bear in mind that functioning refers to the user's behaviour. The regularity and continuous nature of the functioning are major indicators for determining the ability or the attitude of the user with respect to the various facets.

The question to ask is:

- Does the user do it? **OR** Does the user not do it?

– **Example** for the cognitive facet

A schizophrenic user, that is, someone with a severe mental problem who, despite having an average or above-average intelligence (rating of 2 or 1 for his cognitive state) may not be functional with respect to any of the cognitive components in terms of attention, understanding, judgment, memory or spatial and temporal orientation (rating of 5 for cognitive functioning).

1.1.2 SPECIAL CONSIDERATIONS FOR RATING CHILDREN

- in evaluating and **determining the characteristics of a child** (state and functioning), reference must be made to the way children of the same age generally act and behave. Whatever the characteristic under study, if there is no significant deviation from a normal state or normal functioning for that age, enter the rating 1.
- **with reference to physical functioning**, it is normal for a **child** to require help. If the help required is the help normally given a child of the same age, enter the rating 1 for the ADL considered. Otherwise, choose the rating that best describes the user's functioning in terms of what should normally be accomplished at that age.
- **with reference to cognitive functioning**, the normal sensory-motor development of a **baby** must be taken into account. In particular, alertness, coordination and recognition of persons in his surroundings must be analysed. It is only normal that a young child does not actualize the cognitive functions to the same extent as an adult does.

1.1.3 CHOICE OF DESCRIPTORS

For each facet (physical, cognitive, affective, behavioural and relational), you must identify the descriptor that best represents the user, given his state and his functioning (see page 8). A rating of 1 always refers to the best or most favourable state or level of functioning, while 5 describes the worst or least favourable.

In order to choose the right descriptor, it is important to refer to the meaning given to state and functioning for each facet.

• **PHYSICAL FACET (3.1)**

Physical state refers to the presence or absence of organic impairments (illnesses), physical disabilities (motor-related) or sensory impairments (visual, auditory).

- State of health refers to health condition in general with reference to the presence or absence of illnesses and organic deficiencies.
- Physical (motor) or sensory (auditory or visual) deficiency refers to the loss of or a permanent anomaly in a limb or sensory organ.

• Examples:

- a user is considered to have a visual impairment when the state of his vision creates a disability that prevents him from performing a usual visual task satisfactorily with a conventional ophthalmological correction. For example: reading, writing, moving about.
- an auditory anomaly is considered to be an impairment only when it results in a significant loss of hearing that limits the person's ability to hear adequately. In this respect, the definition given by the Commission des centres de réadaptation pour personnes ayant une déficience physique of the Association des centres d'accueil du Québec is used:

“Any person whose evaluation of his hearing reveals a permanent decrease in auditory acuity or the capacity to discriminate speech that limits him in his ability to hear the spoken language and the sounds around him so that he is hampered in his social, occupational and academic integration.”

- Organic impairments or illnesses such as epilepsy, multiple sclerosis, cardiovascular disorders, arthritis, diabetes and cancer are considered to be health problems, no matter what the extent of the disease or the degree to which it is controlled.
- Occasional or temporary illnesses such as the flu or chicken pox are not considered to be health problems.

Physical functioning

- (Line 3.1, column C.3) Refers to the degree of autonomy a person has in carrying out the activities required to stay in good health and communicate.
- (Lines 3.1.1 to 3.1.5, column C.3) Refers to a person's ability to carry out the activities of daily life (ADLs).
- For each ADL, i.e., personal hygiene, eating, dressing, excretory functions and mobility, it must be determined whether the user can manage and be autonomous, regardless of the technical means required (prosthesis, orthosis, wheel chair, grab bars, cane, adapted utensils, velcro fasteners, incontinence pads, etc.).
- For a user whose ability to carry out an ADL varies over time, enter the rating 3, which represents the midpoint.

• Examples:

- Someone in a wheelchair is considered mobile if he can move about without help.
- Someone who needs help to get to the bathroom but who can wash himself is considered functional with respect to his personal hygiene, but not mobile.
- Someone who must be accompanied outside during the winter simply because he is afraid of falling but who, in any other circumstance, has no difficulty moving about is considered mobile. The problem lies in the obstacle encountered, which the person must find a way to deal with.
- A person who must be accompanied simply because he might get lost is considered mobile. It is the need to supervise the person's behaviour that is a problem, not his mobility.

• **COGNITIVE STATE (3.2)**

Cognitive state refers to a general appreciation of the person's intellectual level.

- This does not necessarily involve an IQ test to evaluate a person's intellectual potential.
- Rather it involves a comparison with the general population of the same age.
- It is a matter of deciding which descriptor best represents the user, given the information available.
- When an illness or an accident affects the user's cognitive state, the rating must be based on the user's state after the illness or accident, presuming that the state is not transitory and that in all probability, it will continue. Alzheimer's disease and strokes are examples.
- Example: a user suffering from Alzheimer's disease in its advanced stages will probably be given a 5, i.e., “displays severe or acute cognitive impairment”.

Cognitive functioning refers to the user's ability as regards the five main cognitive components: attention, understanding, judgment, memory, and spatial and temporal orientation.

- It must be determined whether the user can use these functions without help, whether help be in the form of stimulation, assistance or other. A user who can manage alone and use the main cognitive functions is considered autonomous, regardless of the technical means used (topographical reference points, reminders, learning and conditioning, role-playing, standard forms, etc.)

- In short, for the user to be considered non-functional, his ability must differ significantly from what is seen in the general public of the same age.
- For a user whose functioning with respect to various cognitive components varies sporadically over time because, for example, of significant fluctuations in tolerance to stress, give a rating of 3, which represents the midpoint.
- If the user has one or more problems in this regard, consider them only if they have a major and significant impact on the user's daily activities.
- Example:
 - A user with an intellectual impairment, who has not integrated the abstract concept of space, is considered functional with respect to spatial orientation if he manages to go from his home to various regular destinations using landmarks or as a result of conditioning.

- **AFFECTIVE FACET (3.3)**

- **Affective state** refers to a general appreciation of the habitual quality of a user's affect. It refers to states of pleasure and neutrality as well as to simple or complex feelings of displeasure (happiness, serenity, anguish, anxiety, insecurity...).

Emotional functioning refers to the degree of control exercised in expressing emotions and not to the nature of the emotion, such as fear, tenderness, joy or anger.

- **BEHAVIOURAL FACET (3.4)**

Behavioural state refers to a strong probability, a propensity or a tendency to act or react according to a certain behavioural model, given the user's personality.

Behavioural functioning refers to the way of acting or reacting, in terms of self-respect and respect for others (usual behavioural model exhibited).

- **RELATIONAL AND SOCIAL FACET (3.5)**

Relational and social state refers to the various social networks with which the user interacts significantly, excluding interaction in the resource, regardless of the manner of interacting. Thus, if the user's interactions are limited to the people at the resource, including other users, he is considered to have no significant support from identified social networks (rating of 5).

- Examples:

- A user who has always interacted with all the networks but who, due to particular circumstances, no longer interacts with one or more networks must be given a rating based on the extent of the change. If it seems significant, i.e., if it seems to be more than a temporary cold shoulder given the network, the user should be rated as not interacting with that network.
- A user who meets with his social worker is considered to have a link with the formal or institutional network, as long as the interaction is significant, that is, regular and continuous. The social worker is a member of the service network in the same way as a physician, a nurse or a psychologist, for example.

Relational and social functioning refers to the manner of interacting, that is, of entering into contact with others, regardless of the individuals or networks involved.

DESCRIPTORS**3.8 PHYSICAL STATE**

The user displays:

- 1 good health and no physical or sensory impairments
- 2 good health, but one or more physical **and/or** sensory impairments
- 3 one or more health problems but no physical or sensory impairments
- 4 one or more health problems and one or more physical or sensory impairments
- 5 one or more health problems and one or more physical and sensory impairments

PHYSICAL FUNCTIONING (other than ADLs):

The user:

- 1 is able to carry out all health-related activities alone and to communicate without difficulty
- 2 has difficulty carrying out **some** health-related activities or uses a substitute language for communication
- 3 has difficulty carrying out **most** health-related activities **or** making himself understood
- 4 has **great** difficulty carrying out **some** health-related activities **or** making himself understood
- 5 has **great** difficulty carrying out **most** health-related activities

3.9 COGNITIVE STATE

The user displays:

- 1 above-average intelligence
- 2 average or normal intelligence
- 3 borderline or low intelligence
- 4 slight or average impairment
- 5 severe or acute impairment

DESCRIPTORS**PHYSICAL FUNCTIONING (cont.)**

EATING-DRESSING-HYGIENE: the user performs

- 1 all the necessary tasks alone
- 2 most of the necessary tasks alone
- 3 half of the necessary tasks alone
- 4 a few of the necessary tasks alone
- 5 none of the necessary tasks

EXCRETORY FUNCTIONS: the user

- 1 **never** loses control of his bladder or bowels and **performs** all the activities related to excretory functions autonomously
- 2 **never** loses control of his bladder or bowels but **does not** always perform all the activities related to excretory functions (using toilet paper, flushing the toilet, getting dressed again, etc.)
- 3 **sometimes** loses control of his bladder or bowels but **performs** all the activities related to excretory functions
- 4 **sometimes** loses control of his bladder or bowels and **does not** always perform all the activities related to excretory functions
- 5 **always** loses control of his bladder or bowels and **requires assistance** for all the activities related to excretory functions

MOBILITY: the user

- 1 can go anywhere by himself and can move from one seat to another without help
- 2 can usually go anywhere by himself and move from one seat to another without help
- 3 can hardly go anywhere by himself but can move from one seat to another without help
- 4 cannot move from one seat to another without help
- 5 cannot go anywhere by himself or move from one seat to another without help

COGNITIVE FUNCTIONING

– Attention – Understanding – Judgment – Memory
– Orientation in time and space

The user is functional with respect to:

- 1 all everyday activities (5/5)
- 2 most everyday activities (4/5)
- 3 half of everyday activities (3/5 or 2/5)
- 4 few everyday activities (1/5)
- 5 no everyday activities (0/5)

3.10 AFFECTIVE STATE

The user's affect appears:

- 1 flexible or adapted (apparent ability to feel the full range of affective states)
- 2 flat (appearance of detachment, absence, neutrality, indifference)
- 3 melancholic (tends to be sad, pessimistic, depressed, negative)
- 4 labile (tends to be unstable, unpredictable, inconstant)
- 5 euphoric (tends to exaggerate or be exuberant or overexcited)

AFFECTIVE FUNCTIONING

The user usually expresses emotions:

- 1 in a balanced manner (optimum control, appropriate expression)
- 2 stereotyped manner (learned control, automatism in expression)
- 3 inhibited manner (exaggerated control, repressed expression)
- 4 unstable manner (irregular control, unpredictable expression)
- 5 impulsive manner (absence or significant lack of control, immoderate or unconsidered expression)

3.11 BEHAVIOURAL STATE

The user's behaviour tends to be:

- 1 appropriate to the circumstances (normality)
- 2 marginal, bizarre (marginality)
- 3 excessively passive (disproportionate tendency to remain inactive)
- 4 disturbing, provocative or hyperactive (disproportionate tendency to be active)
- 5 compulsive, unpredictable or uncontrolled (deviance)

BEHAVIOURAL FUNCTIONING

The user generally behaves:

- 1 in an assertive manner (positive, socially adapted affirmation of self and, consequently, self-respect and respect for others)
- 2 conciliatory, conformist, overly tolerant
- 3 stubborn, rigid, obstinate or unstable
- 4 manipulative
- 5 aggressive, violent (no self-respect, failure to respect others)

3.12 RELATIONAL AND SOCIAL STATE

- family ties (nuclear family, extended family)
- no family (friends, neighbours, peers)
- formal or institutional (workers in the service network)
- informal or community (self-help groups, recreational groups and soon)

The user receives meaningful support from:

- 1 all networks (4/4)
- 2 most networks (3/4)
- 3 half of the networks (2/4)
- 4 few networks (1/4)
- 5 none of the networks (0/4)

RELATIONAL AND SOCIAL FUNCTIONING

The user displays:

- 1 an ability to approach or withdraw depending on the circumstances (flexible, adapted)
- 2 fear of social relations (timid, reserved, but not overly inclined to withdraw)
- 3 instability or temerity in social relations (unpredictable, careless)
- 4 disproportionate social withdrawal (isolated, introspective)
- 5 disproportionate social attraction (overwhelming, stifling, social addict)

1.2 CHARACTERISTICS OF THE INTERVENTION

The characteristics of the intervention required from the resource must be specified for each of the five facets and be line with the user's state and level of functioning.

The characteristics of the intervention to be noted must be those that, given the age of the user, go beyond what is normally expected of the resource for the facet considered. For example, having to dress a three-month-old baby is normal and will not be considered. In such a case, the rating 0 is entered, since no specific intervention is required. However, the same activity carried out for an adult must be noted, since, in general, an adult does not require assistance in dressing.

Nature of the intervention (C.4)

The nature of the intervention must be determined for each of the facets, but only with respect to what is expected of the resource, in keeping with the user's intervention plan. Interventions by staff caseworkers, in the resource or elsewhere, are not considered in determining this rating. Where no specific intervention is expected from the resource, other than adequately meeting the user's needs, the facet is given a rating of 0.

DESCRIPTORS: NATURE OF THE INTERVENTION

- 0 Normally expected intervention that does not have to be spelled out in the intervention plan
- 1 **Verification:** Examine with a view to determining whether the user is able to do adequately what is expected of him (behaviour, self-expression, activity, etc.).
- 2 **Assistance:** Help the user express himself, carry out an activity or choose among options offered him or her.
- 2 **Stimulation:** Suggest through words or actions the behaviour, attitudes, expressions or actions the user must show or perform, including the continued use of acquired abilities.
- 3 **Control:** Intervene with authority to put an end to or provoke a behaviour in the user.
- 3 **Substitution:** Perform actions, carry out activities for and on behalf of the user, including services related to physical health that the user should normally carry out himself.
- 4 **Teaching:** Using words, gestures and examples, have the user learn or re-learn specific skills (knowledge), attitudes and behaviour (know-how) he requires to function properly, and the means required to use them, specifically mentioned in the intervention plan or sought within the framework of specific objectives.
- 4 **Evaluation:** Participate in establishing a diagnosis with which it will be possible to specify the services a user requires or determine the policy to adopt with respect to that user. (The diagnosis referred to here must be made by recognized professionals.)

Expertise required (C.5)

The amount of expertise required of the resource must be determined for each of the facets, on the basis of the abilities or knowledge needed to carry out the tasks expected of it.

DESCRIPTORS: EXPERTISE

- 0 No particular expertise is required, since no specific intervention is provided for in the intervention plan.
- 1 Natural abilities are usually sufficient to ensure that the user receives the services required.
- 2 The user requires services that usually demand special knowledge or skills.
- 3 The user requires services that usually demand the presence of people with relevant training or equivalent experience.
- 5 The user requires services that usually demand the presence of people with relevant training and experience.
- 7 The user requires services that usually demand the presence of people with college or university training and relevant experience.

2- BASIC SERVICES REQUIRED BY THE USER AND PROVIDED BY THE RESOURCE

This section serves to identify the activities of domestic life and the support or help the user requires that the resource must provide.

For each of the elements in this section (3.1 to 3.6), enter the rating for the descriptor corresponding to the user's needs. The descriptors and their ratings are given in the following table. Add the resulting ratings up. Total points can vary from 0 to 55. Carry the total obtained to line 3.16.

3.1 Meal services

- 0 No meals required
- 2 One meal – prepared or food supplied
- 4 One meal – prepared and food supplied
- 4 Two meals – prepared or food supplied
- 6 Two meals – prepared and food supplied
- 8 Three meals – prepared or food supplied
- 12 Three meals – prepared and food supplied

3.2 Laundry services

- 0 No services required
- 2 Partial service
- 3 Full service

3.3 Housekeeping

- 0 No services required
- 2 Partial service
- 4 Full service

3.4 Presence of a person able to provide assistance

- 0 Not required
- 1 A few hours a month
- 2 A few hours a week
If, on weekends,
– someone must be present 24 hours a day, enter 9 instead of 2
- 4 A few hours a day
If, on weekends,
– someone must be present 8 hours a day, enter 6 instead of 4;
– someone must be present 16 hours a day, enter 8 instead of 4
- 8 Eight consecutive hours a day
If, on weekends,
– someone must be present an additional 8 hours a day, enter 10 instead of 8;
– someone must be present an additional 16 hours a day, enter 12 instead of 8
- 16 Sixteen consecutive hours a day
If, on weekends,
– someone must be present an additional 8 hours a day, enter 18 instead of 16
- 24 Twenty-four hours a day

3.5 Night-time supervision

- 0 Not required
- 8 Required

3.6 Presence of a second person able to provide assistance on request

- 0 Not required
- 2 Day or evening or both
- 3 Night
- 4 24 hours a day

3- CLASSIFICATION OF SERVICES

This section serves to identify the level of service required by the user and provided by the resource, as well as the type of residential organization.

- On line 3.17, add up the results entered on it.
- On line 3.18, enter the level of service corresponding to the score obtained:

| | |
|----------------|--------------------------|
| Level 1 | 15 to 89 points |
| Level 2 | 90 to 109 points |
| Level 3 | 110 to 127 points |
| Level 4 | 128 to 142 points |
| Level 5 | 143 to 165 points |

- On line 3.19, enter the figure corresponding to the resource's type of residential organization.

- 1- Apartment One or more users living alone
- 2- Rooming house The user has a room in an establishment that may or may not have common rooms or group activities.
- 3- Foster home The users live with the person(s) who provide(s) some or all of the support and assistance required.
- 4- Group residence The users share their daily lives in an establishment where different shift workers provide some or all of the support and assistance required.
- 5- Other types

PART C IDENTIFICATION OF RESOURCE

- 4.1 to 4.4 Enter in the appropriate spaces the information requested on the resource selected to provide the residential services and assistance the user requires.
- 4.5 Enter the daily amount agreed to between the resource and the establishment for the provision of residential services and assistance.

Calculate the daily amount, if the agreement is based on a weekly, monthly or annual stipend.
- 4.6. Enter the number corresponding to the client program or field of activity:
 - 1- Physical health
 - 2- Mental health
 - 3- Public health

Social adaptation

- 4- Young people and their families
- 5- Alcoholism and drug addiction
- 6- Other

Social integration

- 7- Elderly people with limited autonomy
- 8- Intellectual impairment
- 9- Physical impairment
- 10- Other

3244

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Solid waste**— Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the Regulation to amend the Regulation respecting solid waste, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

In order to facilitate the sustainable development of solid waste recovery and transfer activities, the draft Regulation proposes to revoke certain siting standards which are often already provided for in municipal by-laws, which better reflect the local characteristics of each municipality.

The draft Regulation is in harmony with the Québec action plan for the management of residual matters adopted by the Government in 1998.

The draft amending Regulation will lighten the regulatory burden imposed on the sector of activity concerned and relax the requirements applicable to the establishment of solid waste recovery and transfer facilities.

Further information may be obtained by contacting Mr. Jean-Marc Jalbert, Direction des politiques du secteur municipal, ministère de l'Environnement, édifice Marie-Guyart, 8^e étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; tel. (418) 521-3885 extension 4880.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the Minister of the Environment, édifice Marie-Guyart, 30^e étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

PAUL BÉGIN,
Minister of the Environment

Regulation to amend the Regulation respecting solid waste*

Environment Quality Act
(R.S.Q., c. Q-2, s. 70)

1. Section 69 of the Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r. 14) is amended by substituting the words “may not be established in a flood plain, and the operation area of that system shall be situated at least 150 metres from any ocean, river, stream, pond, swamp or sandbank, and at least 300 metres from any lake” for the words “must be established in accordance with sections 62 or with the siting standards provided for in sections 23, 25, 26, 27 and 28”.

2. Section 103 is amended

(1) by substituting “40 and 57” for “26, 27, 28, 40, 57 and 62”; and

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

* The Regulation respecting solid waste (R.R.Q., 1981, c. Q-2, r. 14) was last amended by the Regulation made by Order in Council 1036-98 dated 12 August 1998 (1998, *G.O.* 2, 3695). For previous amendments refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

“No solid waste transfer station may be established in a flood plain, nor less than 150 metres from any ocean, river, stream, pond, swamp or sandbank and no less than 300 metres from any lake.”

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

3249

Municipal Affairs

Gouvernement du Québec

O.C. 1299-99, 1 December 1999

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Transfer of territory of Municipalité d'Ulverton from the territory of the Municipalité régionale de comté de Drummond to the territory of the Municipalité régionale de comté du Val-Saint-François

WHEREAS under section 210.61 of the Act respecting municipal territorial organization (R.S.Q., c. O-9), the Government may, by order, following an application by a local municipality, detach the territory of the local municipality from that of the regional county municipality to which it belongs and attach it to that of another regional county municipality;

WHEREAS under section 210.81 of the same Act and section 109 of Chapter 65 of the Statutes of 1993, the Government may, to give effect to the recommendation of the Minister of Municipal Affairs and Greater Montréal, amend by order the letters patent constituting the regional county municipalities affected by the transfer of territory;

WHEREAS under section 210.81 mentioned above, the amending order shall describe the new territory of the regional county municipalities and shall set out the conditions applicable to the transfer of territory;

WHEREAS the council of Municipalité d'Ulverton adopted resolution 173-97 on 16 December 1997 the purpose of which was to petition the Government to detach its territory from the territory of the Municipalité régionale de comté de Drummond and to attach it to the territory of the Municipalité régionale de comté du Val-Saint-François;

WHEREAS Municipalité d'Ulverton and the Municipalité régionale de comté de Drummond came to an agreement on the condition relating to that transfer pursuant to a resolution that each of their councils adopted respectively on 6 and 7 April 1999;

WHEREAS it is expedient to grant the application of Municipalité d'Ulverton and to amend the letters patent of the regional county municipalities of Drummond and Val-Saint-François in order to describe the new territories of the regional county municipalities;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT the territory of Municipalité d'Ulverton be detached from the territory of the Municipalité régionale de comté de Drummond and that it be attached to the territory of the Municipalité régionale de comté du Val-Saint-François on the following condition:

Municipalité d'Ulverton will have to pay the Municipalité régionale de comté de Drummond, as a compensation for the transfer of territory, an amount of \$7 373.39 which will be paid as follows:

— an amount payable at the latest one month after the coming into force of this Order in Council: \$2 200.31;

— an amount payable within 30 days from the receipt of a request for payment: \$5 174.08;

THAT the letters patent constituting the Municipalité régionale de comté de Drummond be amended

(1) by substituting the following for the second paragraph of its operative part:

“The limits of the territory of the Municipalité régionale de comté de Drummond are those described by the Minister of Natural Resources in the official description of that territory dated 16 March 1999 which appears as Schedule A to these letters patent as if it were a part thereof.”;

(2) by substituting Schedule 1 to this Order in Council for Schedule A to the letters patent;

THAT the letters patent constituting the Municipalité régionale de comté du Val-Saint-François be amended

(1) by substituting the following for the second paragraph of its operative part:

“The limits of the territory of the Municipalité régionale de comté du Val-Saint-François are those described by the Minister of Natural Resources in the official description of that territory dated 16 March 1999 which appears as Schedule A to these letters patent as if it were a part thereof.”;

(2) by substituting Schedule 2 to this Order in Council for Schedule A to the letters patent.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

SCHEDULE 1 SCHEDULE A

OFFICIAL DESCRIPTION OF THE NEW TERRITORY OF THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DE DRUMMOND

The new territory of the Municipalité régionale de comté de Drummond comprises the territory delimited as follows: starting from the west corner of lot 163 of the cadastre of Paroisse de Saint-Léonard; thence, successively, the following lines and demarcations: in reference to that cadastre, the northwestern line of the said lot; the northeastern line of lots 163 to 173; in the cadastre of Canton de Horton, part of the northwestern line of lot 6; the northeastern line of lots 6 and 7, the latter extended across lots 8 and 9; the northeastern line of lots 11 to 14, the latter extended across lots 15 to 22; part of the southeastern line of lot 22; part of the northeastern line of Canton de Simpson; in reference to the cadastre of that township, the southeastern line of lots 6 of Rang 12 and 6B of Rang 11; part of the dividing line between ranges 11 and 10; the southeastern line of lot 6 of Rang 10; part of the dividing line between ranges 9 and 10; the southeastern line of lot 12 of Rang 9; part of the dividing line between ranges 8 and 9; the northwestern line of lot 20 of Rang 9; part of the dividing line between ranges 9 and 10; the southeastern line of lot 22 of Rang 9; part of the dividing line between ranges 8 and 9; the southeastern line of lot 24A of Rang 8; part of the dividing line between ranges 7 and 8; the centre line of Rivière Nicolet Sud-Ouest; part of the northwestern line of Canton de Kingsey and part of the dividing line between ranges 9 and 10 of the said township; in reference to the cadastre of that township, the southeastern line of lots 12B, 12C and 12A of Rang 9; part of the dividing line between ranges 8 and 9; part of the southeastern line of Canton de Kingsey and its extension to the centre line of Rivière Saint-François; the centre line of the said river downstream and skirting by the left the

islands included in the cadastre of Canton de Kingsey and the other islands closest to the right bank and by the right the islands included in the cadastre of Canton de Durham and the island located south of island number 29 of the cadastre of Canton de Kingsey and the other islands closest to the left bank to the extension towards the southeast of the dividing line between lots 82 and 1 of the cadastre of Canton de Durham; in reference to that cadastre, northwesterly, the said extension and the said dividing line between lots to the southeastern line of lot 81; the southeastern line of lots 81, 80, 79, 78 and 122; the southeast side of the right-of-way of a public road limiting to the southeast lots 121, 269, 268 and 267 and a part of lot 364 to the dividing line between the said lots 364 and 362; part of the southeastern line of lot 364 and the southeastern line of lots 462, 464 and 558; southeasterly, part of the dividing line between Rang 8 and Rang 7 to the southeastern line of Canton de Durham; southwestly, part of the said line; northwesterly, the southwestern line of Canton de Durham and part of the southwestern line of Canton de Wickam; in the cadastre of that township, the northwestern line of lot 768 and part of the dividing line between ranges 11 and 12; part of the southeastern line of Canton de Grantham, part of the dividing line between ranges X and XI; in reference to the cadastre of the said township, the southeastern line of lots 1110 to 1119, 1121, 1337 in declining order to 1325 and 1377 to 1388; part of the southwestern line of Canton de Grantham; the southeastern and southwestern lines of cadastre of Canton d'Upton; the southwestern line of cadastre of Paroisse de Saint-Guillaume-d'Upton; a broken line dividing the cadastre of Paroisse de Saint-David from the cadastres of the parishes of Saint-Hugues and Saint-Marcel to the southeastern line of lot 912 of the cadastre of Paroisse de Saint-David; in reference to that cadastre, the southeastern line of lot 912 and part of the southeastern line of lot 911; the northwestern line of lot 914; the centre line of Ruisseau des Chênes; the northwestern line of lot 757; the northeastern line of lots 757 and 756; the northwestern line of lot 746; the centre line of Rivière David upstream; part of the southeastern line of the cadastre of Paroisse de Saint-David; a broken line dividing the cadastre of Paroisse de Saint-Pie-de-Guire from the cadastre of Paroisse de Saint-David to the eastern line of lot 569 of that first cadastre; the west and northwest sides of the public road limiting to the east lots 569, 568 and 567 and to the southeast, lot 538; part of the broken line dividing the cadastres of the parishes of Saint-Pie-de-Guire and Saint-François-du-Lac, extended to the centre line of Rivière Saint-François; the centre line of the said river upstream and skirting by the left the islands closest to the left bank and by the right the islands closest to the right bank to the extension of the dividing line between lots 787 and 788 of the cadastre of Paroisse de Saint-Thomas-de-Pierreville; the said extension and the said

dividing line between lots; part of the northeastern line of the cadastre of Paroisse de Saint-Thomas-de-Pierreville southeasterly to the northwestern line of lot 699 of the cadastre of Paroisse de Saint-Zéphirin-de-Courval; in reference to that cadastre, the northwestern and northeastern lines of the said lot 699; the northwestern line of lot 578; the northeastern line of lots 578 to 603; part of the northeastern line of lot 604; the northwestern and northeastern lines of lot 403; part of the northwestern line of lot 400 and the northwestern line of lot 320; the northeastern line of lots 320 to 329; the northwestern line of lot 247; a broken line dividing the cadastre of Paroisse de Sainte-Brigitte from the cadastres of the parishes of Saint-Zéphirin-de-Courval and Sainte-Perpétue to the northwestern line of Canton de Wendover; in reference to the cadastre of that township, part of the said northwestern line; part of the dividing line between ranges 10 and 11 to its first meeting point with the centre line of Rivière Nicolet Sud-Ouest; the centre line of the said river upstream to the extension towards the northwest of the northeastern line of lot 418; the said extension and the said northeastern line of lot 418; the northwestern line of lots 373 and 385; finally, part of the northeastern line of lot 385 to the starting point.

The regional county municipality includes the following municipalities: Ville de Drummondville; Village de Notre-Dame-du-Bon-Conseil; the parishes of Notre-Dame-du-Bon-Conseil, Saint-Edmond-de-Grantham, Saint-Joachim-de-Courval, Saint-Lucien, Saint-Majorique-de-Grantham, Sainte-Brigitte-des-Saults and Saint-Pie-de-Guire; Canton de Kingsey; the municipalities of Durham-Sud, L'Avenir, Lefebvre, Saint-Bonaventure, Saint-Charles-de-Drummond, Saint-Cyrille-de-Wendover, Saint-Eugène, Saint-Germain-de-Grantham, Saint-Guillaume, Saint-Nicéphore and Wickham.

Note: The official description of 20 March 1990 appearing in Annexe B, published on 16 June 1990 (*G.O.*, Partie 1, Vol. 122, No 24, p. 2925) and defining the limits of the territory of the Municipalité régionale de comté de Drummond, is amended and replaced by this official description in order to take into account the transfer of the territory of Municipalité d'Ulverton located in the Municipalité régionale de comté de Drummond to that of the Municipalité régionale de comté du Val-Saint-François. The contents of the second paragraph reflect the current situation.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 16 March 1999

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

MRC-D005/5

SCHEDULE 2 SCHEDULE A

OFFICIAL DESCRIPTION OF THE NEW TERRITORY OF THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU VAL-SAINT-FRANÇOIS

The new territory of the Municipalité régionale de comté du Val-Saint-François is delimited as follows: starting from the north corner of Canton de Cleveland; thence, successively, the following lines and demarcations: the northwestern line of Canton de Cleveland and its extension to the centre line of Rivière Saint-François; the centre line of the said river downstream and skirting by the right the islands included in the cadastre of Canton de Durham and the other islands closest to the left bank and skirting by the left the islands included in the cadastre of Canton de Kingsey and the other islands closest to the right bank and the island located south of island number 29 of the cadastre of Canton de Kingsey to the extension towards the southeast of the dividing line between lots 82 and 1 of the cadastre of Canton de Durham; northwesterly, the said extension and the said dividing line between lots; southwesterly, the dividing line between lots 82, 83, 120, 119, 270, 362, 363, 467, 465, 556 and 557 and lots 81, 80, 79, 78, 122, 121, 269, 268, 267, 364, 468, 464 and 558, passing by the southeast side of a public road; southeasterly, the dividing line between Rang 7 and Rang 8 of the cadastre of Canton de Durham to the extension of the northwestern line of Canton de Melbourne; southwesterly, the said extension and part of the said northwestern line; part of the northeastern and northern lines of Canton d'Ely; in reference to the cadastre of the said township, the western line of lot 516; the northern and western lines of lot 583; the southern line of lots 581 and 582; the dividing line between ranges 6 and 7 and the centre line of the public road dividing the said ranges; the extension of the northern line of lot 639; the northern line of the said lot and its extension; the centre line of the road dividing ranges 7 and 8; the extension and the northern line of lot 729; part of the dividing line between ranges 8 and 9 southerly; part of the northern and western lines of Canton de Stukely; the dividing line between ranges VI and V of that township; northerly, part of the eastern line of the said township; part of the southern line of Canton de Brompton to the extension in Lac Brompton of the dividing line between ranges XIII and XIV of Canton d'Orford; in reference to the cadastre of that township, the said extension and part of the said dividing line between the ranges; the northern line of lots 730, 693 660-1 and its extension across Lac Montjoie; the northern line of lots part of 661-1, part of 661-2, 629-1, 629-2, 630-1, 630-2, 630-3, 631-1 and 631-2; part of the western line of lot 573-2; part of the dividing line between ranges 9 and 10; the northern line of lots 566-1, 435, 344-2, 344-1,

247, 248-1, 249-1, 182 and 185; the western line of lot 120; part of the northern line of Canton d'Orford to the dividing line between ranges VII and VI of Canton de Brompton; part of the said dividing line between ranges; in reference to the cadastre of that township, the northwestern line of lot 19A in ranges 6, 5 and 4; the northwestern line of lots 19A and 19B of Rang 3 and its extension to the centre line of Rivière Saint-François; the centre line of the said river upstream; the extension and the dividing line between lots 972 and 973 of the cadastre of Canton de Windsor; in reference to the cadastre of that township, part of the dividing line between ranges 14 and 15; the dividing line between lots 954 and 955; part of the dividing line between ranges 13 and 14; part of the dividing line between the townships of Windsor and Stoke; in reference to the cadastre of Canton de Stoke, part of the dividing line between ranges 5 and 4; the southeastern line of lot 9 in ranges 4 and 3; part of the dividing line between ranges 2 and 3; the southeastern line of lot 11D of Rang 2; part of the dividing line between ranges 1 and 2; the southeastern line of lots 12A, 12B and 12C of Rang 1; part of the northern line of Canton d'Ascot to the northwestern line of lot 21A of Rang 3 of the cadastre of Canton de Stoke; in reference to that cadastre, the northwestern line of the said lot and the northwestern line of lots 21B and 21A of Rang 4, 21C, 21B and 21A of Rang 5, 21C and 21A of Rang 6 and 21 of ranges 7 and 8; part of the dividing line between ranges 9 and 8 southeasterly; part of the southeastern line, the northeastern line and part of the northwestern line of Canton de Stoke to the dividing line between ranges 7 and 6 of Canton de Windsor; in reference to the cadastre of that township, part of the dividing line between ranges 7 and 6; the southeastern line of lots 461, 399 and 398; part of the dividing line between ranges 5 and 4; part of the southeastern line of Canton de Shipton; in reference to the cadastre of that township, part of the dividing line between ranges 7 and 6; the northwestern line of lot 4F of Rang 7; part of the dividing line between ranges 8 and 7; the northwestern line of lots 6C and 6A of Rang 8; finally, part of the northeastern line of Canton de Cleveland to the starting point.

The regional county municipality includes the following municipalities: the towns of Richmond, Valcourt and Windsor; the villages of Kingsbury, Melbourne, Saint-Grégoire-de-Greenlay and Lawrenceville; the parishes of Saint-Denis-de-Brompton and Saint-François-Xavier-de-Brompton; the townships of Cleveland, Melbourne and Valcourt; the municipalities of Bonsecours, Maricourt, Racine, Saint-Claude, Sainte-Anne-de-Larochelle, Stoke, Val-Joli and Ulverton.

Note: The official description appearing in Order in Council 619-96, published on 12 June 1996 (*G.O.*, Part 2, Vol. 128, No. 24, p. 2681) and defining the limits of the territory of the Municipalité régionale de comté du Val-Saint-François, is amended and replaced by this official description in order to take into account the transfer of the territory of Municipalité d'Ulverton located in the Municipalité régionale de comté de Drummond to that of the Municipalité régionale de comté du Val-Saint-François. The contents of the second paragraph reflect the current situation.

Ministère des Ressources naturelles
Service de l'arpentage
Charlesbourg, 16 March 1999

Prepared by: JEAN-PIERRE LACROIX,
Land surveyor

MRC-L029/6

3246

Gouvernement du Québec

O.C. 1301-99, 1 December 1999

An Act respecting municipal territorial organization
(R.S.Q., c. O-9)

Amalgamation of Municipalité d'Henryville and Village d'Henryville

WHEREAS each of the municipal councils of Village d'Henryville and of Municipalité d'Henryville adopted a by-law authorizing the filing of a joint application with the Government requesting that it constitute a local municipality through the amalgamation of the two municipalities under the Act respecting municipal territorial organization (R.S.Q., c. O-9);

WHEREAS a copy of the joint application was sent to the Minister of Municipal Affairs and Greater Montréal;

WHEREAS no objection to the application was made and the Minister of Municipal Affairs and Greater Montréal did not consider it advisable to request that the Commission municipale du Québec hold a public hearing or to order that the qualified voters in each of the applicant municipalities be consulted;

WHEREAS under section 108 of the aforementioned Act it is expedient to grant the joint application with the amendment proposed by the Minister of Municipal Affairs and Greater Montréal which was approved by the councils of the applicant municipalities;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Municipal Affairs and Greater Montréal:

THAT the application be granted and that a local municipality resulting from the amalgamation of Village d'Henryville and Municipalité d'Henryville be constituted, on the following conditions:

1. The name of the new municipality shall be "Municipalité d'Henryville".

2. The description of the territory of the new municipality shall be the description drawn up by the Minister of Natural Resources on 28 July 1999; that description is attached as Schedule A to this Order in Council.

3. The new municipality shall be governed by the Municipal Code of Québec (R.S.Q., c. C-27.1).

4. The new municipality shall be part of the Municipalité régionale de comté du Haut-Richelieu.

5. A provisional council shall hold office until the first general election. It shall be composed of all the members of the two councils in office at the time of the coming into force of this Order in Council. The quorum shall be half the members in office plus one. The current mayors shall alternate as mayor and deputy mayor of the provisional council for equal periods. The mayor of the former Village d'Henryville shall act as mayor from the coming into force of this Order in Council until the second regular sitting.

If a seat is vacant at the time of the coming into force of this Order in Council or becomes vacant during the term of the provisional council, one additional vote shall be allotted to the mayor of the former municipality of origin of the council member whose seat has become vacant.

The mayor of the former Municipalité d'Henryville and the mayor of the former Village d'Henryville shall continue to sit on the council of the Municipalité régionale de comté du Haut-Richelieu until the first general election and shall have the same number of votes as they had before the coming into force of this Order in Council.

Throughout the term of the provisional council, the elected municipal officers shall continue to receive the

same remuneration as they were receiving prior to the coming into force of this Order in Council.

6. The first sitting of the provisional council shall be held at the recreation hall located at 125, rue de l'Église, in the territory of the former village.

7. The first general election shall be held on the last Sunday in March 2000 if this Order in Council comes into force before 15 January 2000; otherwise, it shall be held on the first Sunday of the fourth month following the coming into force of this Order in Council. The second general election shall be held on the first Sunday in November 2004.

The council of the new municipality shall be composed of seven members, that is, a mayor and six councillors. From the first general election, the councillors' seats shall be numbered from 1 to 6.

8. For the first general election, only those persons who would be eligible under the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) if such election were an election of the council members of the former Municipalité d'Henryville shall be eligible for seats 1, 2, 3 and 4 and only those persons who would be eligible under that Act if such election were an election of the council members of the former Village d'Henryville shall be eligible for seats 5 and 6.

9. Ms. Christiane Veilleux, secretary-treasurer of the former Municipalité d'Henryville, shall act as secretary-treasurer of the new municipality. Ms. Sonia Côté, secretary-treasurer of the former Village d'Henryville, shall act as assistant secretary-treasurer.

10. Any budget adopted by one of the former municipalities for the fiscal year during which this Order in Council comes into force shall continue to be applied by the council of the new municipality and the expenditures and revenues shall be accounted for separately as if those municipalities continued to exist.

Notwithstanding the foregoing, an expenditure recognized by the council as resulting from the amalgamation shall be charged to the budget of each former municipality in proportion to their standardized real estate value, established in accordance with the Regulation respecting the equalization scheme (Order in Council 1087-92 dated 22 July 1992, amended by Orders in Council 719-94 dated 18 May 1994, 502-95 dated 12 April 1995 and 1133-97 dated 3 September 1997), as it appears in their financial statements for the last fiscal year ending before this Order in Council comes into force.

11. If section 10 applies, the portion of the subsidy granted by the Government under the Programme d'aide financière au regroupement municipal (PAFREM) for the first year of the amalgamation, less the expenditures recognized by the council as resulting from the amalgamation and directly financed with that portion of the subsidy, shall constitute a reserve for the new municipality.

12. The terms and conditions for apportioning the cost of shared services provided for in intermunicipal agreements in effect prior to the coming into force of this Order in Council shall continue to apply until the end of the last fiscal year for which the former municipalities adopted separate budgets.

13. Any surplus accumulated on behalf of a former municipality at the end of the last fiscal year for which the former municipalities adopted separate budgets shall be used as follows:

— an amount of \$50 000 shall be taken from the surplus accumulated on behalf of the former Municipalité d'Henryville and added to the surplus accumulated on behalf of the former Village d'Henryville as a contribution towards the renovations to the immovable located at 125, rue de l'Église, in the territory of the former Village d'Henryville; should a subsidy for these renovations be granted, the former Municipalité d'Henryville's contribution shall then be calculated by dividing by 2 the difference between \$100 000 and the amount of the subsidy. Should the surplus accumulated on behalf of the former Municipalité d'Henryville not cover the payment of the contribution, the new municipality shall levy a tax on all the taxable immovables located in the sector made up of the territory of that former municipality on the basis of their value as it appears on the assessment roll in effect each year in order to make up the difference;

— an amount of \$17 501 taken from the surplus accumulated on behalf of the former Municipalité d'Henryville and an amount of \$6 129 taken from the surplus accumulated on behalf of the former Village d'Henryville shall be used to pay for the cost of acquiring fire protection equipment. Should the surplus accumulated on behalf of one of the former municipalities not cover its share of the cost, the new municipality shall levy a tax on all the taxable immovables located in the sector made up of the territory of that former municipality on the basis of their value as it appears on the assessment roll in effect each year in order to make up the difference;

— an amount of \$8 000 taken from the surplus accumulated on behalf of the former Municipalité

d'Henryville and an amount of \$8 000 taken from the surplus accumulated on behalf of the former Village d'Henryville shall be used to pay the cost of repairs to the exterior rear wall of the community centre located at 109, rue Saint-Jean-Baptiste. Should the surplus accumulated on behalf of one of the former municipalities not cover these costs, the new municipality shall levy a tax on all the taxable immovables located in the sector made up of the territory of that former municipality on the basis of their value as it appears on the assessment roll in effect each year in order to make up the difference.

14. Once the operation provided for in section 13 has been carried out, any balance remaining in the accumulated surplus on behalf of a former municipality shall be used for the benefit of the ratepayers of the sector made up of the territory of that former municipality. It may be used for carrying out public works in that sector, reducing taxes applicable to all the taxable immovables of that sector or repaying debts charged to that sector.

15. Any deficit accumulated on behalf of a former municipality at the end of the last fiscal year for which it adopted a separate budget shall continue to be charged to all the taxable immovables in the sector made up of the territory of that former municipality.

16. The annual amount payable to the Société québécoise d'assainissement des eaux under the agreement signed on 10 July 1985 between the Government and the former Village d'Henryville shall be charged to all of the users of the sewer system in the new municipality. It shall be paid by means of a compensation rate to be fixed annually by the new municipality.

17. The contributions payable to the Régie intermunicipale d'approvisionnement en eau potable Henryville-Venise with respect to loan by-laws 01-87, 02-89, 01-90, 01-94 and 02-97 contracted by the Régie shall continue to be charged to the users in each of the former municipalities and apportioned in accordance with the agreement. Those contributions shall be paid by means of a compensation rate charged annually to the users in each of the former municipalities.

18. One-half of the amalgamation subsidy granted to the new municipality under the Programme d'aide financière au regroupement municipal (PAFREM) shall be used primarily for the purchase of fire protection and computer equipment and for setting up the municipal office.

19. For the first eight full fiscal years following the coming into force of this Order in Council, and thereafter until the council decides otherwise, 75 % of the

annual operating costs of the street lighting network located in the area described in Schedule B shall continue to be charged to the consumers and 25 % shall be charged to all of the taxable immovables in the new municipality. The portion charged to the consumers shall be paid by means of a compensation rate to be fixed annually by the council.

During that same period, if canalization of Ruisseau Gariépy is carried out, the total cost shall be charged to the riparian owners, less the subsidy granted for the carrying out of that work.

20. Any debt or gain that may result from legal proceedings for an act performed by a former municipality shall continue to be charged or credited to the sector made up of the territory of that former municipality.

21. Should the contribution required under the Act to establish the special local activities financing fund (R.S.Q., c. F-4.01) be continued for the year 2000 or for any subsequent year, it shall continue to be charged to the sector made up of the territory of each former municipality in the proportion determined under the Act.

22. Notwithstanding section 119 of the Act respecting municipal territorial organization, as amended by section 202 of chapter 40 of the Statutes of 1999, the new municipality shall use the values entered on the real estate assessment rolls in effect in the former municipalities for the 1999 fiscal year, updated and adjusted after the coming into force of this Order in Council.

The adjustment shall be made as follows: the values entered on the assessment roll of the former Village d'Henryville shall be divided by its median proportion and multiplied by the median proportion of the real estate assessment roll of the former Municipalité d'Henryville; the median proportions used shall be the ones that were established for the 1999 fiscal year.

The role in effect in the former Municipalité d'Henryville for the 1999 fiscal year and the role of the former Village d'Henryville amended in accordance with the second paragraph of this section shall constitute the roll of the new municipality for the first fiscal year. The median proportion and the comparative factor of the role shall be those of the former Municipalité d'Henryville. The first fiscal year of the new municipality shall be the third period of application of the role.

23. The second sentence of the second paragraph and the third and fourth paragraphs of section 126, the second paragraph of section 127, sections 128 to 133, the second and third paragraphs of section 134 and sections 135 to 137 of the Act respecting land use planning and develop-

ment (R.S.Q., c. A-19.1) do not apply to a by-law adopted by the new municipality to replace all the zoning and subdivision by-laws applicable on its territory by, respectively, a new zoning by-law and a new subdivision by-law applicable to all the territory of the new municipality, provided that such a by-law comes into force within four years following the coming into force of this Order in Council.

Such a by-law shall be approved, in accordance with the Act respecting elections and referendums in municipalities, by the qualified voters of the whole territory of the new municipality.

24. The Régie de service de protection contre les incendies d'Henryville shall be abolished at the end of the last fiscal year for which the former municipalities adopted separate budgets.

25. All the movable and immovable property belonging to the former municipalities shall become the property of the new municipality. However, the immovable located at 125, rue de l'Église, in the territory of the former Village d'Henryville may not be alienated during the mandate of the council elected in the first general election.

26. In accordance with the Order in Council concerning the amendment to the agreement respecting the Cour municipale d'Iberville, which is to be made under the Act respecting municipal courts (R.S.Q., c. C-72.01), the Cour municipale d'Iberville shall have jurisdiction over the territory of the new municipality.

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

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

SCHEDULE A

OFFICIAL DESCRIPTION OF THE LIMITS OF THE TERRITORY OF THE NEW MUNICIPALITÉ D'HENRYVILLE IN THE MUNICIPALITÉ RÉGIONALE DE COMTÉ DU HAUT-RICHELIEU

The current territory of Municipalité d'Henryville and of Village d'Henryville, in the Municipalité régionale de comté du Haut-Richelieu, comprising, in reference to the cadastre of Paroisse de Saint-Georges-d'Henryville, the lots or parts of lots and their present and future subdivisions as well as the roads, routes, streets, islands, islets, lakes, watercourses or parts thereof, the whole within the limits described hereafter, namely: starting

from the apex of the northeast angle of lot 240; thence, successively, the following lines and demarcations: southerly, part of the line dividing the cadastres of the parishes of Saint-Georges-d'Henryville and Saint-Sébastien to the centre line of a public road (Route 133) shown in the original and bordering lot 276 to the south-east, that line crossing Rivière du Sud that it meets; northwesterly, the centre line of the said road to its intersection with the southerly extension of the line bordering lots 276 and 277; southerly, the said extension to the south-west side of the right-of-way of the said road; northwesterly, the south-west side of the said right-of-way to the east side of the right-of-way of a public road shown in the original (Rang Lamoureux); successively, southerly, southeasterly and again southerly, the east, north-east and east sides of the right-of-way of the said road to its intersection with the line bordering the cadastres of the parishes of Saint-Georges-d'Henryville and Saint-Georges-de-Clarenceville; in a general westerly direction, successively, the broken line dividing the cadastre of Paroisse de Saint-Georges-d'Henryville and the cadastres of the parishes of Saint-Georges-de-Clarenceville and Saint-Thomas passing through the centre line of Rivière du Sud and the extension of the said line bordering the cadastres in Rivière Richelieu to the centre line of the said river, that broken line crossing the roads, routes and watercourses that it meets; in a general northeasterly direction, the centre line of Rivière Richelieu going downstream and skirting on the east islands 429 to 434 of the cadastre of Paroisse de Saint-Valentin to its intersection with the westerly extension of the north line of lot 85 of the cadastre of Paroisse de Saint-Georges-d'Henryville; in reference to that cadastre, easterly, successively, the said extension, the north line of the said lot and the extension of that line to the centre line of a public road shown in the original (Rang Saint-Louis), that line crossing Route 225 that it meets in its second section; northerly, the centre line of the said road to its intersection with the westerly extension of the north line of lot 128; easterly, successively, the said extension, the north line of the said lot and the extension of that line to the centre line of a public road shown in the original (Route 133); northwesterly, the centre line of the said road to its intersection with the westerly extension of the north line of lot 210; easterly, successively, the said extension, the north line of the said lot and the extension of that line to the centre line of a public road shown in the original (Le Petit-Sabrevois); northerly, the centre line of the said road to its intersection with the westerly extension of the north line of lot 240; lastly, easterly, the said extension and the north line of the said lot to the starting point.

The said limits define the territory of the new Municipalité d'Henryville.

Ministère des Ressources naturelles
Direction de l'information foncière sur le territoire public
Division de l'arpentage foncier

Charlesbourg, 28 July 1999

Prepared by: JEAN-FRANÇOIS BOUCHER,
Land surveyor

H-110/1

SCHEDULE B

TECHNICAL DESCRIPTION OF THE URBAN AREA SUBJECT TO THE PUBLIC LIGHTING TAX

Sector 1

All of the territory of the former municipality of Village d'Henryville

Sector 2

Both sides of Rue de l'Église between Route 133 and Rue Dupont, comprising the following existing addresses:

1129, rue de l'Église
1133, rue de l'Église

Sector 3

The north side of Rue Dupont between Rue de l'Église and Route 133, comprising the following existing addresses:

839, rue Dupont
843, rue Dupont
847, rue Dupont
851, rue Dupont
857, rue Dupont

Sector 4

The north side of Route 133 between Rue Dupont and Rue Patenaude, comprising the following existing addresses:

1171, route 133
Lot 267-2 (1181), route 133
1189, route 133
1221, route 133

Sector 5

The north side of Rue Patenaude between Route 133 and its western limit, comprising the following existing addresses:

1015, rue Patenaude
1039, rue Patenaude
1051, rue Patenaude
1057, rue Patenaude
1065, rue Patenaude
1071, rue Patenaude

Sector 6

Both sides of Rue Phénix, from the limits of the former municipality of Village d'Henryville to the Branch 51 watercourse of Rivière du Sud, comprising the following existing address:

1216, rue Phénix

Sector 7

Both sides of Rue Champagnat, from the limits of the former municipality of Village d'Henryville to Rue Marie Rivier, comprising the following existing addresses:

1239, rue Champagnat
1243, rue Champagnat

Sector 8

Both sides of Rue Marie Rivier from Rue Champagnat to Rue St-Joseph, comprising the following existing addresses:

838, rue Marie Rivier
842, rue Marie Rivier
850, rue Marie Rivier
856, rue Marie Rivier

Sector 9

Both sides of Rang de l'Église, from the limits of the former municipality of Village d'Henryville to the Branch 51 watercourse of Rivière du Sud on the south side, and to civic address 769, rang de l'Église on the north side, comprising the following existing addresses:

769, rang de l'Église
774, rang de l'Église
781, rang de l'Église
787, rang de l'Église
788, rang de l'Église
790, rang de l'Église

N.B. Only sectors 1, 3 and 4 are serviced by the public lighting network as of the date of the agreement.

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

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