

5. Section 1.3.5.C.1 is amended:

(1) by substituting the figure “4” for the figure “3” in the introductory paragraph;

(2) by adding the following after paragraph 3:

“(4) special events permit.”.

6. The following is inserted after section 1.3.5.C.4:

“**1.3.5.C.4.1.** A special events permit authorizes the holder to operate premises or a vehicle where food is prepared as provided for in subparagraph *j* of the first paragraph and in the second paragraph of section 1.1.1 where activities forming part of restaurateurs’ businesses are carried on. The permit authorizes the holder to operate the premises or vehicle for the number of consecutive days that are provided for in the permit.”.

7. Paragraph 1 of section 1.3.5.D.2 is revoked.

8. The following is substituted for section 1.3.5.D.4:

“**1.3.5.D.4** The Minister may issue the permits provided for in subparagraph *m* or *n* of the first paragraph of section 9 of the Act for a period of less than 12 months in the following cases:

(1) where a person required to hold a permit is also required, for the same premises or the same vehicle, to hold a tourist establishment permit in the “restaurant” class provided for in section 4 of the Tourist Establishments Act and in section 12 of the Regulation respecting tourist establishments, so that the expiry dates of the permits coincide;

(2) where a person required to hold a permit practises his activities for a period of 30 consecutive days or less.”.

9. The following is added after paragraph 3 of section 1.3.6.7:

“(4) \$20 for the first day of activity and an additional \$5 per day for each following day, for a special events permit.”.

10. The following is substituted for section 1.3.6.8:

“**1.3.6.8.** From 1 April 1997, the fees payable provided for in Subdivision 1.3.6. shall be indexed on 1 April of each year on the basis of the rate of increase in the general Consumer Price Index for Canada for the 12-month period ending on 30 September of the preceding year, as determined by Statistics Canada. The fees

shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister shall inform the public, through Part I of the *Gazette officielle du Québec* or by such other means as it considers appropriate, of the indexing calculated under this section.”.

11. Section 1.3.6.11 is amended by inserting the words “paragraph 1 of” after the words “pursuant to”.

12. This Regulation comes into force on 1 June 1996 except for section 10 which will come into force on 1 January 1997.

9658

Draft Regulation

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

Permanent impairments — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting permanent impairments”, the text of which appears below, made by the Société de l’assurance automobile du Québec may be approved by the government after 45 days have elapsed from the date of this publication.

The purpose of the draft regulation is:

- to change the computation of the enhancement factor for bilaterality;
- to modify the assessment of certain permanent impairments, notably those concerning disfigurement, specifying the description and attendant percentages;
- to add certain permanent impairments that are not currently covered by the Regulation.

The changes, modifications, and additions are intended to ensure individuals are more accurately compensated in a fairer way.

The enhancement factor for bilaterality applies when there has been damage to symmetrical limbs. The calculation proposed will better reflect clinical reality and take into consideration the relative severity of functional impairment.

The changes to the evaluation of certain types of disfigurement will provide more consistency in the assessment of equivalent permanent impairments.

Lastly, the addition of certain impairments not currently covered by the Regulation, as well as the more precise description of certain impairments already included, will help ensure uniformity in the assessment of aftereffects of injury sustained in a road accident and allow victims greater awareness of compensation for which they might qualify.

The draft regulation is not expected to have an impact on suppliers.

Additional information may be obtained by contacting Dr. Stella Phaneuf, Service de l'expertise-conseil médicale, 333, boulevard Jean-Lesage, S-4-25, C.P. 19600, Québec (Québec), G1K 8J6, tel.: (418) 528-3930, fax: (418) 643-4781.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec (Québec), G1K 8J6.

JEAN-YVES GAGNON,
Chairman and CEO of the
Société de l'assurance automobile du Québec

Regulation to amend the Regulation respecting permanent impairments

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 12, 13 and 14)

1. The Regulation respecting permanent impairments, made by Order in Council 1921-89 dated 13 December 1989, is amended by substituting the following for section 2:

“**2.** Where permanent anatomicophysiological deficits affect symmetrical limbs or a limb symmetrical to one that is already impaired, the average of the percentages of the anatomicophysiological deficits for both limbs is multiplied by an enhancement factor of one-quarter, up to the sum of percentages of the lesser damaged limb.

The average is obtained by adding together the percentage of anatomicophysiological deficit of each of the two symmetrical limbs and dividing the sum by 2.

Symmetrical deficits are established on a limb-to-limb basis: the upper right limb with the upper left limb and the lower right limb with the lower left limb. The upper limb includes the scapula and clavicle. The lower limb includes the pelvis.”

2. Part I of Schedule I to the Regulation is amended:

(1) by striking out “and discoidectomies, if applicable” from paragraph 3 of section 18 in Division III of Title I;

(2) by substituting “axis” for “odontoid” in paragraph 7 of section 18 in Division III of Title I;

(3) by striking out “and discoidectomies, if applicable” from paragraph 3 of section 19 in Division III of Title I;

(4) by striking out “and discoidectomies, if applicable” from paragraph 3 of section 20 in Division III of Title I;

(5) by striking out the words “following the herniation of” in paragraph 1 of section 21 in Division III of Title I;

(6) by inserting the following after subparagraph *c* of paragraph 4 of section 9 in Division II of Title II:

“(d) affecting a sub-orbital nerve: 1 %;”

(7) by substituting the following for Title V:

“TITLE V RESPIRATORY APPARATUS

- | | |
|---|------------|
| 1. Absence of spontaneous respiration: | 100 % |
| 2. Restrictive functional alteration, with regard to vital capacity, respiratory volume and other pulmonary volumes, the percentage of functional alteration corresponding to the percentage of the deficit, a percentage of alteration of 60 % or more corresponding, however, to a deficit of 80 %: | 20 to 80 % |
| 3. Stenosis of the trachea: | |
| (1) requiring a permanent tracheostomy, depending on phonetic alterations: | 10 to 20 % |
| (2) without permanent traceostomy: | 1 to 3 % |
| 4. Loss of a lung: | 20 % |

5. Paralysis of the phrenic nerve:		(8) by substituting the following for section 2 of Title VI:
(1) with restrictive functional alteration:	depending on the restrictive functional alteration	“2. Alteration of tissue
(2) without restrictive functional alteration:	15 %	(1) alteration of tissue following a first laparotomy: 2 %
6. Pleural impairment:		(2) alteration of tissue following a laparotomy other than the first:
(1) with restrictive functional alteration:	depending on the restrictive functional alteration	a) through a route previously used: 1 % b) through a new route: 2 %
(2) without restrictive functional alteration:	according to Table 10	(3) alteration of tissue following a first laparoscopy: 0.5 %
7. Loss of two pulmonary lobes:	6 %	(4) alteration of tissue following a laparoscopy other than the first:
8. Loss of a pulmonary lobe:	3 %	a) through a route previously used: 0.25 % b) through a new route: 0.5 %
9. Alteration of tissue following a thoracotomy:	2 %	
10. Alteration of tissue following thoracic drainage:	0.5 %	(5) Alteration of tissue following abdominal drainage: 0.5 %”.
11. Alteration of tissue following a tracheotomy:	1 %”;	3. Part II of Appendix I to the Regulation is amended: (1) by substituting the following for Table 15:

Evaluation of physiognomy impairments

Class of physiognomy impairments	Changes in the form and symmetry	Cicatricial impairment	Max. Disfig.
Class 1 No impairment	No conspicuous change	No conspicuous	—
Class 2 Very minor impairment	Very minor change affecting one anatomical element:	Conspicuous impairment : 1 % 1 %/cm ²	3 %
Class 3 Minor impairment	Conspicuous change: a) affecting one anatomical element: b) affecting two anatomical elements: c) affecting more than two anatomical elements:	3 % 4 % 7 %	Conspicuous impairment: a) flat scar: 1 %/cm ² b) faulty scar: 2 %/cm ² 7 %
Class 4 Moderate impairment	Conspicuous change that holds one's attention: a) affecting one anatomical element: b) affecting two anatomical elements: c) affecting more than two anatomical elements:	10 % 12 % 15 %	Conspicuous impairment: a) flat scar: 1 %/cm ² b) faulty scar: 3 %/cm ² 15 %

(2) by substituting the following for Table 17:

Evaluation of impairments to other parts of the body			
Parts of the body	Change of form and symmetry	Cicatricial impairment	
		damage to full thickness of the skin (dermis and epidermis)	damage to partial thickness of the skin (epidermis)*
Scalp and skull	Minor or moderate change: 1 to 3 % Severe change: 5 %	Conspicuous impairment: 0.5 %/cm ²	Conspicuous impairment: 0.05 %/cm ²
The maximum percentage of impairment for the skull and scalp together is 5 %			
Neck	Minor or moderate change: 1 to 5 % Severe change: 8 %	Conspicuous impairment: 1 %/cm ²	Conspicuous impairment: 0.1 %/cm²
The maximum percentage of impairment for the neck is 8 %			
Shoulders, arms and elbows	Minor or moderate change: 0.5 to 2 % Severe change: 4 %	Conspicuous impairment: 0.5 %/cm ²	Conspicuous impairment: 0.05 %/cm ²
The maximum percentage of impairment for the shoulder, arm and elbow together is 4 % on the right side and 4 % on the left side			
Forearms and wrists	Minor or moderate change: 0.5 to 2 % Severe change: 5 %	Conspicuous impairment: 1 %/cm ²	Conspicuous impairment: 0.1 %/cm ²
The maximum percentage of impairment for the forearm and wrist together is 5 % on the right side and 5 % on the left side			
Hands	Minor or moderate change: 1 to 3 % Severe change: 6 %	Conspicuous impairment: 1 %/cm ²	Conspicuous impairment: 0.1 %/cm ²
The maximum percentage of impairment for a hand is 6 % on the right side and 6 % on the left side.			
Trunk	Minor or moderate change: 1 to 3 % Severe change: 6 %	Conspicuous impairment: 0.5 %/cm ²	Conspicuous impairment: 0.05 %/cm ²
The maximum percentage of impairment for the trunk is 6 % in front and 6 % in the rear			

Evaluation of physiognomy impairments

Class of physiognomy impairments	Changes in the form and symmetry	Cicatricial impairment	Max. Disfig.
Lower limbs	Minor or moderate change: 1 to 4 % Severe change: 8 %	Conspicuous impairment: 1 %/cm ²	Conspicuous impairment: 0.1 %/cm ²
The maximum percentage of impairment for a lower limb is 8 % on the right side and 8 % on the left side			

* Example: surface that is hypo- or hyperpigmented.

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

9659

Draft Regulation

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

Reimbursement of certain expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the reimbursement of certain expenses”, the text of which appears below, made by the Société de l’assurance automobile du Québec may be approved by the government after 45 days have elapsed from the date of this publication.

The intent of the proposed regulation is to update certain rates, to bring the payment of private vehicle expenses into line with that in other government ministries and agencies, and to streamline the reimbursement of urologic supplies.

The new provisions will make for smoother, more accurate and fairer compensation for Quebecers become road accident victims.

Rates have been revised to better reflect accident-related expenses. In most cases, these are increased.

Individuals will henceforth have the choice of using a private vehicle, without having to prove the unavailability of more economical public transit. A single rate

applies for the reimbursement of expenses, namely \$0.125 per kilometre travelled.

Several requirements concerning the evaluation of urologic supplies necessary to a victim are removed, to simplify and speed up reimbursement.

The draft regulation is not expected to have an impact on suppliers.

Additional information may be obtained by contacting Ms. Jacqueline Pettigrew, Service de la normalisation, 333, boulevard Jean-Lesage, S-4-21, C.P. 19600, Québec (Québec), G1K 8J6, tel.: (418) 528-3927, fax: (418) 528-1223.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec (Québec), G1K 8J6.

JEAN-YVES GAGNON,
*Chairman and CEO of the
Société de l’assurance automobile du Québec*

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, 17 and 19)

1. The Regulation respecting the reimbursement of certain expenses, approved by Order in Council 1925-89 dated 13 December 1989 and amended by the regulation approved by O.C. 789-93 dated 2 June 1993, is further amended by substituting the following for section 9: