

a Flush, even if the dealer cannot open. Winning supplemental wagers are paid as follows:

Royal flush	100 % of the progressive jackpot
Straight flush	10 % of the progressive jackpot
Four-of-a-kind	\$500
Full house	\$100
Flush	\$50.

A display board continuously indicating the amount of the progressive jackpot must be placed in such a manner as to be visible from each table permitting this type of wager.”.

4. Section 68 is amended by inserting the words “, or thirty-eight numbers, that is 1 to 36, a zero and a double zero” after the word “zero”.

5. Section 69 is amended by inserting the word “, American” after the word “French”.

6. Section 70 is amended by inserting the words “American or” after the word “Every” in the first paragraph.

7. The following is substituted for subparagraph *e* of paragraph 2 of section 72:

“*e*) American Roulette (0, 00, 1, 2, 3) 6 to 1
 French or English Roulette (0, 1, 2, 3) 8 to 1;”.

9694

Draft Regulation

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Office Franco-Québécois pour la Jeunesse — Agreement

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that, at the expiry of 60 days following the publication of this notice, the Regulation respecting the implementation of the Agreement regarding the programs of the Office Franco-Québécois pour la Jeunesse may be made by the Commission de la santé et de la sécurité du travail, with or without amendment, and submitted to the Government for approval.

The purpose of the Draft Regulation is to afford the protection of the Act respecting industrial accidents and

occupational diseases (R.S.Q., c. A-3.001) to persons who undertake training periods in the workplace, outside Québec, under programs of the Office Franco-Québécois pour la Jeunesse.

To that end, the Draft Regulation proposes that the Office Franco-Québécois pour la Jeunesse should be considered as the employer of the trainees for purposes of the Act respecting industrial accidents and occupational diseases and that it should assume the assessments accordingly.

To date, study of this matter has revealed the following effects on the public and businesses, including small and medium-sized businesses:

— protection against industrial accidents and occupational diseases is afforded to persons who undertake training periods in the workplace, outside Québec, under programs of the Office Franco-Québécois pour la Jeunesse;

— the Office Franco-Québécois pour la Jeunesse is deemed to be the employer of those trainees and pays the assessments accordingly.

Additional information may be obtained by contacting Mr. Pierre Gingras, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 12^e étage, Montréal (Québec), H3B 3J1; tel.: (514) 873-0679, fax: (514) 864-9985.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 60-day period, to Mr. Donald Brisson, Vice-Chairman, Client and Partner Relations, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec), G1K 7E2.

PIERRE SHEDLEUR,
*Chairman of the Board of Directors
 and Chief Executive Officer of the
 Commission de la santé et de la sécurité du travail*

Regulation respecting the implementation of the Agreement regarding the programs of the Office Franco-Québécois pour la Jeunesse

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpar. 39)

1. The Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) applies to persons participating in the programs of the Office Franco-

Québécois pour la Jeunesse on the conditions and to the extent provided for in the Agreement between the Office and the Commission de la santé et de la sécurité du travail appearing in Schedule I.

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

AGREEMENT BETWEEN

THE OFFICE FRANCO-QUÉBÉCOIS POUR LA JEUNESSE

having its head office at 1441, boulevard René-Lévesque Ouest, Montréal, represented by Mr. Michel Leduc, Secretary General, duly authorized,

hereinafter referred to as “The Office”

AND

THE COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL

having its head office at 524, rue Bourdages, Québec, represented by Mr. Pierre Shedleur, Chairman of the Board of Directors and Chief Executive Officer, duly authorized,

hereinafter referred to as “The Commission”

under section 16 of the Act respecting industrial accidents and occupational diseases

WHEREAS the Office, created by the Protocol concerning exchanges between Québec and France in matters of physical education, sports and popular education made pursuant to the Franco-Québec agreement of the 27th February 1965 on a program of exchange and co-operation in the field of education, shall, under section 1 of the Act respecting the Office Franco-Québécois pour la Jeunesse (R.S.Q., c. O-5), have the powers of a legal person within the meaning of the Civil Code of Québec;

WHEREAS under article 3 of the said Protocol, the Office shall have juridical personality and shall enjoy in Québec and in France autonomy in its management and administration;

WHEREAS under section 138 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission is a legal person within the meaning of the Civil Code of Québec and has the general powers of such a legal person and the special powers conferred upon it by that Act;

WHEREAS under section 170 of that Act, the Commission may make agreements with a Government depart-

ment or agency, another government or a department or agency of such a government for the application of the Acts and regulations administered by it, according to law;

WHEREAS under article 2 of that Protocol, the object of the Office is to develop relations between the youth of Québec and that of France, and for such purpose, to bring about, encourage and promote meetings and exchanges between groups of young people and also between authorities in the field of youthful activities, recreation and sports;

WHEREAS the Office has requested that the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) apply to certain trainees and it intends to assume the obligations prescribed for employers, including those concerning assessments due;

WHEREAS under section 16 of the Act respecting industrial accidents and occupational diseases, a person doing work under a project of any government, whether or not the person is a worker, may be deemed to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission and the government, agency or legal person concerned;

WHEREAS under section 16 of that Act, the second paragraph of section 170 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1) applies to such agreement, the effect of that section 16 being that the Commission must proceed by way of a regulation in order to give effect to an agreement extending benefits arising out of Acts or regulations administered by it;

THEREFORE, THE PARTIES HEREBY AGREE TO THE FOLLOWING:

CHAPTER 1.00 ENABLING PROVISIONS

Enabling provisions

1.01 This Agreement is entered into under section 16 of the Act respecting industrial accidents and occupational diseases.

CHAPTER 2.00 PURPOSES OF AGREEMENT

Purposes of agreement

2.01 The purposes of this Agreement are to provide for the application of the Act respecting industrial accidents and occupational diseases to certain trainees of the

Office and to determine the respective obligations of the Office and of the Commission, on the conditions and to the extent set forth herein.

CHAPTER 3.00 DEFINITIONS

For the purposes of this Agreement,

“Commission”

(a) Commission means the Commission de la santé et de la sécurité du travail established under section 137 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1);

“employment”

(b) employment means, as the case may be, the remunerated employment the trainee has at the time his employment injury appears or for which he is registered with the Commission. If the trainee has no remunerated employment or is not registered with the Commission at the time his injury appears, he is entitled to an income replacement indemnity if he becomes unable, by reason of his injury, to carry on his usual employment or, if he does not carry on such employment usually, the employment that could have been his usual employment, considering his training and work experience and physical and intellectual capacity before his injury appeared;

“establishment”

(c) establishment means a body within the meaning of the Act respecting occupational health and safety;

“educational institution”

(d) educational institution means an agency that provides training programs under the Education Act (R.S.Q., c. I-13.3), under the General and Vocational Colleges Act (R.S.Q., c. C-29) or under the Act respecting private education (R.S.Q., c. E-9), or an educational institution at the university level. Such activities may include a non-remunerated training period at an establishment;

“employment injury”

(e) employment injury means an injury or a disease arising out of or in the course of a work accident, or an occupational disease, including a recurrence, relapse or aggravation;

“Act”

(f) Act means the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001);

“Office”

(g) Office means the Office Franco-Québécois pour la Jeunesse, Section du Québec, created under article 1 of the Protocol concerning exchanges between Québec and France in matters of physical education, sports and popular education made pursuant to the Franco-Québec agreement of the 27th February 1965 on a program of exchange and co-operation in the field of education;

“trainee”

(h) trainee means a person who is doing work under a program administered by the Office, in particular the programs listed in Schedule I, and who is not

(a) a person doing work as part of a measure provided for in section 23 of the Act respecting income security (R.S.Q., c. S-3.1.1); or

(b) a person covered by section 10 of the Act who is undertaking a non-remunerated training period for which an educational institution is responsible.

CHAPTER 4.00 OBLIGATIONS OF THE OFFICE

Employer

4.01 The Office is deemed to be the employer of any trainee covered by this Agreement.

Restrictions

Notwithstanding the foregoing, that employer-employee relationship shall be recognized only for the purposes of assessments and indemnities under the Act and shall not be considered as an admission of *de facto* status which may be open to interpretation in other fields of activity.

General obligations

4.02 As an employer, the Office is bound, *mutatis mutandis*, by all the obligations provided for in the Act, including in particular the obligation to keep a register of work accidents occurring in the establishments where the trainees are located and the obligation to inform the Commission, using the form prescribed by the Commission, that a trainee is unable to continue his program by reason of his injury.

Register of accidents

However, the Office is required to make the register of work accidents referred to in the preceding paragraph available only to the Commission.

Information

At the request of the Commission, the Office shall forward a description of the program and of the tasks or activities performed by the trainee at the time the employment injury appeared.

Exceptions

4.03 Notwithstanding section 4.02, section 32 of the Act pertaining to the dismissal, suspension or transfer of a worker, the practice of discrimination or the taking of reprisals against him, sections 179 and 180 concerning temporary assignment and Chapter VII respecting the right to return to work do not apply to the Office.

First aid

Although the Office itself is not required to give first aid to a trainee who suffers an employment injury in accordance with sections 190 and 191 of the Act, it shall ensure that first aid is given where necessary and shall assume the costs thereof.

Payment of assessments

4.04 The Office agrees to pay the assessment calculated by the Commission in accordance with the Act and the regulations made thereunder and the fixed administrative costs associated with each financial record.

Assessment

4.05 For assessment purposes, the Office is deemed to pay wages that correspond, as the case may be, to the gross annual employment income of each trainee at the time he registered in a program, to the unemployment insurance benefits received by the trainee or to the minimum wage, if the trainee has no other employment income.

Minimum

The assessment shall be based on the wages that the Office is deemed to pay and on the length of the training period. However, the wages that the Office is deemed to pay may not in any case be less than two thousand dollars (\$2000) per trainee.

Annual statement

4.06 The Office shall send to the Commission, before 15 March of each year, a statement setting out, in particular,

(1) the amount of gross annual employment income earned by the trainees during the preceding calendar year calculated on the basis of the length of the training period; and

(2) an estimate of the gross annual employment income calculated on the basis of the length of the training period of the trainees registered or likely to be registered for a training period during the current year.

Register

4.07 The Office shall keep a detailed register of the names and addresses of the trainees and, if the trainees are employed during their training periods, the names and addresses of their respective employers.

Availability

The Office shall make such register available to the Commission if the latter so requires.

Description of programs

4.08 The Office shall forward to the Commission, upon the coming into force of this Agreement, a description of every program appearing in Schedule I.

New program or amendment

Every new program and every subsequent amendment to a program appearing in Schedule I shall be forwarded so that it may be evaluated and a decision may be made whether to include or to retain it under this Agreement.

CHAPTER 5.00 OBLIGATIONS OF THE COMMISSION

Worker status

5.01 The Commission shall consider a trainee covered by this Agreement to be a worker within the meaning of the Act, except in respect of travel between Québec and the country where the training period will be undertaken.

Indemnity

5.02 A trainee who suffers an employment injury is entitled to an income replacement indemnity from the first day following the beginning of his inability to carry on his employment by reason of his injury.

Payment

Notwithstanding section 60 of the Act, the Commission shall pay to such trainee the income replacement indemnity to which he is entitled.

Calculation of the indemnity

5.03 For the purposes of calculating the income replacement indemnity, the trainee's gross annual employment income is, as the case may be, that which he derives from the remunerated employment he has at the time his employment injury appears, that which corresponds to the unemployment insurance benefits received, that for which he is registered with the Commission or, if he is unemployed or if he is an independent operator not registered with the Commission, that determined on the basis of the minimum wage provided for in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3) and the regular workweek referred to in section 52 of the Act respecting labour standards (R.S.Q., c. N-1.1), as they read on the date on which they are to be applied when the injury appears.

Exception

However, entitlement to an income replacement indemnity and the calculation thereof for a trainee who is considered to be a worker under this Agreement and who is a full-time student shall be determined according to sections 79 and 80 of the Act.

Recurrence, relapse or aggravation

In the event of a recurrence, a relapse or an aggravation, where the trainee has a remunerated employment, the gross annual income is, for the purposes of calculating the income replacement indemnity, established in accordance with section 70 of the Act. However, if he is unemployed at the time of the recurrence, relapse or aggravation, the gross annual employment income is that which he derived from the employment out of or in the course of which he suffered his employment injury; that gross income is revalorized on 1 January of each year from the date he ceased to hold the employment.

Financial records

5.04 At the request of the Office, the Commission shall open a special financial record for each program covered by this Agreement.

Unit of economic activity

Such record shall be classified in the unit corresponding to the economic activities described in the

"Programme d'aide à la création d'emploi" unit or, should amendments be made after this Agreement is signed, in a unit corresponding to those activities.

CHAPTER 6.00 MISCELLANEOUS

Monitoring of progress of Agreement

6.01 Within 15 days following the coming into force of this Agreement, both the Commission and the Office shall designate a person who will be responsible for monitoring the progress of this Agreement.

Addresses for notices

6.02 Every notice provided for in this Agreement shall be sent to the following addresses:

- (a) Le secrétaire de la Commission
Commission de la santé et de la sécurité du travail
1199, rue De Bleury
14^e étage
Montréal (Québec)
H3C 4E1;
- (b) Le secrétaire général de l'Office
Office Franco-Québécois pour la Jeunesse
1441, boulevard René-Lévesque Ouest
Montréal (Québec)
H3G 1T7.

CHAPTER 7.00 COMING INTO FORCE, TERM AND CANCELLATION

Taking effect

7.01 This Agreement takes effect on the date of coming into force of the Regulation adopted for that purpose by the Commission under section 170 of the Act respecting occupational health and safety.

Term

It shall remain in force until 31 December 1996.

Tacit renewal

7.02 It shall subsequently be renewed tacitly from one calendar year to the next, unless one of the parties sends to the other party, by registered or certified mail, at least 90 days before the term expires, a notice in writing to the effect that it intends to terminate the Agreement or make amendments thereto.

Amendments

7.03 In the latter case, the notice shall contain the amendments which the party wishes to make.

Renewal

The sending of such notice shall not preclude the tacit renewal of this Agreement for a period of 1 year. If the parties do not agree on the amendments to be made to the Agreement, the Agreement shall be terminated, without further notice, at the expiry of that period.

CHAPTER 8.00

CANCELLATION OF THE AGREEMENT

Non-compliance

8.01 If the Office fails to comply with any of its obligations, the Commission may request that the Office remedy that failure within a period fixed by the Commission. Should the failure not be remedied within the period fixed, the Commission may cancel this Agreement unilaterally by giving notice in writing.

Date

This Agreement shall then be cancelled on the date of the notice in writing.

Financial adjustments

8.02 In the event of cancellation, the Commission shall make financial adjustments on the basis of the amounts payable under this Agreement.

Sum due

Any sum due after such financial adjustments have been made shall be payable on the due date appearing on the notice of assessment.

Mutual agreement

8.03 The parties may, by mutual agreement, cancel this Agreement at any time.

Damages

8.04 In the event of cancellation, neither party shall be required to pay damages, interest or any other form of indemnity or charges to the other party.

IN WITNESS WHEREOF, the parties have signed

at _____ this _____ at _____ this _____
() day of _____ 1995 () day of _____ 1995

MICHEL LEDUC,
Secretary General
Office Franco-Québécois
pour la Jeunesse

PIERRE SHEDLEUR,
*Chairman of the Board of
Directors and Chief
Executive Officer*
Commission de la santé
et de la sécurité du
travail

SCHEDULE I TO THE AGREEMENT

LIST OF PROGRAMS SUBJECT TO THE AGREEMENT

— Training periods in the workplace outside Québec
9685

Draft Regulations

Professional Code
(R.S.Q., c. C-26)

Committees on training of certain professional orders

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

- Regulation respecting the committee on training of acupuncturists;
- Regulation respecting the committee on training of chartered administrators;
- Regulation respecting the committee on training of agrologists;
- Regulation respecting the committee on training of land surveyors;
- Regulation respecting the committee on training of hearing-aid acousticians;
- Regulation respecting the committee on training of advocates;
- Regulation respecting the committee on training of chemists;
- Regulation respecting the committee on training of chartered accountants;
- Regulation respecting the committee on training of certified management accountants;