

Gouvernement du Québec

O.C. 1566-96, 11 December 1996

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

**Income security
— Amendments**

Regulation to amend the Regulation respecting income security

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

WHEREAS it is expedient to further amend the Regulation;

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

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

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

WHEREAS in the opinion of the Government, the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments set forth in the Regulation attached to this Order in Council will make it possible, for benefit calculation purposes, to exclude the amounts paid to a person entitled thereto, following the judgment of the Supreme Court of Canada: *Public Curator of Québec vs. Syndicat national des employés de l'hôpital St-Ferdinand*, rendered on October 3, 1996;

— those amendments must be in force at the time when those amounts will be paid to the persons referred to and the time periods for prior publication and the coming into force would not allow the coming into force of the Regulation on the date provided for;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Employment and Solidarity and Minister of Income Security:

THAT the Regulation to amend the Regulation respecting income security, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting income security**

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpar. 8 and 2nd par.)

1. The Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 and amended by the Regulations made by Orders in Council 1917-89 dated 13 December 1989, 1051-90 dated 18 July 1990,, 1733-90 and 1734-90 dated 12 December 1990, 1793-90 dated 19 December 1990, 567-91 dated 24 April 1991, 1721-91 dated 11 December 1991, 285-92 dated 26 February 1992, 379-92 and 380-92 dated 18 March 1992, 868-92 dated 10 June 1992, 1155-92 dated 5 August 1992, 1798-92 and 1799-92 dated 9 December 1992, 123-93 dated 3 February 1993, 825-93 dated 9 June 1993, 1287-93 dated 8 September 1993, 1780-93 dated 8 December 1993, 159-94 dated 19 January 1994, 249-94 dated 9 February 1994, 827-94 dated 8 June 1994, 1160-94 dated 20 July 1994, 260-95 dated 1 March 1995, 1354-95 dated 11 October 1995, 202-96 dated 14 February 1996, 266-96 dated 28 February 1996, 761-96 dated 19 June 1996, 926-96 dated 17 July 1996, 1290-96 dated 9 October 1996 and 1480-96 dated 27 November 1996, is further amended by substituting the word “in” for the words “in the first paragraph” in section 64.1.

2. Section 68.1 is amended

(1) by inserting the following after the first paragraph:

“The amounts provided for in section 68 shall be increased by an amount equal to the total value of the amounts paid to a person entitled thereto following the judgment of the Supreme Court of Canada: *Public Curator of Québec vs. Syndicat national des employés de l'hôpital St-Ferdinand*, rendered on October 3, 1996.”;

(2) by substituting the words “The increases provided for in this section shall be applied” for the words “The increase provided for in the first paragraph shall be applied” in the last paragraph”.

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

1113

O.M., 1996

**Order of the Minister of Health and Social Services
number 96-08 dated 9 December 1996**

An Act respecting prescription drug insurance
and amending various legislative provisions
(1996, c. 32)

Regulation to amend the Regulation respecting the
conditions on which manufacturers and wholesalers
of medications shall be recognized

CONSIDERING section 80 of the Act respecting pre-
scription drug insurance and amending various legisla-
tive provisions (1996, c. 32);

CONSIDERING the making, by Minister's Order 92-06
dated 6 July 1992 of the Minister of Health and Social
Services, of the Regulation respecting the conditions on
which manufacturers and wholesalers of medications
shall be recognized and its publication in the *Gazette
officielle du Québec* of 15 July 1992;

CONSIDERING the necessity to amend that Regulation
in order:

— to allow manufacturers of medications to submit
different guaranteed selling prices for pharmacists and
for wholesalers;

— to allow that the list of medications provide a
maximum amount instead of a percentage as the profit
margin of a recognized wholesaler for expensive drugs;

— to make concordance amendments now required
by the coming into force of the Act respecting prescrip-
tion drug insurance and amending various legislative
provisions;

CONSIDERING sections 10, 12 and 13 of the Regula-
tions Act (R.S.Q., c. R-18.1) and the publication of a
Draft Regulation to amend the Regulation respecting the
conditions on which manufacturers and wholesalers of
medications shall be recognized in Part 2 of the *Gazette
officielle du Québec* of 20 November 1996, on page 4713;

CONSIDERING section 18 of that Act;

CONSIDERING the urgency due to the following cir-
cumstances:

— the proposed measures must come into force on
1 January 1997, that is, on the same date as the list of
medications drawn up under section 60 of the Act re-
specting prescription drug insurance and amending vari-
ous legislative provisions and the basic prescription drug
insurance plan;

— manufacturers of medications were informed of
the proposed measures at the time of the publication of
the Draft Regulation and some of them have already
submitted, in respect of medications that will appear on
the list, guaranteed selling prices that differ depending
on whether the medications will be sold to wholesalers
or to pharmacists;

— furthermore, the application of the proposed mea-
sures forces the Régie de l'assurance-maladie du Québec
to prepare amendments respecting the reimbursement of
the cost of medications to pharmacists, taking into ac-
count the implementation of an interactive system for
the basic prescription drug insurance plan;

CONSIDERING that the Conseil consultatif de pharma-
cologie has been consulted about the Draft Regulation;

CONSIDERING that it is expedient to make the Regula-
tion with amendments as to its form;

THEREFORE, the Minister of Health and Social Ser-
vices makes the Regulation to amend the Regulation
respecting the conditions on which manufacturers and
wholesalers of medications shall be recognized, attached
to this Order.

Minister of Health and Social Services,
JEAN ROCHON

**Regulation to amend the Regulation
respecting the conditions on which
manufacturers and wholesalers of
medications shall be recognized**

An Act respecting prescription drug insurance
and amending various legislative provisions
(1996, c. 32, s. 80)

1. The Regulation respecting the conditions on which
manufacturers and wholesalers of medications shall be
recognized, made by Order of the Minister of Health and
Social Services No. 92-06 dated 6 July 1992, is amended
in section 2

(1) by substituting “drawn up under section 60 of the
Act respecting prescription drug insurance and amend-
ing various legislative provisions (1996, c. 32)” for “pro-