

Gouvernement du Québec

O.C. 60-96, 16 January 1996

Code of Civil Procedure
(R.S.Q., c. C-25)

Code of Penal Procedure
(R.S.Q., c. C-25.1)

An Act respecting payment of certain Crown witnesses
(R.S.Q., c. P-2.1)

**Indemnities payable to witnesses
— Amendments**

Regulation to amend the Regulation respecting indemnities payable to witnesses summoned before courts of justice

WHEREAS under article 321 of the Code of Civil Procedure (R.S.Q., c. C-25), a writ of *subpoena* must indicate, in easily legible type, the right of the witness to require taxation for his costs and expenses according to the tariff fixed by the Government;

WHEREAS under paragraph 7 of article 367 of the Code of Penal Procedure (R.S.Q., c. C-25.1), the Government may, by regulation, fix the allowances payable to witnesses;

WHEREAS under subsection 1 of section 2 of the Act respecting payment of certain Crown witnesses (R.S.Q., c. P-2.1), the Government shall determine by regulation, for each district, the allowance which each Crown witness shall receive, according to such special circumstances as it may deem it should take into account;

WHEREAS in accordance with those provisions or with the provisions they have replaced, the Government made the Regulation respecting indemnities payable to witnesses summoned before courts of justice (R.R.Q., 1981, c. C-25, r. 2);

WHEREAS it is expedient to amend the Regulation;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting indemnities payable to witnesses summoned before courts of justice was published in the *Gazette officielle du Québec* of 20 September 1995 with a notice that upon the expiry of 45 days following that publication, it could be approved by the Government;

WHEREAS during that 45-day period, comments were sent to the Minister of Justice;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting indemnities payable to witnesses summoned before courts of justice, with amendments;

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

THAT the Regulation to amend the Regulation respecting indemnities payable to witnesses summoned before courts of justice, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting indemnities payable to
witnesses summoned before
courts of justice**

Code of Civil Procedure
(R.S.Q., c. C-25, a. 321)

Code of Penal Procedure
(R.S.Q., c. C-25.1, a. 367, par. 7)

An Act respecting payment of certain Crown witnesses
(R.S.Q., c. P-2.1, s. 2, subs. 1)

1. The Regulation respecting indemnities payable to witnesses summoned before courts of justice (R.R.Q., 1981, c. C-25, r. 2) is amended by substituting the following for the Title:

“Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice”.

2. Section 2 is amended by adding the following paragraph at the end of subsection 1:

“Such indemnity is not paid to Crown witnesses in criminal matters, in federal penal matters nor in penal matters governed by the Statutes of Québec.”.

3. The following is substituted for section 10:

“**10.** A member of the Sûreté du Québec or of a municipal police force who appears as a Crown witness shall be taxed pursuant to this Regulation, but the amount of the taxation shall not be paid to him by the sheriff.

In the case of the collection of that taxation by the clerk, the latter shall remit the amount, in the case of a member of the Sûreté du Québec, to the Minister of Finance or, in the case of a member of a municipal police force, to the municipality, the urban community or the intermunicipal management board concerned.”

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

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Gouvernement du Québec

O.C. 63-96, 16 January 1996

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

**Occupational therapists
— Terms and conditions for the issue of permits**

Regulation respecting terms and conditions for the issue of permits by the Ordre des ergothérapeutes du Québec

WHEREAS under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26; 1994, c. 40), the Bureau of a professional order may, by regulation, determine the other terms and conditions for issuing permits, specialist's certificates or special authorizations, in particular, the obligation to serve the periods of professional training and to pass the professional examinations it determines;

WHEREAS under paragraph *i* of section 94 of the Code, the Bureau of the Ordre des ergothérapeutes du Québec made the Regulation respecting terms and conditions for the issue of permits by the Ordre des ergothérapeutes du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 7 June 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting terms and conditions for the issue of permits by the Ordre des ergothérapeutes du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting terms and conditions for the issue of permits by the Ordre des ergothérapeutes du Québec

Professional Code
(R.S.Q., c. C-26, s. 94, par. *i*; 1994, c. 40, s. 81)

**DIVISION I
ISSUE OF PERMITS**

1. The Bureau of the Ordre des ergothérapeutes du Québec shall issue a permit to a candidate who has applied therefor and who fulfils the following conditions:

(1) he holds a diploma that meets the requirements for the permit issued by the Order and is recognized by the Government under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26; 1994, c. 40, s. 164) or a diploma recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code;

(2) he has completed a training period in accordance with Division II;

(3) he has demonstrated a working knowledge of the official language of Québec in accordance with the Charter of the French language (R.S.Q., c. C-11);

(4) he has paid any fees or dues required for the issue of the permit.

**DIVISION II
TRAINING PERIOD**

2. The training period is a period of advanced learning served on a full-time basis in a clinical situation and involving a gradual increase in responsibilities and the rendering of professional services under the supervision of an occupational therapist.