

“(1) (a) a sport fishing licence for anadromous Atlantic salmon for a resident or non-resident;

(b) a 1-day sport fishing licence for anadromous Atlantic salmon for a resident or non-resident;

(c) a sport fishing licence for anadromous Atlantic salmon with a catch-and-release obligation for a resident or non-resident.”.

2. This Regulation comes into force on 1 April 1997 or on the date of coming into force, in 1997, of the Regulation that, in respect of the price of fishing licences, will amend the Québec Fishery Regulations made under the Fisheries Act (R.S.C., 1985, c. F-14), if that date of coming into force is later than 1 April 1997.

1137

Draft Regulation

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

Members of the boards of directors of regional boards

— Election and appointment

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 respecting the procedure for the election and appointment of the members of the boards of directors of regional boards, the text of which appears below, may be made by the Minister of Health and Social Services upon the expiry of 45 days from this publication.

The purpose of the draft regulation is to determine the procedure to be followed for the election of members of the boards of directors of regional boards by institutions, community organizations, regional county municipalities, urban communities, Ville de Montréal, Ville de Laval, educational institutions, regional organizations representing socio-economic groups and organizations and associations whose activities are related to the field of health and social services.

Further information may be obtained by contacting Mr. Jean Théorêt, ministère de la Santé et des Services sociaux, Direction générale de la coordination régionale, 1075, chemin Sainte-Foy, 4^e étage, Québec (Québec), G1S 2M1; telephone: (418) 643-4352; fax: (418) 644-2009.

Any interested person having comments to make concerning this matter is asked to send them in writing,

before the expiry of the 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec), G1S 2M1.

JEAN ROCHON,
*Minister of Health
and Social services*

Regulation respecting the procedure for the election and appointment of the members of the boards of directors of regional boards

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 397.3; 1996, c. 36, s. 38)

DIVISION I GENERAL

§1. *Scope*

1. This Regulation applies to the election of the members of the boards of directors of regional health and social services boards by electoral colleges referred to in subparagraphs 1 to 5 of the first paragraph of section 397 of the Act respecting health services and social services (R.S.Q., c. S-4.2), replaced by section 37 of Chapter 36 of the Statutes of 1996.

§2. *Returning officer*

2. The Minister of Health and Social Services shall appoint a returning officer for each regional board not later than 65 days prior to the date of the elections.

3. A returning officer may appoint the deputy returning officers and scrutineers he needs to perform his duties.

4. The duties of a returning officer are to

- (1) give notice of an election;
- (2) accept or refuse nominations;
- (3) draw up a list of the nominated candidates;
- (4) inform the voters and candidates of the election procedure;
- (5) supervise the conduct of the election;
- (6) count the votes;
- (7) declare the candidates elected; and

(8) forward the election documents to the regional board and a copy of the nomination papers of elected candidates to the Minister.

5. A deputy returning officer shall perform the following duties under the authority of the returning officer:

(1) he receives candidacies and forwards them to the returning officer;

(2) he informs the voters and candidates of the election procedure;

(3) he supervises the conduct of the election;

(4) he counts the votes; and

(5) he informs the returning officer of the results of the election.

6. The regional board shall provide the returning officer and his deputy returning officers with the technical and administrative support required for the elections to be held and shall keep the election documents for at least one year from the date on which the votes are counted.

DIVISION II ELECTIONS BY INSTITUTIONS IN THE REGION

§1. *Election notice and nominations*

7. Not later than 60 days prior to the date of the election, the returning officer shall forward to the chairman of the board of directors of each public institution and to the chairman of the board of directors or the permit holder of each private institution in the region a notice mentioning that they are entitled to take part in the election of the members of the board of directors of the regional board and describing the procedure to make nominations. The election notice shall indicate the number of members to be elected by the institutions in the region, according to the group composition determined by the Minister under section 397.2 of the Act, made by section 38 of Chapter 36 of the Statutes of 1996.

The election notice shall mention the requirement in subparagraph 1 of the first paragraph of section 397 of the Act and the restrictions provided for in section 398.1 of the Act, replaced by sections 37 and 40 of Chapter 36 of the Statutes of 1996.

8. A nomination shall be made by means of a certified true copy of a resolution of the board of directors, together with a nomination paper drawn up in accor-

dance with the one in Schedule I or, in the case of an institution that is not a legal person, by means of a letter together with the nomination paper.

It shall be received by the returning officer not later than 35 days prior to the date of the election, before 5:00 p.m.

9. At the end of the nomination period, the returning officer shall draw up a list of the nominated candidates in respect of each group.

For each candidate, he shall indicate the name of the institution that nominated him.

§2. *Election by acclamation*

10. At the close of nominations for a group determined by the Minister, where the number of candidates is less than or equal to the number of members to be elected, the returning officer shall declare the candidates elected. The returning officer shall then complete the certificate of election by acclamation in Schedule II and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the institutions concerned.

§3. *Voting*

11. At the close of nominations for a group determined by the Minister, where the number of candidates is greater than the number of members to be elected, the returning officer shall forward a list of the candidates to the institutions composing the group not later than 30 days prior to the date of the election. Such list shall be accompanied by a notice indicating the date, time and place of the election and the number of candidates to be elected and by a voting envelope.

12. Institutions shall send their vote to the returning officer not later than the day preceding the election, before 5:00 p.m., by means of a certified true copy of a resolution of the board of directors inserted in the envelope provided or, in the case of an institution that is not a legal person, by means of a letter inserted in the envelope provided.

§4. *Counting of votes*

13. The returning officer shall open the envelopes on the date and at the time and place indicated in the notice.

Each candidate or, in his absence, a representative designated in writing by him may be present when the votes are being counted.

The returning officer shall count the votes and indicate, on the list of candidates, beside each name, the number of votes received.

14. The returning officer shall declare elected the candidates who have obtained the greatest number of votes, considering the group composition determined by the Minister.

Where there is a tie-vote resulting in the election of more candidates than the number required in a group, the returning officer shall draw lots among the candidates who obtained an equal number of votes and who are the closest to the candidate who obtained the greatest number of votes.

15. The returning officer shall complete the certificate of election provided in Schedule III and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the institutions concerned.

§5. *Recount*

16. At the request of a candidate or his representative, the returning officer shall recount the votes.

Such request shall be made in writing and be received by the returning officer not later than 5 days following the date of the election.

The returning officer shall recount the votes within 5 days of receiving the request.

The candidates and their representatives may be present when the votes are being recounted.

DIVISION III ELECTIONS BY REGIONAL COMMUNITY ORGANIZATIONS

§1. *Election notice and nominations*

17. Not later than 60 days prior to the date of the election, the returning officer shall forward to each regional community organization designated in accordance with subparagraph 2 of the first paragraph of section 397 of the Act a notice mentioning that they are entitled to take part in the election of the members of the board of directors of the regional board and describing the procedure to make nominations. The election notice shall indicate the number of members to be elected by those organizations.

The election notice shall mention the requirement in subparagraph 2 of the first paragraph of section 397 of the Act and the restrictions provided for in section 398.1 of the Act.

18. A nomination shall be made by means of a certified true copy of a resolution of the board of directors, together with a nomination paper drawn up in accordance with the one in Schedule I.

It shall be received by the returning officer not later than 35 days prior to the date of the election, before 5:00 p.m.

19. At the end of the nomination period, the returning officer shall draw up a list of the nominated candidates and shall indicate on it, in respect of each candidate, the name of the organization on whose board of directors he sits and the type of services provided by that organization. The returning officer may also indicate the municipality where the organization is located.

§2. *Election by acclamation*

20. At the close of nominations, where the number of candidates is less than or equal to the number of members to be elected, the returning officer shall declare the candidates elected. The returning officer shall then complete the certificate of election by acclamation in Schedule II and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the community organizations.

§3. *Voting*

21. At the close of nominations, where the number of candidates is greater than the number of members to be elected, the returning officer shall forward a list of the candidates to each community organization not later than 30 days prior to the date of the election. Such list shall be accompanied by a notice indicating on what date and at what time and place votes will be counted and by a voting envelope.

22. Community organizations shall send their vote to the returning officer not later than the day preceding the election, before 5:00 p.m., by means of a certified true copy of a resolution of their board of directors inserted in the envelope provided.

§4. *Counting of votes*

23. The returning officer shall open the envelopes on the date and at the time and place indicated in the notice.

Each candidate or, in his absence, a representative designated in writing by him may be present when the votes are being counted.

The returning officer shall count the votes and indicate, on the list of candidates, beside each name, the number of votes received.

24. The returning officer shall declare elected the candidates who have obtained the greatest number of votes, considering the groups determined by the Minister.

Where there is a tie-vote resulting in the election of more candidates than required, considering the group composition determined by the Minister, the returning officer shall draw lots among the candidates who obtained an equal number of votes and who are the closest to the candidate who obtained the greatest number of votes.

If complying with the representation determined by the Minister results in the impossibility of electing the determined number of members on the board of directors of the regional board by community organizations, the other candidates having obtained the greatest number of votes shall be declared elected, regardless of the representation, until the required number of members is reached.

25. The returning officer shall complete the certificate of election provided in Schedule III and forward it to the regional board within 5 days of the election, with

the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the community organizations.

§5. *Recount*

26. At the request of a candidate or his representative, the returning officer shall recount the votes.

Such request shall be made in writing and be received by the returning officer not later than 5 days following the date of the election.

The returning officer shall recount the votes within 5 days of receiving the request.

The candidates and their representatives may be present when the votes are being recounted.

DIVISION IV ELECTIONS BY REGIONAL COUNTY MUNICIPALITIES, URBAN COMMUNITIES, VILLE DE MONTRÉAL AND VILLE DE LAVAL

§1. *Election notice and nominations*

27. Not later than 60 days prior to the date of the election, the returning officer shall forward to each regional county municipality whose territory is comprised in the region, to the urban communities, to Ville de Montréal and to Ville de Laval a notice mentioning that they are entitled to take part in the election of the members of the board of directors of the regional board and describing the procedure to make nominations. The election notice shall indicate the number of members to be elected by regional county municipalities, urban communities, Ville de Montréal and Ville de Laval.

The election notice shall mention the requirements in subparagraph 3 of the first paragraph of section 397 of the Act and the restrictions provided for in section 398.1 of the Act.

In the case of urban communities, Ville de Montréal and Ville de Laval, the notice of election shall indicate that each of them takes part individually in the election and that, consequently, the elected municipal officers whose names will be forwarded to the returning officer will be declared elected, provided that the requirements and restrictions mentioned in the second paragraph are complied with.

28. A nomination shall be made by means of a certified true copy of a resolution, together with a nomination paper drawn up in accordance with the one in Schedule I.

It shall be received by the returning officer not later than 35 days prior to the date of the election, before 5:00 p.m.

29. At the end of the nomination period, the returning officer shall draw up a list of the nominated candidates and shall indicate on it, in respect of each candidate, the name of the local municipality in which he is an elected officer and the name of the regional county municipality or of the urban community in which such local municipality is comprised, where applicable.

§2. Election by acclamation

30. At the close of nominations, where the number of candidates is less than or equal to the number of members to be appointed, the returning officer shall declare the candidates elected by complying with the requirements of subparagraph 3 of the first paragraph of section 397 of the Act and with the group composition determined by the Minister under section 397.2 of the Act. The returning officer shall then complete the certificate of election by acclamation in Schedule II and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to each regional county municipality, each urban community, Ville de Montréal and Ville de Laval.

§3. Voting

31. At the close of nominations, where the number of candidates is greater than the number of members to be elected, the returning officer shall forward a list of the candidates to each regional county municipality not later than 40 days prior to the date of the election. Such list shall be accompanied by a notice indicating on what date and at what time and place votes will be counted and by a voting envelope.

32. Regional county municipalities shall send their ballot paper to the returning officer not later than the day preceding the election, before 5:00 p.m., by means of a certified true copy of a resolution inserted in the envelope provided for that purpose.

§4. Counting of votes

33. The returning officer shall open the envelopes on the date and at the time and place indicated in the notice.

Each candidate or, in his absence, a representative designated in writing by him may be present when the votes are being counted.

The returning officer shall count the votes and indicate, on the list of candidates, beside each name, the number of votes received.

34. The returning officer shall declare elected the candidates who have obtained the greatest number of votes in accordance with the requirements of subparagraph 3 of the first paragraph of section 397 of the Act and with the group composition determined by the Minister under section 397.2 of the Act.

Where there is a tie-vote resulting in the election of more candidates than the number required, the returning officer shall draw lots among the candidates who obtained an equal number of votes and who are the closest to the candidate who obtained the greatest number of votes.

35. The returning officer shall complete the certificate of election provided in Schedule III and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the regional county municipalities.

§5. Recount

36. At the request of a candidate or his representative, the returning officer shall recount the votes.

Such request shall be made in writing and be received by the returning officer not later than 5 days following the date of the election.

The returning officer shall recount the votes within 5 days of receiving the request.

The candidates and their representatives may be present when the votes are being recounted.

DIVISION V ELECTIONS BY REGIONAL EDUCATIONAL INSTITUTIONS

§1. *Election notice and nominations*

37. Not later than 60 days prior to the date of the election, the returning officer shall forward to the board of directors of the educational institutions having their head office in the region a notice mentioning that they are entitled to take part in the election of the members of the board of directors of the regional board.

The election notice shall mention the requirement in subparagraph 2 of the first paragraph of section 397 of the Act and the restrictions provided for in section 398.1 of the Act.

38. A nomination shall be made by means of a certified true copy of a resolution of the board of directors, together with a nomination paper drawn up in accordance with the one in Schedule I.

It shall be received by the returning officer not later than 35 days prior to the date of the election, before 5:00 p.m.

39. At the end of the nomination period, the returning officer shall draw up a list of the nominated candidates and shall indicate on it, in respect of each candidate, the name of the educational institution in which he is an administrator or a member of the board of directors.

§2. *Election by acclamation*

40. At the close of nominations, where the number of candidates is less than or equal to the number of members to be elected, the returning officer shall declare the candidates elected. The returning officer shall then complete the certificate of election by acclamation in Schedule II and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the educational institutions.

§3. *Voting*

41. At the close of nominations, where the number of candidates is greater than the number of members to be elected, the returning officer shall forward a list of

the candidates to each educational institution not later than 30 days prior to the date of the election. Such list shall be accompanied by a notice indicating on what date and at what time and place votes will be counted and by a voting envelope.

42. Educational institutions shall send their vote to the returning officer not later than the day preceding the election, before 5:00 p.m., by means of a certified true copy of a resolution of the board of directors inserted in the envelope provided.

§4. *Counting of votes*

43. The returning officer shall open the envelopes on the date and at the time and place indicated in the notice.

Each candidate or, in his absence, a representative designated in writing by him may be present when the votes are being counted.

The returning officer shall count the votes and indicate, on the list of candidates, beside each name, the number of votes received.

44. The returning officer shall declare elected the candidates who have obtained the greatest number of votes.

Where there is a tie-vote resulting in the election of more candidates than the number required, the returning officer shall draw lots among the candidates who obtained an equal number of votes and who are the closest to the candidate who obtained the greatest number of votes.

45. The returning officer shall complete the certificate of election provided in Schedule III and forward it to the regional board within 5 days of the election, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the educational institutions.

§5. *Recount*

46. At the request of a candidate or his representative, the returning officer shall recount the votes.

Such request shall be made in writing and be received by the returning officer not later than 5 days following the date of the election.

The returning officer shall recount the votes within 5 days of receiving the request.

The candidates and their representatives may be present when the votes are being recounted.

DIVISION VI

ELECTIONS BY REGIONAL ORGANIZATIONS REPRESENTING SOCIO-ECONOMIC GROUPS AND BY ORGANIZATIONS AND ASSOCIATIONS WHOSE ACTIVITIES ARE RELATED TO THE FIELD OF HEALTH AND SOCIAL SERVICES

§1. *Election notice and nominations*

47. Not later than 60 days prior to the date of the election, the returning officer shall forward to each regional organization and association designated in accordance with subparagraph 5 of the first paragraph of section 397 of the Act a notice mentioning that they are entitled to take part in the election of the members of the board of directors of the regional board and describing the procedure to make nominations. The election notice shall indicate the number of members to be elected by those organizations and associations.

The election notice shall mention the restrictions provided for in section 398.1 of the Act.

48. A nomination shall be made by means of a certified true copy of a resolution of the board of directors, together with a nomination paper drawn up in accordance with the one in Schedule I or, in the case of an association not incorporated as a legal person, by means of a letter from its representative, together with the nomination paper.

It shall be received by the returning officer not later than 35 days prior to the date of the election, before 5:00 p.m.

49. At the end of the nomination period, the returning officer shall draw up a list of the nominated candidates and shall indicate on it, in respect of each candidate, the name of the organization or association that nominated him. He may also indicate the municipality in which the organization or association is located.

§2. *Election by acclamation*

50. At the close of nominations, where the number of candidates is less than or equal to the number of members to be appointed, the returning officer shall declare the candidates elected. The returning officer shall then complete the certificate of election by acclamation in Schedule II and forward it to the regional

board within 5 days, with the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to each organization and association.

§3. *Voting*

51. At the close of nominations, where the number of candidates is greater than the number of members to be elected, the returning officer shall forward a list of the candidates to each organization and association not later than 30 days prior to the date of the election. Such list shall be accompanied by a notice indicating on what date and at what time and place votes will be counted and by a voting envelope.

52. Organizations and associations shall send their vote to the returning officer not later than the day preceding the election, before 5:00 p.m., by means of a certified true copy of a resolution of the board of directors inserted in the envelope provided for that purpose or, in the case of an association not incorporated as a legal person, by means of a letter from its representative inserted in the envelope provided.

§4. *Counting of votes*

53. The returning officer shall open the envelopes on the date and at the time and place indicated in the notice.

Each candidate or, in his absence, a representative designated in writing by him may be present when the votes are being counted.

The returning officer shall count the votes and indicate, on the list of candidates, beside each name, the number of votes received.

54. The returning officer shall declare elected the candidates who have obtained the greatest number of votes.

Where there is a tie-vote resulting in the election of more candidates than the number required, the returning officer shall draw lots among the candidates who obtained an equal number of votes and who are the closest to the candidate who obtained the greatest number of votes.

55. The returning officer shall complete the certificate of election provided in Schedule III and forward it to the regional board within 5 days of the election, with

the elected candidates' nomination papers. He shall also forward a copy of those documents to the Minister.

Within 5 days of the election, the returning officer shall forward a notice of the election containing the names of the persons elected to the organizations and associations concerned.

§5. *Recount*

56. At the request of a candidate or his representative, the returning officer shall recount the votes.

Such request shall be made in writing and be received by the returning officer not later than 5 days following the date of the election.

The returning officer shall recount the votes within 5 days of receiving the request.

The candidates and their representatives may be present when the votes are being recounted.

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



Gouvernement du Québec
Ministère de la Santé et des Services sociaux
Cabinet du sous-ministre - Secrétariat

Schedule II
(ss.10, 20, 30, 40 and 50)

CERTIFICATE OF ELECTION BY ACCLAMATION

I, the undersigned, the Returning Officer, hereby declare that I have received and accepted the candidacies of the following persons for the positions that must be filled within the board of directors of:

_____ Name of the regional board

following election by: _____ Name of the electoral college

	Name	Address	Telephone
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____

The above candidates are declared elected.

In witness whereof, I have signed this certificate on _____ 19____
Day Month Year

at _____ at _____
Time Place

Signature: _____

Address: _____

Telephone: _____



Gouvernement du Québec
Ministère de la Santé et des Services sociaux
Cabinet du sous-ministre - Secrétariat

Schedule III
(ss.15, 25, 35, 45 and 55)

CERTIFICATE OF ELECTION

Electoral college _____

Name of the regional board

I, the undersigned, _____ acting as Returning

Officer, hereby declare that:

THE FOLLOWING CANDIDATES HAVE BEEN ELECTED:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

1. SIGNATURE

Returning Officer

Signature _____ Date _____

Address _____ Telephone _____