

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, 1480-96 dated 27 November 1996, 1566-96 dated 11 December 1996 and 283-97 dated 5 March 1997, is further amended, in the first paragraph of section 35, by substituting “\$250 per trip. That maximum shall be \$275 if transportation is by ambulance and” for “\$275 per trip. Notwithstanding the foregoing, the maximum shall be”.

2. Section 68.1 is amended by substituting the following for the second paragraph:

“The amounts provided for in section 68 shall be increased by an amount equal to the total value of the amounts paid:

(1) 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 3 October 1996;

(2) to a person who has undergone a breast implant and is entitled to an indemnity following the agreement of 20 June 1995 resulting from class actions pertaining to breast implants and approved by the Superior Court on 8 August 1995 (under number 500-06-000004-917).”.

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

1401

Gouvernement du Québec

O.C. 541-97, 23 April 1997

Highway Safety Code
(R.S.Q., c. C-24.2)

Transportation of Dangerous Substances — Amendments

Regulation to amend the Transportation of Dangerous Substances Regulation

WHEREAS under section 622 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may make regulations respecting the transportation of dangerous substances on public highways;

WHEREAS the Transportation of Dangerous Substances Regulation was made by the Government by Order in Council 674-88 dated 4 May 1988 and 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), a draft of the Regulation to amend the Transportation of Dangerous Substances Regulation was published in Part 2 of the *Gazette officielle du Québec* of 16 October 1996 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Transportation of Dangerous Substances Regulation, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Transportation of Dangerous Substances Regulation

Highway Safety Code
(R.S.Q., c. C-24.2, s. 622, 1st par., subpars. 1, 2, 5, 6 and 8)

1. The Transportation of Dangerous Substances Regulation, made by Order in Council 674-88 dated 4 May 1988 and amended by the Regulations made by Orders in Council 565-90 dated 25 April 1990 and 82-94 dated 10 January 1994, is further amended by substituting the following for section 1:

“**1.** In this Regulation, “Transportation of Dangerous Goods Regulations” means the Regulations respecting the handling, offering for transport and transporting of dangerous goods, made under the Transportation of Dangerous Goods Act (R.S.C., 1985, c. T-19) by Order in Council SOR/85-77 of 18 January 1985 published in the *Canada Gazette*, Part II, on 6 February 1985, as amended by the Regulations made under that Act by Orders in Council SOR/85-585 of 21 June 1985 and SOR/85-609 of 27 June 1985 published in the *Canada Gazette*, Part II, on 10 July 1985, SOR/86-526 of 8 May 1986 published in the *Canada Gazette*, Part II, on 28 May 1986, SOR/87-335 of 11 June 1987 published in the *Canada Gazette*, Part II, on 24 June 1987, SOR/88-635 of 7 December 1988 published in the *Canada Gazette*, Part II, on 21 December 1988, SOR/89-39 of 27 December 1988

published in the *Canada Gazette*, Part II, on 18 January 1989, SOR/89-294 of 1 June 1989 published in the *Canada Gazette*, Part II, on 21 June 1989, SOR/90-847 of 6 December 1990 published in the *Canada Gazette*, Part II, on 19 December 1990, SOR/91-711 and SOR/91-712 of 5 December 1991 published in the *Canada Gazette*, Part II, on 18 December 1991 and by the Regulations made under the Transportation of Dangerous Goods Act, 1992 (1992, 40-41 Elizabeth II, c. 34) by Orders in Council SOR/92-447 of 20 July 1992 published in the *Canada Gazette*, Part II, on 12 August 1992, SOR/92-600 of 9 October 1992 published in the *Canada Gazette*, Part II, on 21 October 1992, SOR/93-203 of 20 April 1993 published in the *Canada Gazette*, Part II, on 5 May 1993, SOR/93-525 of 2 December 1993 published in the *Canada Gazette*, Part II, on 15 December 1993, SOR/94-146 of 3 February 1994 published in the *Canada Gazette*, Part II, on 23 February 1994, SOR/94-264 of 24 March 1994 published in the *Canada Gazette*, Part II, on 6 April 1994, SOR/95-241 of 16 May 1995 published in the *Canada Gazette*, Part II, on 31 May 1995 and SOR/95-547 of 23 November 1995 published in the *Canada Gazette*, Part II, on 13 December 1995.”.

2. Section 2 is amended

(1) by inserting the words “or in the Transportation of Dangerous Goods Act, 1992,” in the first paragraph, in the part preceding the definition of “handling” and after the words “in those Regulations”;

(2) by substituting the following for the third paragraph:

“The words “Director General” occurring in paragraph *b* of section 5.41 of the Transportation of Dangerous Goods Regulations and in sections 7.16, 7.19 and 9.14 of those Regulations shall be taken to mean the Director of intermodal transportation of the Ministère des Transports du Québec.”;

(3) by substituting the following for the fourth paragraph:

“For the purposes of section 4.10 of the Transportation of Dangerous Goods Regulations, “CANUTEC (613) 996-6666” is preceded by the words “local police and”.

3. Section 4 is amended by substituting “2.1.2 and 2.3 to 2.4.2” for “2.3, 2.4, 2.4.1 and 2.4.2”.

4. Section 6 is amended by inserting the word “radio-active” before the word “substances” in Class 7.

5. The following is substituted for section 7:

“7. Dangerous substances shall be documented in accordance with PART IV of the Transportation of Dangerous Goods Regulations, in accordance with the provisions of those Regulations.

Notwithstanding the foregoing, the shipping documents may validly be kept in the weatherproof container fixed to the transport unit. In addition, the shipping document referred to in section 4.4 of those Regulations may replace the prescribed manifest and, in that case, paragraph *e* of section 4.15 and paragraph *b* of section 4.18 of those Regulations shall not apply.”.

6. Section 9 is amended by substituting “6.1 to 6.8” for “6.1 to 6.5” and “7.1 to 7.8” for “7.1 to 7.11”.

7. The following is substituted for section 10.3:

“10.3 The first paragraph of section 6 and sections 7 and 8 of this Regulation apply to a person who requests the transportation of a dangerous substance.”.

8. The following is substituted for section 11:

“11. It is prohibited to travel in the Louis-Hippolyte-Lafontaine tunnel, in the tunnel sections of the Ville-Marie autoroute, in the Joseph-Samson bridge-tunnel or in the part of the approach to Melocheville tunnel that is parallel to the lane reserved for vehicles carrying dangerous substances:

(1) with a road vehicle on which placards must be displayed in accordance with PART V of the Transportation of Dangerous Goods Regulations, unless it transports only dangerous substances of Class 9;

(2) with a road vehicle referred to in paragraph *a* of section 2.28 of the Transportation of Dangerous Goods Regulations or used pursuant to an equivalent safety permit issued under section 31 of the Transportation of Dangerous Goods Act and providing for exemption from the installation of the placards referred to in subparagraph 1, unless it transports only dangerous substances of Class 9;

(3) with a road vehicle transporting a dangerous substance of Class 3 unless the quantity of dangerous substances transported does not exceed 25 litres and is transported in containers that meet the safety standards prescribed by section 9 of this Regulation and whose overall capacity does not exceed 25 litres;

(4) with a road vehicle transporting a substance of class 2 with a primary classification 2.1 or a subsidiary classification 5.1 unless the dangerous substance is kept in a cylinder with a water capacity of not more than

53 litres and no more than 3 cylinders are transported by the vehicle;

(5) with a road vehicle equipped with a functioning accessory that produces a naked flame.

This section does not apply where dangerous substances intended for the operation of the vehicle transporting them or for its air-conditioning are contained in the tank provided exclusively for that purpose by the manufacturer of the vehicle or accessory, and it does not apply to emergency vehicles in the situations referred to in section 378 of the Highway Safety Code.”.

9. The following is substituted for sections 12.1 to 12.4:

“**12.1** Any violation of any of the provisions of sections 7 to 10, 10.3 and 10.4 of this Regulation, concerning the application of sections 4.6 and 4.7, of paragraphs *a*, *b*, *c* and *m* of subsection 1 of section 4.8, of sections 4.12, 4.19 and 4.24, of subsection 2 of section 5.5, of sections 5.6, 5.8, 5.25, 5.29, 7.1, 8.1 and 9.2 of the Transportation of Dangerous Goods Regulations, constitutes an offence punishable by a fine of \$200 to \$300.

12.2 Any violation of any of the provisions of section 7 of this Regulation, concerning the application of paragraph *o* of subsection 1 of section 4.8 of the Transportation of Dangerous Goods Regulations, constitutes an offence punishable by a fine of \$300 to \$600.

12.3 Any violation of any of the provisions of sections 2, 4, 7 to 10 and 10.2 to 10.5 of this Regulation, concerning the application of sections 2.33 to 2.35, 3.1.1, 4.1, 4.4, of paragraphs *e* and *h* to *l* of subsection 1 of section 4.8, of sections 4.15, 4.20 and 4.23, of subsection 1 of section 5.5, of sections 5.7, 5.16, 5.23, 5.24, 5.32, 5.37, 7.16, 7.21, 7.34 to 7.39, 8.7, 9.11, 9.13 or the prohibitions referred to in Schedules II and III of the Transportation of Dangerous Goods Regulations, constitutes an offence punishable by a fine of \$600 to \$6 000.

12.4 Any violation of any of the provisions of section 11 of this Regulation constitutes an offence punishable by a fine of \$600 to \$6 000.”.

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

1405

Gouvernement du Québec

O.C. 558-97, 30 April 1997

An Act respecting financial assistance for students (R.S.Q., c. A-13.3)

Financial assistance for students — Amendments

Regulation to amend the Regulation respecting financial assistance for students

WHEREAS under section 57 of the Act respecting financial assistance for students (R.S.Q., c. A-13.3), as amended by section 11 of Chapter 79 of the Statutes of 1996, the Government may make regulations for the purposes of the Act;

WHEREAS by Order in Council 844-90 dated 20 June 1990, the Government made the Regulation respecting financial assistance for students;

WHEREAS it is expedient to further amend the Regulation respecting financial assistance for students;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 22 January 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following that publication, comments were made;

WHEREAS under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it or where the regulation amends norms of a fiscal nature;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such coming into force:

— the amendments made to the Regulation respecting financial assistance for students by the Regulation attached to this Order in Council must apply for the 1997-1998 year of allocation, that is from the 1997 summer term;