

Gouvernement du Québec

O.C. 1139-97, 3 September 1997

An Act respecting private education
(R.S.Q., c. E-9.1)

Regulation
— **Amendment**

Regulation to amend the Regulation respecting the application of the Act respecting private education

WHEREAS under section 111 of the Act respecting private education (R.S.Q., c. E-9.1) the Government may make regulations for the application of the Act;

WHEREAS under subparagraph 7 of section 111 of the Act respecting private education (R.S.Q., c. E-9.1) the Government may, by regulation, exclude, on the conditions it may determine or authorize, to the extent it indicates, the Minister to exclude, on the conditions he may determine, persons, bodies, institutions or educational services from all or some of the provisions of the Act or of the regulations made under this section;

WHEREAS the Government made the Regulation respecting the application of the Act respecting private education by Order in Council 1490-93 dated 27 October 1993;

WHEREAS it is expedient to amend the Regulation respecting the application of the Act respecting private education;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the Commission consultative de l'enseignement privé was consulted and has given its advice;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting private education, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting private education

An Act respecting private education
(R.S.Q., c. E-9.1, s. 111, par. 7)

1. The Regulation respecting the application of the Act respecting private education, made by Order in Council 1490-93 dated 27 October 1993, is amended by inserting the following section after section 22:

“**22.1** The Minister may, on the conditions he determines, exempt from the application of all the provisions of the Act any person or body dispensing in its facilities a portion or all of the programs of study in vocational training determined by the Minister and enumerated in a list set up by both the Minister and the Société établie under the Act respecting the Société québécoise de développement de la main-d'oeuvre (R.S.Q., c. S-22.001).”

2. 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. 1140-97, 3 September 1997

An Act to promote the advancement of science and technology in Québec
(R.S.Q., c. D-9.1)

Fonds pour la formation de chercheurs et l'aide à la recherche
— **Financial support granted as scholarships**
— **Amendments**

Regulation to amend the Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche

WHEREAS under section 85 of the Act to promote the advancement of science and technology in Québec (R.S.Q., c. D-9.1), the Fonds pour la formation de chercheurs et l'aide à la recherche may make regulations concerning the scales and limits of the financial support it may give;

WHEREAS under that provision, the Fonds made the Regulation respecting the scales and limits of financial

support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche, approved by Order in Council 1118-94 dated 20 July 1994;

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), a Draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 2 April 1997, with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS the Fonds pour la formation de chercheurs et l'aide à la recherche made amendments to the Regulation;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche

An Act to promote the advancement of science and technology in Québec
(R.S.Q., c. D-9.1, s. 85, 1st par., subpar. 3)

1. The Regulation respecting the scales and limits of financial support granted as scholarships by the Fonds pour la formation de chercheurs et l'aide à la recherche, made by Order in Council 1118-94 dated 20 July 1994, is amended by substituting the following for section 2:

“**2.** For all the competitions, except competitions B-3 and B-4, scholarship holders may, during their eligibility period, receive up to 6 instalments of a master's scholarship for a period of not more than 24 months of study corresponding to 6 sessions, and up to 9 instalments of a doctoral scholarship for a period of not more than 36 months of study corresponding to 9 sessions.

Notwithstanding the foregoing, scholarship holders who obtain a master's degree after fewer than 6 sessions may receive unused master's instalments for their doctoral studies. They must, however, pass Competition B-2 in order to receive the 9 instalments of the doctoral scholarship.

For competitions B-3 and B-4, the number of instalments is determined on the basis of the eligibility period for each competition.”

2. The following is substituted for section 3:

“**3.** A scholarship holder may renounce an instalment of his scholarship only once in order to take up employment for a maximum period of one session, namely 4 months. However, the session shall be included in the calculation of his eligibility period.

A scholarship holder may accept work that does not represent more than 150 hours per session, provided that his thesis director does not object thereto and those activities do not jeopardize the proper conduct of his research program. For the purposes of this paragraph, a course load of 45 hours is deemed to represent 150 hours of work.

The salary that a student receives to work solely on his research project shall be considered a scholarship. A scholarship holder may receive a scholarship instalment during a training period to the extent that the training period is an integral part of his program, but he must notify the Fonds FCAR thereof. The training period must be both compulsory for obtaining the diploma and credited to the student's program.”

3. The Regulation is amended by inserting the following after section 3:

“**3 a)** Subject to sections 5, 7a, 25, 29 and 33, a scholarship provided for in this Regulation may not be combined with

(1) those of the following Canadian government agencies: the Medical Research Council of Canada (MRC), the Natural Sciences & Engineering Research Council of Canada (NSERC), the Social Sciences & Humanities Research Council of Canada (SSHRC) and The Canada Council (TCC);

(2) the other scholarships offered by the Fonds FCAR except for scholarships supplements granted within the scope of the Actions concertées du Fonds FCAR;

(3) the scholarships of the departments and agencies of the Gouvernement du Québec other than financial

support granted under the Act respecting financial assistance for students (R.S.Q., c. A-13.3), the scholarships for “Soutien aux cotutelles de thèse de doctorat”, offered within the scope of Québec-France university cooperation and the scholarships offered by the Musée de la Civilisation.

For the purposes of subparagraph 3 of the first paragraph, any government agency within the meaning of the Auditor General Act (R.S.Q., c. V-5.01) is an agency of the Gouvernement du Québec.”

4. The following is substituted for the heading of Subdivision 1 of Division II:

“*Québec-France scholarship supplements*”.

5. The following is substituted for sections 4 and 5:

“**4.** Québec-France scholarship supplements are granted to encourage scholarship holders to undertake or pursue graduate research studies in France.

A maximum of 10 scholarship supplements are granted annually in addition to the scholarships that are renewed. In all, the Fonds FCAR grants a maximum of 25 scholarship supplements.

The maximum amount of such a scholarship supplement is \$1 500 for a 12-month academic year.

5. Québec-France scholarship supplements may be combined with the other scholarships offered by the Fonds FCAR.”.

6. Section 6 is amended:

(1) by substituting the amount “\$4 000” for the amount “\$2 000” in paragraph 1;

(2) by substituting the following for paragraph 3:

“(3) a flat allowance for living expenses of \$1 500 per month, indexed on the basis of the cost of living in the place where the training period is carried out.”;

(3) by adding the following paragraph at the end:

“A student who benefits from a scholarship for “Soutien aux cotutelles de thèse de doctorat”, offered within the scope of Québec-France university cooperation may claim only the portion of allowances and reimbursement provided for in this section that is not already covered by such scholarship.”.

7. Section 7 is amended by substituting the amount “\$20 000” for the amount “\$6 000”.

8. The Regulation is amended by inserting the following after section 7:

“**7 a)** Financial support for training periods offered to scholarship holders who are engaged in doctoral studies in Québec may be combined with the other scholarships offered by the Fonds FCAR, except for scholarship supplements granted within the scope of the Actions concertées du Fonds FCAR.”.

9. The following is substituted for the heading of Division III:

“GENERAL COMPETITIONS”.

10. The following is substituted for the heading of Subdivision 1 of Division III:

“*Master’s research scholarships (Competition B-1)*”.

11. Section 8 is amended by substituting the words “Master’s research scholarships” for the words “Master’s scholarships” and the words “research studies” for the word “studies”.

12. The following is substituted for section 9:

“**9.** The maximum amount of a master’s research scholarship is \$11 000 for a 12-month academic year.”.

13. The following is substituted for section 10:

“**10.** Within his 24-month eligibility period, a scholarship holder may receive up to 6 instalments. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”.

14. The following is substituted for the heading of Subdivision 2 of Division III:

“*Doctoral research scholarships (Competition B-2)*”.

15. Section 11 is amended by substituting the words “Doctoral research scholarships” for the words “Doctoral scholarships” and the words “doctoral research study program” for the words “doctoral program”.

16. The following is substituted for section 12:

“**12.** The maximum amount of a doctoral research scholarship is \$13 000 for a 12-month academic year.”.

17. The following is substituted for section 13:

“**13.** Within his 36-month eligibility period, a scholarship holder may receive up to 9 instalments. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

18. Section 14 is amended by striking out the words “A maximum of 60”.

19. The following is substituted for the first paragraph of section 15:

“**15.** The maximum amount of a postdoctoral research scholarship is \$22 000 for a 12-month training period. The training period shall last a minimum of 6 months and a maximum of 24 months.”

20. The following is substituted for section 16:

“**16.** Within his 24-month eligibility period, a scholarship holder may receive up to 4 instalments. Each instalment shall correspond to one-half of the annual amount of the scholarship and shall cover a 6-month period of full-time training.”

21. The following is substituted for the heading of Division IV:

“SPECIAL COMPETITIONS”.

22. Section 18 is amended:

(1) by substituting the amount “\$13 000” for the amount “\$10 000” in the first paragraph;

(2) by substituting the amount “\$26 000” for the amount “\$20 000” in the second paragraph; and

(3) by adding the words “up to a maximum of \$20 000” at the end of the third paragraph.

23. Section 19 is amended by substituting the words “master’s or doctoral research level” for the words “master’s or doctoral level”.

24. The following is substituted for section 20:

“**20.** The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

25. The following is substituted for section 21:

“**21.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

26. The following is substituted for the heading of Subdivision 3 of Division IV:

“*Scholarships of the ministère des Transports (Competition A-4)*”.

27. Section 22 is amended by substituting the words “master’s or doctoral research scholarships” for the words “master’s or doctoral scholarships”.

28. The following is substituted for section 23:

“**23.** The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

29. The following is substituted for section 24:

“**24.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

30. The following is substituted for section 25:

“**25.** Scholarships from the Ministère des Transports may be combined with those from the agencies referred to in paragraph 1 of section 3*a*.”

31. Section 26 is amended by substituting the words “master’s or doctoral research scholarships” for the words “master’s or doctoral scholarships”.

32. The following is substituted for section 27:

“**27.** The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

33. The following is substituted for section 28:

“**28.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral

scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

34. The following is substituted for section 29:

“**29.** Scholarships from the Ministère des Ressources naturelles may be combined with those from the agencies referred to in paragraph 1 of section 3*a*. For any given year, a combination of scholarships shall not total more than \$22 500 at the master’s level or \$26 500 at the doctoral level, including the scholarship from Competition A-7. Any excess shall be deducted from the amount of the scholarship from Competition A-7.”

35. Section 30 is amended by adding the word “research” before the word “level”.

36. The following is substituted for section 31:

“**31.** The maximum amount of a scholarship is \$20 000 for a 12-month academic year.”

37. The following is substituted for section 32:

“**32.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

38. The following is substituted for section 33:

“**33.** Scholarships in the aerospace field may be combined with those from the agencies referred to in paragraph 1 of section 3*a*. Notwithstanding the foregoing, the Fonds FCAR limits a student’s total income to the annual salary that he would receive if he were working full-time. The employer institution shall set that salary and shall send an attestation thereof to the Fonds FCAR. Any excess shall be deducted from the amount of the scholarship from Competition A-8.”

39. The following is substituted for section 34:

“**34.** A scholarship holder shall be reimbursed, upon submission of official receipts, for the portion of his annual tuition fees in excess of \$850, up to a maximum of \$20 000.”

40. Section 35 is amended by substituting the words “graduate research studies” for the words “graduate studies”.

41. Section 36 is amended:

(1) by substituting the word “maximum” for the word “total” in the first paragraph; and

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

“The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

42. The following is substituted for section 37:

“**37.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

43. Section 38 is revoked.

44. The following is substituted for section 39:

“**39.** Québec-Acadie scholarships are granted to Acadian students who wish to undertake or pursue master’s or doctoral research studies at a French-language university in Québec.

In addition to renewed scholarships, four additional master’s or doctoral research scholarships shall be granted each year. The maximum amount of a master’s research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year.”

45. The following is substituted for section 40:

“**40.** Within his eligibility period of 24 months at the master’s level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master’s scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study.”

46. The following is substituted for section 41:

“**41.** Scholarships are granted to francophones from Western Canada who wish to undertake or pursue master’s or doctoral research studies at a French-language university in Québec.

In addition to renewed scholarships, two additional master's or doctoral research scholarships shall be granted each year.

The maximum amount of a master's research scholarship is \$11 000 and that of a doctoral research scholarship is \$13 000 for a 12-month academic year."

47. The following is substituted for section 42:

"42. Within his eligibility period of 24 months at the master's level or 36 months at the doctoral level, a scholarship holder may receive up to 6 instalments of a master's scholarship or up to 9 instalments of a doctoral scholarship. Each instalment shall correspond to one-third of the annual amount of the scholarship and shall cover a 4-month period of full-time study."

48. Subdivision 9 of Division IV is revoked.

49. The following is substituted for section 46:

"46. This Regulation applies to new scholarship holders as well as to scholarship holders for previous years who apply for payment of their scholarships."

50. 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. 1143-97, 3 September 1997

Environment Quality Act
(R.S.Q., c. Q-2)

Motor vehicle traffic in certain fragile environments

Regulation respecting motor vehicle traffic in certain fragile environments

WHEREAS under paragraphs *c* and *e* of section 31 and section 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may regulate the matters provided for therein;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft Regulation respecting the travel of motor vehicles in certain fragile environments was published in Part 2 of the *Gazette officielle du Québec* of 12 February 1997, with a notice that it

could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments that take into account the comments received following its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation respecting motor vehicle traffic in certain fragile environments, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting motor vehicle traffic in certain fragile environments

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *c* and *e* and s. 124.1)

1. Motor vehicle races, rallies and competitions are prohibited in marshes, swamps, peat bogs, and on dunes, offshore bars and beaches as well.

2. Motor vehicles are prohibited on the dunes in Îles-de-la-Madeleine, except on designated trails developed in accordance with the law. Elsewhere in Québec, they are prohibited on dunes in the public domain.

3. Motor vehicles, with the exception of snowmobiles, are prohibited in peat bogs in the public domain, south of the St. Lawrence River, its estuary and the Gulf of Saint Lawrence.

This section does not prohibit the recovery of big game, within the meaning of section 1 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), that was killed while lawfully hunting.

4. Motor vehicles other than snowmobiles are prohibited on the beaches, offshore bars, in marshes and swamps situated on the littoral of the St. Lawrence River (downstream from Pont Laviolette), its estuary, the Gulf of Saint Lawrence, Baie-des-Chaleurs and the islands found there.

This section does not prohibit lawful hunting, fishing or trapping, or motor vehicle traffic on designated trails developed in accordance with the law, or the use of motor vehicles to access private property.