

THAT the amendments prescribed by paragraph 2 of section 2 and section 4 have effect from 1 January 1997.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Amendments to the designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan*

1. Section 5 of the Schedule entitled “Designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public Employees Retirement Plan” is amended by substituting “5.75 %” for “6 %”.

2. Section 7 of that Schedule is amended:

(1) by substituting “without any actuarial reduction pursuant to this Order in Council or the Act if, should the latter apply, the employee was a participant in the plan before being governed by this Order in Council” for “under paragraph 1, 2 or 3 of section 6” in the first paragraph;

(2) by substituting “the monthly actuarial reduction rate provided by the Act with respect to his pension” for “1/3 of 1 %” in subparagraph 2 of the second paragraph.

3. Section 8 is amended:

(1) by inserting “before 1 January 1997 and by 1.7 % per year of service credited after 31 December 1996,” after the word “credited” in subparagraph 1 of the first paragraph;

2) by inserting “before 1 January 1997 and by 0.30 % per year of service credited after 31 December 1996,” after the word “credited” in subparagraph 2 of the first paragraph.

* The Schedule entitled “Designation of classes of employees and the determination of special provisions pursuant to section 10.1 of the Act respecting the Government and Public employees Retirement Plan”, made by Order in Council 245-92 dated 26 February 1992, was last amended by Décret 1136-96 dated 11 September 1996 (1996, *G.O.* 2, 5551). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 March 1997.

4. Section 15.1 is amended by substituting “the monthly actuarial reduction rate provided by the Act with respect to the pension” for “1/3 of 1 %” in the third paragraph.

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Gouvernement du Québec

O.C. 1422-97, 29 October 1997

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

Licences

— Amendments

Regulation to amend the Regulation respecting licences

WHEREAS under paragraph 5 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 214 of Chapter 2 of the Statutes of 1996 and section 133 of Chapter 56 of the Statutes of 1996, the Government may by regulation prescribe the cases and conditions giving entitlement to a reimbursement of part of the duties exigible for obtaining a licence and of the duties exigible under section 93.1 of that Code and establish the calculation method or fix the exact amount of the duties to be reimbursed;

WHEREAS under section 619.2 of that Code, amended by section 134 of Chapter 56 of the Statutes of 1996, the Government may fix, by regulation, the duties exigible for obtaining a learner’s licence, probationary licence, driver’s licence or restricted licence issued under section 76 of that Code and the duties exigible under section 93.1 of that Code on the basis of one or more of the following factors:

- (1) the nature of the licence applied for;
- (2) the class;
- (3) its category;

WHEREAS under section 619.3 of that Code, the Government may prescribe, by regulation, calculation methods for the duties exigible for obtaining a learner’s licence, probationary licence, driver’s licence or restricted licence issued under section 76 of that Code on the basis of one or more of the following factors:

- (1) the time remaining between the date of issue of the licence and the date of the prescribed day within the prescribed period under paragraph 4.2 of section 619 of

that Code for the payment of the duties exigible under section 93.1 of that Code;

(2) the time expired between the date of issue of the licence and the expiration date of a previous licence;

(3) the cancellation of a previous licence;

(4) the cancellation of a previous licence at the holder's request;

(5) the applicant's entitlement to a reimbursement of part of the duties for his previous licence;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting licences was published in Part 2 of the *Gazette officielle du Québec* of 23 July 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient for the Government to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting licences, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting licences*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, subpar. 5, ss. 619.2 and 619.3; 1996, c. 56, ss. 134 and 135)

1. Section 50.2 of the Regulation respecting licences is revoked.

2. Section 50.3 of this regulation is amended by replacing "in 50.2" by "and 50.1".

3. This regulation is amended by inserting, after section 50.6, the following chapter:

* The last amendment to the Regulation respecting licences, enacted by Order in Council 1421-91 dated 16 October 1991 (1991, *G.O.* 2, 4146), was made under O.C. 724-97 dated 28 May 1997 (1997, *G.O.* 2, 2488). For prior amendments, see the "Tableau des modifications et Index sommaire", Éditeur officiel du Québec, 1997, updated to September 1, 1997.

"CHAPTER V.1 RESTRICTED LICENCE ISSUED PURSUANT TO SECTION 76 OF THE CODE

50.7 To obtain a restricted licence pursuant to section 76 of the Highway Safety Code, a person must be a party to a contract to install and lease an approved device in accordance with this section and provide a copy thereof to the Société."

4. This regulation is amended by inserting, after section 73.2, the following section:

"SECTION V.1 DUTIES EXIGIBLE FROM A PERSON WHO APPLIES FOR A RESTRICTED LICENCE PURSUANT TO SECTION 76 OF THE CODE

73.3 The duties payable for obtaining a restricted licence pursuant to section 76 of this Code are calculated by multiplying the monthly duties determined according to the class to which the licence belongs by the number of full months, plus one, to elapse between the licence issuing date and its expiry date.

The monthly duties for a restricted licence not belonging solely to classes 6D or 8 are 1.33\$.

The monthly duties for a restricted licence belonging solely to classes 6D or 8 are 1.75\$.

73.4 An amount is subtracted from the exigible duties for obtaining a restricted licence pursuant to section 76 of this Code if the person did not request the reimbursement of a portion of the duties paid for the preceding licence, even though that person was entitled thereto.

In the case where the preceding licence is a probationary licence, one must subtract from the amount calculated in section 73.3, the product obtained by multiplying the monthly duties applicable at the time of the last payment of the duties for the probationary licence by the number of full months between the date of revocation of the probationary licence and the last day of the month preceding the month in which the probationary licence was to expire.

In the case where the preceding licence is a driver's licence, one must subtract from the amount calculated in section 73.3, the product obtained by multiplying the monthly duties applicable at the time of the last payment of the duties for the driver's licence by the number of full months between the date of revocation of the driver's licence and the last day of the month preceding the month of the next due date for payment of the sums

referred to in the first paragraph of section 93.1 of this Code if the licence had not been revoked.”.

5. This regulation is amended by inserting, after section 75, the following:

“**75.1** The holder of a restricted licence issued pursuant to section 76 of this Code who requests the cancellation of his licence is entitled to a reimbursement of a portion of the duties paid, calculated according to section 84.1.”.

6. Section 76 of this regulation is replaced by the following:

“**76.** The heirs and special legatees of the holder of a restricted licence issued pursuant to section 76 of this Code, a probationary licence or a driver’s licence are entitled, upon request, to the reimbursement of a portion of the duties paid, calculated according to sections 80, 83 and 84.2.”.

7. Section 77 of this regulation is amended by replacing the first paragraph by the following:

“**77.** A person whose restricted licence issued pursuant to section 76 of this Code, probationary licence or driver’s licence is revoked is entitled, upon request, to the reimbursement of a portion of the duties paid, calculated according to sections 79, 82 and 84.1.”.

8. Section 78 of this regulation is amended by replacing the first paragraph by the following:

“**78.** A person whose restricted licence issued pursuant to section 76 of this Code, probationary licence or driver’s licence is suspended is entitled, upon request, to the reimbursement of a portion of the duties paid, calculated according to sections 81, 84 and 84.3.”.

9. This regulation is amended by inserting, after section 84, the following sections:

“**84.1** In the case of the cancellation or the revocation of a restricted licence issued pursuant to section 76 of this Code, the amount of the reimbursement of the duties is calculated by multiplying the monthly duties applicable at the time of the issue of the restricted licence by the number of full months between the cancellation or revocation date and the last day of the month that precedes the month when the licence was to expire.

84.2 In the case of the death of a holder of a restricted licence issued pursuant to section 76 of this Code, the amount of the reimbursement of the duties is calculated by multiplying the monthly duties applicable at the time of the issue of the restricted licence by the number of

full months between the date of the death and the last day of the month that precedes the month when the licence was to expire.

84.3 In the case of the suspension of a restricted licence issued pursuant to section 76 of this Code, the amount of the reimbursement of the duties is calculated by multiplying the monthly duties applicable at the time of the issue of the restricted licence by the number of full months between the date of the suspension and the last day of the month that precedes the month when the suspension is lifted.”.

10. This regulation enters into force on 1 December 1997.

1836

Gouvernement du Québec

O.C. 1423-97, 29 October 1997

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

Medical and optometrical standards for driving a road vehicle
— Amendments

Regulation to amend the Regulation respecting medical and optometrical standards for driving a road vehicle and the conditions attached to a licence

WHEREAS under paragraph 2 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), amended by section 214 of Chapter 2 of the Statutes of 1996 and section 133 of Chapter 56 of the Statutes of 1996, the Government may by regulation determine the cases where and establish the criteria according to which conditions may be attached to a licence;

WHEREAS under paragraph 8 of that section, the Government may by regulation establish the medical and optometrical standards which identify the illness, deficiencies and conditions affecting a person that are considered as being essentially or relatively inconsistent with the driving of a road vehicle or class or subclass of road vehicles;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting medical and optometrical standards for driving a road vehicle and the conditions attached to a licence was published in Part 2 of the *Gazette officielle du Québec* of 23 July 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;