

Gouvernement du Québec

O.C. 334-98, 18 March 1998

An Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, c. 27)

An Act respecting the implementation of the Act respecting administrative justice (1997, c. 43)

— Coming into force

COMING INTO FORCE of certain provisions of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions and of the Act respecting the implementation of the Act respecting administrative justice

WHEREAS the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, c. 27) was assented to on 12 June 1997;

WHEREAS under section 69, the Act comes into force on the date or dates to be fixed by the Government;

WHEREAS by Order in Council 1416-97 dated 29 October 1997, section 24 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions enacting section 429.1, the first paragraph of section 429.5 and section 429.12 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), section 30 enacting section 590 of the Act respecting industrial accidents and occupational diseases for the sole purpose of declaring the Minister of Labour responsible for the administration of the provisions of the Act relating to the Commission des lésions professionnelles, section 58.1, enacted by section 866 of the Act respecting the implementation of the Act respecting administrative justice (1997, c. 43), and section 62, came into force on 29 October 1997;

WHEREAS under Order in Council 1524-97 dated 26 November 1997, sections 11, 12, 13, 865, 867 and paragraph 4 of section 876 of the Act respecting the implementation of the Act respecting administrative justice come into force at the same time as the provisions of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions, other than those which came into force by Order in Council 1416-97 dated 29 October 1997;

WHEREAS it is expedient to fix the date of coming into force of the other provisions of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions and sections 11, 12,

13, 865, 867 and paragraph 4 of section 876 of the Act respecting the implementation of the Act respecting administrative justice;

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

THAT the provisions of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, c. 27), other than those which came into force by Order in Council 1416-97 dated 29 October 1997 and sections 11, 12, 13, 865, 867 and paragraph 4 of section 876 of the Act respecting the implementation of the Act respecting administrative justice (1997, c. 43), come into force on 1 April 1998.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

2127

Gouvernement du Québec

O.C. 383-98, 25 March 1998

An Act respecting the Régie de l'énergie (1996, c. 61)

Régie de l'énergie

— **Rates and terms and conditions of payment of the annual duty**

Rates and terms and conditions of payment of the annual duty payable to the Régie de l'énergie

WHEREAS under subparagraph 1 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (1996, c. 61), the Government may make regulations determining the rate and terms and conditions of payment of the annual duty payable to the Régie de l'énergie by a distributor;

WHEREAS under the second paragraph of that section, the rates and terms and conditions may vary according to the distributor or class of distributors; a regulation thereunder may also exclude a distributor or class of distributors;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the rates and terms and conditions of payment of the annual duty payable to the Régie de l'énergie was published in Part 2 of the *Gazette officielle du Québec* of 21 January 1998 with a notice that it could be made by the Government upon the expiry of 45 days

following its publication (erratum published in Part 2 of the *Gazette officielle du Québec* of 18 February 1998);

WHEREAS under section 18 of that Act, a regulation may come into force within a shorter time period than that provided in section 17 of that Act where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, the reason justifying such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such coming into force of the Regulation respecting the rates and terms and conditions of payment of the annual duty payable to the Régie de l'énergie:

— It is important to ensure, as of the fiscal period beginning on 1 April 1998, the financing of the Régie de l'énergie according to equity and imputability rules, so that the expenditures resulting from its activities be incurred by the distributors concerned;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Natural Resources and Minister of Natural Resources:

THAT the Regulation respecting the rates and terms and conditions of payment of the annual duty payable to the Régie de l'énergie, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the rates and terms and conditions of payment of the annual duty to the Régie de l'énergie

An Act respecting the Régie de l'énergie
(1996, c. 61, s. 112, subpar. 1)

1. The rates of the annual duty for the fiscal period of the Régie de l'énergie ending on 31 March 1999 shall be determined by dividing, according to forms of energy, the adjusted estimated expenditures of the Régie by the following:

(1) the sum of the volumes of electric power transmitted and distributed by each distributor of electric

power in the preceding fiscal period, excluding the volume of electric power sold to another such distributor;

(2) the sum of the volumes of natural gas transported and delivered by each distributor of natural gas in the preceding fiscal period;

(3) the sum of the volumes of fuel and diesel fuel delivered by each distributor of petroleum products, refined in Québec, traded with a Québec refiner or imported in the preceding fiscal period;

(4) the sum of the volumes of steam distributed by pipes for heating purposes by each distributor of steam in the preceding fiscal period.

For the purposes of the first paragraph, the adjusted estimated expenditures shall correspond to the difference, by form of energy, between, on the one hand, the estimated expenditures of the Régie according to the estimates approved by the Government for the current fiscal period and, on the other hand, the surplus of the revenues over the expenditures of the preceding fiscal period anticipated in the same estimates.

The annual duty payable by each distributor of a form of energy is the product of the rate multiplied by the volumes referred to in the first paragraph and ascribable to the distributor.

2. The rates of the annual duty for each subsequent fiscal period shall be determined by dividing, for each form of energy, the adjusted estimated expenditures by the following:

(1) the sum of the volumes of electric power transmitted and distributed by each distributor of electric power during the preceding fiscal period, excluding the volume of electric power sold to another such distributor;

(2) the sum of the volumes of natural gas transported and delivered by each distributor of natural gas in the preceding fiscal period;

(3) the sum of the volumes of fuel and diesel fuel delivered by each distributor of petroleum products, refined in Québec, traded with a Québec refiner or imported in the preceding fiscal period;

(4) the sum of the volumes of steam distributed by pipes for heating purposes by each distributor of steam in the preceding fiscal period.

For the purposes of the first paragraph, the adjusted estimated expenditures shall correspond to the differ-

ence, by form of energy, between the estimated expenditures of the Régie according to the estimates approved by the Government for the current fiscal period and the surplus of the revenues over the expenditures of the Régie for the preceding fiscal period anticipated in the same estimates. The surplus of the revenues over the expenditures anticipated for the preceding fiscal period includes the difference between, for the fiscal period prior to the latter, the surplus of the revenues over the expenditures appearing in the financial statements of the Régie audited by the Auditor General under section 109 of the Act and the surplus anticipated in the estimates for the fiscal period prior to the current fiscal period.

The annual duty payable by the distributor of a form of energy is the product of the rate multiplied by the volumes referred to in the first paragraph and ascribable to the distributor.

3. The annual duty is payable by a distributor of electric power or natural gas in equal instalments, on the first of each month, until full payment is made at the end of each fiscal period of the Régie.

On the first day of a fiscal period of the Régie, if the Government has not approved the estimates for the fiscal period, the duty for the preceding fiscal period shall continue to be payable until the last day of the month in which they were approved. Any amount collected in excess or owing with respect to the duty payable to the Régie for that period shall be equally divided among the remaining monthly instalments.

The annual duty is payable by a distributor of petroleum products or of steam in one instalment on the first of each fiscal period of the Régie or, where the estimates are approved by the Government after that date, on the first day of the month following that approval.

4. This Regulation does not govern distributors of petroleum products other than those who deliver fuel or diesel fuel that is imported, refined in Québec or traded with a Québec refiner.

5. This Regulation replaces the Regulation respecting the duties payable by gas distributors made by Order in Council 1627-94 dated 16 November 1994 and the Regulation respecting the duty payable to the Régie de l'Énergie, made by Order in Council 1634-97 dated 10 December 1997.

6. This Regulation comes into force on 1 April 1998.

2128

Gouvernement du Québec

O.C. 391-98, 25 March 1998

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 2)

Basic prescription drug insurance plan — Amendments

Regulation to amend the Regulation respecting the basic prescription drug insurance plan

WHEREAS under subparagraph 3 of the first paragraph of section 78 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32), the Government may, after consulting the Régie de l'assurance-maladie du Québec, make regulations to determine the cases, conditions and therapeutic indications in and for which the cost of certain medications included in the list drawn up by the Minister in accordance with section 60 of the Act is covered by the basic prescription drug insurance plan; the conditions may vary according to whether the coverage is provided by the Board or under a group insurance contract or an employee benefit plan;

WHEREAS under section 79 of the Act, such a regulation is not subject to the requirements concerning publication and date of coming into force contained in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS by Order in Council 1519-96 dated 4 December 1996, the Government made the Regulation respecting the basic prescription drug insurance plan;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with section 78 of the Act respecting prescription drug insurance and amending various legislative provisions, the Régie de l'assurance-maladie du Québec has been consulted on those amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the basic prescription drug insurance plan, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif