

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published, as a draft, in Part 2 of the *Gazette officielle du Québec* of 15 April 1998 with a notice indicating in particular that it could be made by the Government upon the expiry of 45 days;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT the Regulation respecting the training of members of fire departments, attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the training of members of fire departments

Fire Prevention Act
(R.S.Q., c. P-23, s. 4, 1st par., subpar. a.1; 1997, c. 48, s. 1, par. 2)

1. A person who becomes a permanent fire fighter, that is, is hired as a full-time fire fighter by a local municipality as of the date of coming into force of this Regulation, must hold a secondary school vocational diploma in “Intervention en sécurité incendie” or an attestation of vocational specialization in “Intervention en cas d’incendie” awarded by the Ministère de l’Éducation or an equivalent recognized by the Minister of Education, except if he is also hired as a police officer.

2. A person who becomes a temporary fire fighter, that is, is hired to replace a permanent fire fighter, as of the date of coming into force of this Regulation, must fulfil all the conditions provided for in section 1 unless, on the date preceding the date of coming into force of this Regulation, he was entered on the fire fighters eligibility list of the municipality that hired him.

3. A person who becomes a permanent officer, that is, is hired on a full-time basis by a local municipality to supervise and direct the work of a team of fire fighters, as of the date of coming into force of this Regulation, shall have successfully completed, within five years of the date of coming into force of this Regulation, the courses included in “Gérer l’intervention” for the attestation of collegiate studies in “Gestionnaire en sécurité

incendie” awarded by the Ministère de l’Éducation or an equivalent recognized by the Minister of Education.

4. A person who becomes a permanent fire prevention inspector, that is, is hired on a full-time basis by a local municipality to carry out duties related to detecting fire hazards and inspecting plans and specifications to ensure their compliance with regulatory instruments respecting fire safety, as of the date of coming into force of this Regulation, must hold an undergraduate studies certificate in “Technologie en prévention des incendies”, an attestation of collegiate studies in “Prévention en sécurité incendie” or a secondary school vocational diploma in “Prévention des incendies” awarded by the Ministère de l’Éducation or an equivalent recognized by the Minister of Education.

5. For the purposes of this Regulation, the expression local municipality also means any regional county municipality, intermunicipal board or urban community that establishes or maintains a fire department.

6. 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. 1107-98, 26 August 1998

An Act respecting the Ministère de la Famille et de l’Enfance and amending the Act respecting child day care
(R.S.Q., c. S-4.1; 1997, c. 58)

Exemption and financial assistance for a child in day care

— Amendments

Regulation to amend the Regulation respecting exemption and financial assistance for a child in day care

WHEREAS the Government approved the Regulation respecting exemption and financial assistance for a child in day care by Order in Council 69-93 dated 27 January 1993;

WHEREAS under section 168 of the Act respecting the Ministère de la Famille et de l’Enfance and amending the Act respecting child day care (1997, c. 58), the former provisions of sections 38 to 41, 41.1.1 and 41.2 and of subparagraphs 20, 21, 22.1 of the first paragraph of section 73 of the Act respecting child day care (R.S.Q., c. S-4.1), as they read before their amendment by the

Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care and by the Regulation respecting exemption and financial assistance for a child in day care, remain in force until the Government, by order, terminates the application of those provisions;

WHEREAS under that section, the Government may amend the Regulation respecting exemption and financial assistance for a child in day care for the period during which it remains in force;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as prescribed in section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec*, where the authority that approved it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of the Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the absence of prior publication and such coming into force are justified by the urgency due to the following circumstances:

— the Ministère de l'Éducation approved a measure for an additional allowance with respect to childcare provided by school boards. The measure ensured that a maximum contribution of \$5 a day for certain basic services would be required of a parent whose child is in school childcare. The measure shall apply from 1 September 1998;

— the Government made the Regulation to amend the Regulation respecting reduced contributions by Order in Council 1004-98 dated 5 August 1998. That Regulation, in particular, extended eligibility to a reduced contribution for childcare, in certain cases and on certain conditions, to parents whose children are of school age. The Regulation comes into force on 1 September 1998;

— it is necessary to harmonize the provisions of the Regulation respecting exemption and financial assistance for a child in day care to exclude the clientele made up of parents whose children are in school childcare and who would otherwise be subject to the measure

established by the Ministère de l'Éducation and the Regulation;

— it is imperative that this Regulation come into force upon its publication in the *Gazette officielle du Québec*;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting exemption and financial assistance for a child in day care;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education and Minister of Child and Family Welfare:

THAT the Regulation to amend the Regulation respecting exemption and financial assistance for a child in day care, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting exemption and financial assistance for a child in day care*

An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care
(R.S.Q., c. S-4.1, s. 73, 1st par., subpars. 20, 21 and 22.1; 1997, c. 58, s. 168)

1. The following is substituted for section 1 of the Regulation respecting exemption and financial assistance for a child in day care:

“**1.** A person residing in Québec and legally authorized to remain in Canada who has custody of a dependent child is eligible for the exemption and financial assistance program for children in day care where the child is in day care at:

(1) a day care centre or childcare centre run by the holder of a permit referred to in section 168 of the Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care (1997, c. 58);

* The Regulation respecting exemption and financial assistance for a child in day care, made by Order in Council 69-93 dated 27 January 1993 (1993, *G.O.* 2, 745), was last amended by the Regulation made by Order in Council 724-96 dated 18 June 1996 (1996, *G.O.* 2, 2877). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

(2) a home childcare run by a person recognized as a home childcare provider by the holder of a childcare centre permit or of a home day care agency permit referred to in section 168 of the Act.”.

2. Section 3 is amended by substituting the words “who is less than 5 years of age on 30 September and does not attend kindergarten or elementary school” for the words “from his birth until the end of his elementary level studies”.

3. The following is substituted for section 5:

“5. For the purposes of the program, the following are considered residents of Québec:

(1) a temporary worker who holds an employment authorization issued in accordance with the Immigration Act (R.S.C., 1985, c. I-2) or is exempted, under that Act, from holding that authorization;

(2) a foreign student who holds a certificate of acceptance issued under the Act respecting immigration to Québec (R.S.Q., c. I-0.2) and was granted a scholarship by the Gouvernement du Québec under the policy relating to foreign students in Québec colleges and universities;

(3) a person recognized in Canada as a refugee within the meaning of the Immigration Act and who holds a selection certificate issued under section 3.1 of the Act respecting Immigration to Québec; and

(4) a person who holds a minister’s permit issued under the Immigration Act with a view to subsequently granting landing.”.

4. Section 12 is amended

(1) by substituting the words “day care, childcare or home childcare, he must demonstrate that the care” for the words “school day care, he must demonstrate that the day care”; and

(2) by revoking the second paragraph.

5. Section 14 is amended by deleting the words “unless the child attends an elementary level class”.

6. The following is substituted for section 15:

“15. Notwithstanding section 12, a person is eligible for the program for a maximum of 20 hours or two days per week provided that the child is registered for day care, childcare or home childcare.”.

7. Section 18 is amended by substituting “to the holder of a selection certificate issued under section 3.1 of the Act respecting Immigration to Québec” for the words “to a foreign national who holds a selection certificate issued under the Act respecting the Ministère des Communautés culturelles et de l’Immigration (R.S.Q., c. M-23.1)”.

8. Section 22 is revoked.

9. The following is substituted for section 24:

“24. Subject to section 24.1, the net family income of an applicant for a calendar year is equal to the amount by which the amount determined under section 24.2 exceeds the total income of the applicant for the preceding calendar year.

For the purposes of this section, total income for an individual for one year is the amount determined according to the following formula:

$$(A + B) - C.$$

For the purposes of the formula set forth in the second paragraph:

(a) A is the yearly income of the individual, and his spouse, if applicable, computed by taking into account the Rules provided for in Title II of Book V.2.1 of Part I of the Taxation Act (R.S.Q., c. I-3);

(b) B is the aggregate of the amounts that the individual and his spouse, if applicable, deduct for the year under paragraph *c* of section 70 and under paragraph *b* of section 339 of the Taxation Act, where that paragraph refers to sections 922 and 923 of the Act;

(c) C is the aggregate of the following amounts:

i. any amount that may or could, barring section 752.0.18.2 of the Taxation Act and the Rules provided for in Book V.2.1 of Part I of the Act, be included for the year in the total referred to in section 752.0.18.1 of the Act with respect to that individual, and his spouse, if applicable;

ii. the amount that the individual and his spouse, if applicable, must pay for the year as a contribution under subdivision 3 of Division I of Chapter IV of the Act respecting the Régie de l’assurance-maladie du Québec (R.S.Q., c. R-5);

iii. the amount that may or could, barring sections 752.0.18.7 and 752.0.18.9 of the Taxation Act and the

Rules provided for in Book V.2.1 of Part I of the Act, be included for the year in the total referred to in section 752.0.18.3 or in section 752.0.18.8 of the Act with respect to that individual and his spouse, if applicable;

However, where 1997 is the preceding calendar year for which total income is computed, total income is the aggregate determined in accordance with paragraph *c* of the first paragraph of section 776.29 of the Taxation Act as it read for 1997.”.

10. Section 28 is revoked.

11. Section 29 is amended by substituting “section 27” for “sections 27 and 28” in the first paragraph.

12. Section 31 is amended

(1) by substituting “section 27” for “sections 27 and 28” in the first paragraph;

(2) by substituting “section 27” for “sections 27 and 28, as the case may be” in the third paragraph; and

(3) by substituting “section 27” for “sections 27 and 28” in the fourth paragraph.

13. The following is substituted for section 36:

“**36.** Where the applicant’s total estimated income for the year is \$500 less than the total income described in the first paragraph of section 24, the beneficiary may request that the financial assistance be adjusted by filing a declaration of his estimated income and, where applicable, of his spouse’s estimated income for the calendar year, along with supporting documents.

For the purposes of section 24.1 and of this section, total estimated income is the aggregate that would be determined in accordance with the second paragraph of section 24 if it were computed on the basis of the information provided.”.

14. Section 37 is amended by substituting the words “day care centre or childcare centre permit or a home childcare provider” for the words “day care centre permit, a person responsible for home day care or a school board providing school day care” in the first paragraph.”.

15. Section 38 is amended by substituting “section 27” for “sections 27 and 28” in paragraph 3.

16. Section 38.1 is amended by substituting “section 27” for “sections 27 and 28” in subparagraphs 1 and 2 of the first paragraph.

17. Section 39 is amended by substituting “section 27” for “sections 27 and 28” in paragraphs 1 and 2.

18. Section 44 is amended

(1) by substituting the following for paragraph 4:

“(4) total income, within the meaning of the second paragraph of section 24, for the most recent taxation year;” and

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

“However, for the purposes of paragraph 4 of the first paragraph, where the most recent taxation year is 1997, total income of the applicant is the total income for the purposes of computing the tax reduction in respect of families and his spouse’s total income, if applicable.”.

19. Section 55 is amended by deleting the third paragraph.

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

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M.O., 1998

Order of the Minister of the Environment and Wildlife dated 19 August 1998

Establishment of the Rivière-des-Mille-Îles wildlife sanctuary

THE MINISTER OF THE ENVIRONMENT AND WILDLIFE,

CONSIDERING that section 122 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), modified by section 20 of Chapter 29 of the Acts of 1998, provides that the Minister of the Environment and Wildlife may establish on private lands a wildlife sanctuary the resources whereof may be used on conditions fixed in view of preserving the wildlife habitat or the habitat of a species of wildlife, after having entered into an agreement for that purpose with the owner, including a municipality or an urban community;

CONSIDERING that the territory contemplated for the establishment of the Rivière-des-Mille-Îles wildlife sanctuary is comprised of private lands;

CONSIDERING that the Minister of the Environment and Wildlife has entered into agreements with the municipalities of Rosemère and Ville Laval as well as with the organization Eco-Nature of Laval, which own the