

## Draft Regulations

### Draft Regulation

Automobile Insurance Act  
(R.S.Q., c. A-25)

### Application of the Automobile Insurance Act — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation defining certain words and expressions for the purposes of the Automobile Insurance Act adopted by the Société de l'assurance automobile du Québec and whose text appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The draft Regulation determines the professional orders whose members are considered health professionals for the purposes of the Act. In addition, it obliges the Société de l'assurance automobile du Québec to pay interest on the amount of an indemnity that has been awarded, or increased following reconsideration of a decision.

Further information may be obtained by contacting Mr. Réjean Careau, as regards professional orders, and Mr. Guy Laliberté, as regards the payment of interest, at the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-21, C.P. 19600, Québec, G1K 8J6 (tel. (418) 528-3950, fax: (418) 528-1223, E-mail: Rejean.Careau.@saaq.gouv.qc.ca or Guy.Laliberté.vpsa@saaq.gouv.qc.ca).

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Chairman and Chief Executive Officer of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec, G1K 8J6 (fax: (418) 644-0339).

JEAN-YVES GAGNON,  
*Chairman and Chief Executive Officer*

### Regulation to amend the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act\*

Automobile Insurance Act  
(R.S.Q., c. A-25, s. 195, pars. 33 and 35; 1999, c. 22, s. 38, par. 4)

1. The following is substituted for the title of the Regulation defining certain words and expressions for purposes of the Automobile Insurance Act:

“Regulation respecting the application of the Automobile Insurance Act”.

2. The Regulation is amended by inserting the following after section 14:

#### “DIVISION VII HEALTH PROFESSIONAL

14.1. For purposes of Chapter VI of Title II of the Act, a health professional is a member of any of the following professional orders:

- L'Ordre professionnel des médecins du Québec;
- L'Ordre professionnel des dentistes du Québec;
- L'Ordre professionnel des pharmaciens du Québec;
- L'Ordre professionnel des optométristes du Québec;
- L'Ordre professionnel des technologues en radiologie du Québec;
- L'Ordre professionnel des denturologistes du Québec;
- L'Ordre professionnel des opticiens d'ordonnance du Québec;
- L'Ordre professionnel des chiropraticiens du Québec;
- L'Ordre professionnel des audioprothésistes du Québec;
- L'Ordre professionnel des podiatres du Québec;
- L'Ordre professionnel des infirmières et infirmiers du Québec;
- L'Ordre professionnel des acupuncteurs du Québec;
- L'Ordre professionnel des diététistes du Québec;
- L'Ordre professionnel des travailleurs sociaux du Québec;

\* The Regulation defining certain words and expressions for purposes of the Automobile Insurance Act (R.R.Q., 1981, c. A-25, r. 3.1), approved by Order in Council 1922-89 dated 13 December 1989 (1989, *G.O.* 2, 4650), had not been amended since its approval.

L'Ordre professionnel des psychologues du Québec;  
L'Ordre professionnel des conseillers et conseillères  
d'orientation du Québec;

L'Ordre professionnel des hygiénistes dentaires du  
Québec;

L'Ordre professionnel des techniciens et techniciennes  
dentaires du Québec;

L'Ordre professionnel des orthophonistes et audiolo-  
gistes du Québec;

L'Ordre professionnel des physiothérapeutes du  
Québec;

L'Ordre professionnel des ergothérapeutes du Québec;

L'Ordre professionnel des infirmières et infirmiers  
auxiliaires du Québec;

L'Ordre professionnel des technologistes médicaux  
du Québec;

L'Ordre professionnel des inhalothérapeutes du  
Québec.

## DIVISION VIII

### PAYMENT OF INTEREST

**14.2** The Société is required to pay interest on the amount of an indemnity that has been awarded or increased, whichever the case, following reconsideration of a decision under section 83.44.1 of the Act.

Interest is calculated from the date of the decision refusing to recognize entitlement to an indemnity or to increase its amount”.

3. This regulation comes into force on 1 January 2000.

3090

## Draft Regulation

Automobile Insurance Act  
(R.S.Q., c. A-25)

### Lump-sum compensation for non-pecuniary damage

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting lump-sum compensation for non-pecuniary damage, adopted by the Société de l'assurance automobile du Québec and whose text appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine the lump-sum compensation to which is entitled any victim of an automobile accident occurring from 1 January 2000, for loss of enjoyment of life, pain, mental suffering and other temporary consequences due to inju-

ries or permanent consequences due to the persistence of functional or cosmetic sequelae.

On the one hand, the draft Regulation provides the rules applicable to the compensation of victims for injuries that only affect them temporarily. On the other hand, until the upcoming coming into force of the provisions applicable to the compensation of victims sustaining permanent damage due to functional or cosmetic sequelae, the draft Regulation provides a special measure in order to allow the Société de l'assurance automobile du Québec to pay victims of such damage an advance amount.

Further information may be obtained by contacting Mr. Daniel Roberge, at the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-25, C.P. 19600, Québec, G1K 8J6 (tel. (418) 528-3872, fax: (418) 528-1223, E-mail: Daniel.Roberge@saaq.gouv.qc.ca).

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Chairman and Chief Executive Officer of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec, G1K 8J6 (fax: (418) 644-0339).

JEAN-YVES GAGNON,  
*Chairman and Chief Executive Officer*

## Regulation respecting lump-sum compensation for non-pecuniary damage

Automobile Insurance Act  
(R.S.Q., c. A-25, s. 195, par. 12; 1999, c. 22, s. 38,  
par. 1)

1. This regulation applies to victims of automobile accidents occurring from 1 January 2000 onward.

2. Where the non-pecuniary damage sustained by a victim was only temporary, it is estimated in accordance with the following terms and conditions:

1. identifying the injuries sustained during the accident and determining their severity rating, in accordance with the List of Injuries in Schedule I;

2. determining the injury with the highest rating under each of the titles in the List of Injuries;

3. adding the square of the highest ratings (up to a maximum of three) among those above;

4. determining the category of severity in accordance with Table 1: