

## CHAPTER IV FREE EDUCATIONAL SERVICES

26. To be entitled to free educational services, a resident of Québec within the meaning of the Education Act who has reached 18 years of age, or 21 years of age in the case of a handicapped person within the meaning of the Act to secure the handicapped in the exercise of their rights (R.S.Q., c. E-20.1), must be enrolled, for the duration of the studies, in courses of a minimum of 15 hours a week unless the courses remaining to complete the studies require less hours.

This section does not apply to a person who takes part in activities referred to in subparagraph 1 of the first paragraph of section 255 of the Education Act.

27. A resident of Québec within the meaning of the Education Act who has reached 18 years of age, or 21 years of age in the case of a handicapped person within the meaning of the Act to secure the handicapped in the exercise of their rights, and who fails to achieve the objectives of the program of studies leading to a Diploma of Vocational Studies or to an Attestation of Vocational Specialization within the time allotted for the duration of the program of studies, plus 20 %, shall no longer be entitled to free educational services.

## CHAPTER V QUALITY OF LANGUAGE

28. Vocational training centres shall take the necessary measures to ensure that all teachers and all staff members pay special attention to the quality of written and spoken language in learning and in the centre's other activities.

## CHAPTER VI FINAL PROVISIONS

29. This Regulation replaces the Basic school regulation respecting educational services for adults in vocational education made by Order in Council 733-94 dated 18 May 1994.

30. This Regulation comes into force on 1 July 2000.

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## Draft Regulation

Code of Civil Procedure  
(R.S.Q., c. C-25)

### Family mediation — 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 respecting family mediation, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to improve the quality of family mediation services by increasing the requirements respecting the conditions to be met by a mediator in order to be certified. It also prescribes new rules for the extension of a mediator's undertaking and the cancellation of a mediator's certification.

Further information on the draft Regulation may be obtained by contacting Mr. Pierre Tanguay, Direction générale des services de justice, 1200, route de l'Église, 7<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1 (telephone: (418) 644-7706; fax: (418) 644-9968).

Any interested 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 Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1.

LINDA GOUPIL,  
*Minister of Justice*

## Regulation to amend the Regulation respecting family mediation\*

Code of Civil Procedure  
(R.S.Q., c. C-25, a. 827.3)

1. The Regulation respecting family mediation is amended by substituting the following for section 1:

\* The Regulation respecting family mediation, made by Order in Council 1686-93 dated 1 December 1993 (1993, *G.O.* 2, 6734), was last amended by the Regulation made by Order in Council 905-99 dated 11 August 1999 (1999, *G.O.* 2, 2817). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

**“1.** To be certified, an applicant shall

(1) be a member of the Barreau du Québec, the Chambre des notaires du Québec, the Ordre professionnel des conseillers et conseillères d’orientation du Québec, the Ordre des psychologues du Québec, the Ordre professionnel des travailleurs sociaux du Québec or be an employee of an institution operating a child and youth protection centre within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) and, in the latter case, meet the conditions required to be eligible for one of the above-mentioned professional orders;

(2) have taken a 50-hour basic training course in family mediation in the five years preceding the application;

(3) have three years’ experience in one of the fields of competence referred to in paragraph 1; and

(4) undertake to carry out, within two years of certification, ten family mediation mandates under the supervision of a certified mediator who has carried out 40 family mediation mandates, and to receive, within the same time, 45 hours of complementary training in family mediation.”.

**2.** Section 2 is amended

(1) by adding the words “(particularly the fixing of children support and the partition of the family patrimony and of other patrimonial rights resulting from the marriage)” after the word “aspects” in subparagraph 1 of the first paragraph; and

(2) by substituting the following for the second and third paragraphs:

“The basic training shall also include at least six hours of training to promote awareness regarding family violence and three hours of training to promote awareness regarding the living conditions of people after a separation, a divorce or an annulment of marriage.

The complementary training shall deal in greater depth with the same subjects as the basic training course, but at least 30 hours of training shall be devoted to subjects complementary to the applicant’s academic training.”.

**3.** Section 3 is amended

(1) by adding the words “or, in the case of unmarried spouses, the settlement of the common interests they may have in certain property” at the end of the first paragraph; and

(2) by substituting “(4 issues, including at least one partition of the family patrimony and of other patrimonial rights resulting from the marriage)” for “(4 issues)” in subparagraph 1 of the second paragraph.

**4.** Section 4 is amended

(1) by substituting “The application shall mention the name of the mediator who will supervise the first mediation mandate, include fees of \$65” for “The application must be accompanied with fees of \$35” in the second paragraph; and

(2) by deleting the third paragraph.

**5.** The following is inserted after section 4:

“**4.1** A certifier shall extend the 2-year period that the mediator has to comply with the conditions of his undertaking, if the mediator applies therefor for the first time and establishes that he was unable to comply with that undertaking for reasons related, in particular, to illness, an accident, parental leave, absence from Québec or a change of career. The application shall include fees of \$65 for its examination and the required vouchers and be supported by an affidavit. That extension shall be granted for the portion of the 2-year period remaining at the time when the mediator failed to comply with his undertaking.

The certifier shall also extend that 2-year period by one year if the mediator applies therefor to the certifier for the first time, at least three months before the expiry of the 2-year period, and claims that he has been unable to carry out the mediation mandates required.

In the latter case, the mediator shall include in his application:

(1) fees of \$65 for its examination;

(2) an affidavit from the supervisor for the supervised mandates, if any;

(3) attestations that complementary training courses have been taken; and

(4) where applicable, a schedule of the remaining courses to be taken.

When applying for the extension provided for in the second and third paragraphs, a mediator may replace his undertaking to carry out ten family mediation mandates by an undertaking to carry out only five mediation mandates and to receive 21 hours of practical training including in particular simulation exercises and role-play-

ing about fictitious cases. In such case, the mandates shall meet the conditions provided for in section 3, except for subparagraph 3 of the second paragraph.”.

6. The following paragraph is added at the end of section 5:

“He shall also organize services that give mediators access to supervision.”.

7. The following is substituted for subparagraph 3 of the first paragraph of section 7:

“(3) who has failed to establish that he has complied with the undertaking given under subparagraph 4 of section 1 and, where applicable, under section 4.1 by providing the certifier with a course certificate and an affidavit from his supervisor.”.

8. Section 8 is revoked.

9. The following is inserted after section 9:

“9.1 Following a revocation, the certifier, upon request by a mediator, shall grant him a new certification in the following cases and on the following conditions:

(1) if the mediator has complied with his undertaking and if his certification has been cancelled for less than five years, a new certification shall be granted to him; the application must include fees of \$65 for its examination;

(2) if the mediator has complied with his undertaking and if his certification has been cancelled for more than five years, he shall undertake to receive the complementary training again within one year and shall include fees of \$65 in his application for its examination;

(3) if the mediator has not complied with his undertaking, he shall, within two years, meet the conditions prescribed in the third paragraph of section 4.1, provided that not more than five years have elapsed since the cancellation; in such a case, he shall submit a new application for certification.”.

10. Any person who was certified before 1 June 1998 and who, on 1 June 2000, has not complied with his undertaking may, within three months of the coming into force of this Regulation, apply for an extension in accordance with section 4.1 of the Regulation respecting family mediation, made by section 5 of this Regulation.

11. This Regulation comes into force on 1 June 2000.

## Draft Regulation

Hospital Insurance Act  
(R.S.Q., c. A-28)

### Regulation

#### — 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 respecting the Hospital Insurance Act, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Health and Social Services and Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

PAULINE MAROIS,  
*Minister of State for Health and Social Services and  
Minister of Health and Services*

## Regulation to amend the Regulation respecting the Hospital Insurance Act\*

Hospital Insurance Act  
(R.S.Q., c. A-28, s. 8)

1. Section 10 of the Regulation respecting the Hospital Insurance Act is amended

(1) by substituting the following for the first and second paragraphs:

“10. Tariff: A hospital centre for short-term care shall charge \$72.40 per day for a private room. That tariff is amended in the following manner:

(a) for a private room with an area of 9.75 to 11.50 square metres, with telephone, washbasin or toilet either private or shared with another room: \$89.63 per day;

(b) for a private room with an area of not less than 11.50 square metres, with telephone, washbasin and

\* The Regulation respecting the Hospital Insurance Act (R.R.Q., 1981, A-28 r. 1) was last amended by the Regulation made by Order in Council 812-97 dated 18 June 1997 (1997, G.O. 2, 3338). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.