

Gouvernement du Québec

O.C. 210-2000, 1 March 2000

Midwives Act
(1999, c. 24)

Determination of a date of application

Determination of a date of application in accordance with the provisions of the first paragraph of section 67 and of the first paragraph of section 68 of the Midwives Act (1999, c. 24)

WHEREAS the Midwives Act (1999, c. 24), which constituted the Ordre des sages-femmes du Québec, was assented to on 19 June 1999;

WHEREAS that Act provides for various procedures to integrate midwives into the health and social services network;

WHEREAS under section 259.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2), enacted by section 35 of the Midwives Act, a midwife who wishes to practise midwifery for an institution must enter into a service contract with an institution that operates a local community service centre;

WHEREAS for the purposes of sections 259.2 and following of the Act respecting health services and social services, the Minister may, with the approval of the Government, enter into an agreement with any body representing midwives under section 432.1 of the Act respecting health services and social services, enacted by section 38 of the Midwives Act;

WHEREAS until that agreement is entered into, various transitional provisions are to be applied, particularly those of sections 67 and 68 of the Midwives Act;

WHEREAS under those provisions, midwives employed under a contract by an institution responsible for a pilot project shall continue to practise under that contract until 31 March 2000 and, by the latter date, they must have entered into a service contract in conformity with the new provisions of the Act respecting health services and social services, enacted by the Midwives Act;

WHEREAS under the same provisions, every public institution referred to in section 66 of the Midwives Act must ensure that the midwifery services coordinator and the council of midwives, if any, are able to exercise their functions on 31 March 2000;

WHEREAS a first agreement will soon be entered into by the Minister and the body representing midwives, but it does not concern the application of sections 259.2 and following of the Act respecting health services and social services;

WHEREAS it will be impossible to abide by the date of 31 March 2000 because no agreement is yet entered into in accordance with section 432.1 of the Act respecting health services and social services, for the application of sections 259.2 and following of that Act;

WHEREAS such an agreement must be entered into to give effect to the new provisions of the Act respecting health services and social services, enacted by the Midwives Act;

WHEREAS it is expedient to fix another date, as allowed by the first paragraph of section 67 and the first paragraph of section 68 of the Midwives Act;

WHEREAS that new date shall be fixed in relation to the date of the Order in Council approving the agreement for the application of sections 259.2 and following of the Act respecting health services and social services to be entered into by the Minister of Health and Social Services and the body representing midwives under section 432.1 of the Act respecting health services and social services, and such date should correspond to the 180th day following the date of the Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services and of the Minister of Justice:

THAT the date of application of the provisions of sections 67 and 68 of the Midwives Act (1999, c. 24) to be determined by the Government be fixed on the 180th day following the date of the Order in Council approving the agreement required for the application of sections 259.2 and following of the Act respecting health services and social services (R.S.Q., c. S-4.2) to be entered into by the Minister of Health and Social Services and the body representing midwives under section 432.1 of that Act.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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