

The minutes shall also contain a list of the documents produced at the hearing, as well as the orders and incidental decisions of the Commission.

12. The sittings of the Commission are public. The committee may however order that a sitting be held in camera when necessary for preserving morals or public order.

#### **DIVISION V DECISION**

13. The Commission shall render its decision within 30 days of the date on which the appeal was taken under advisement.

14. The Commission's decision is final and binding on the parties.

15. In rendering its decision, the Commission may, at the request of a party, fix the amount owing under the decision, including any interest at the legal rate when the payment of interest is prescribed by a specific provision in a directive on which the appeal is based.

16. The Commission shall send the parties a true copy of the decision.

#### **DIVISION VI MISCELLANEOUS**

17. In computing a time period, the day which marks the start of the period shall not be counted but, except in the case of clear days, the terminal day shall be counted. When the last day of a time limit is a paid holiday, a Saturday or a Sunday, the time period shall be extended to the first working day that follows.

18. If the appeal is the subject of a withdrawal, an acquiescence in the demand or a partial or total settlement, the appellant or the other party, as the case may be, shall so inform the Commission de la fonction publique in writing before the decision is rendered.

#### **DIVISION VII TRANSITIONAL AND FINAL**

19. Any appeal pending upon the coming into force of this Regulation shall proceed in accordance with the provisions of this Regulation.

20. This Regulation replaces the Regulation respecting an Appeal Procedure for Senior Executives, made by Order in Council 2291-85 dated 7 November 1985, and

the Regulation respecting an appeal procedure for public servants not governed by a collective agreement, made by Order in Council 2292-85 dated 7 November 1985.

21. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

4246

### **Draft Regulation**

Master Electricians Act  
(R.S.Q., c. M-3)

#### **Corporation of Master Electricians — Amendment**

Notice is hereby given in compliance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 13 of the Master Electricians Act (R.S.Q., c. M-3) that the "Corporation of Master Electricians of Québec (Amendment) Regulation", adopted by the Corporation of Master Electricians after it was voted by its board of directors at the January 29, 2001 meeting and whose text appears below, shall be brought for government approval upon expiration of a 45-day deadline from the date of this publication.

This draft regulation concerns the establishment of an appeals committee to the Corporation of Master Electricians of Québec, whose function will be to sit on appeal of the decisions rendered by the professional ethics and discipline committee.

Additional information may be obtained by contacting M<sup>e</sup> Ginette Phaneuf, Director of Legal Affairs, Corporation of Master Electricians of Québec, at the following numbers: (514) 738-2184; toll free: (area 514): 1-800-361-9822 – (areas 418 and 819): 1-800-361-9061.

All those interested in voicing their opinion on this subject may submit their comments in writing, before expiration of this deadline, to the Executive Vice-President of the Corporation of Master Electricians of Québec, 5925, boulevard Décarie, Montréal (Québec) H3W 3C9.

YVON GUILBAULT,  
*Executive Vice-president  
of the Corporation of Master Electricians of Québec*

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## Corporation of Master Electricians of Québec\* (Amendment Regulation)

Master Electricians Act  
(R.S.Q., c. M-3, s. 12, par. 1, subpar. a, c, f, h and i)

1. Section 42 of the Regulation of the Corporation of Master Electricians of Québec is amended:

(1) by replacing, in the second paragraph, the word “everywhere” by the words “on the committees of which he is a member”;

(2) by inserting, in the second paragraph and after the word “elections,” the words “the committee on professional ethics and discipline and the appeals committee.”

2. Section 55 of this regulation is replaced by the following:

“55. Each member of a committee other than a member of the committee on professional ethics and discipline and of the appeals committee remains in office until replaced or re-appointed.

At its first meeting following the annual general meeting the council must revise the list of members forming these committees to make appropriate appointments or changes that may be necessary.

The council or the executive committee sees to fill in all vacancies arising in any one of these committees.”

3. Section 57 of this regulation is replaced by the following:

“57. All acts and proceedings of committees are subject to revision by the council or the executive committee except those of the committee on professional ethics and discipline and of the appeals committee.

57.1. Each member of the committee on professional ethics and discipline and of the appeals committee is appointed by the council for a three-year term.

However, even if his term is expired, a member of one of these committees may continue to deal with the case of which he was seized.

The council or the executive committee fills in all vacancies arising in any of the committees.”

4. The first paragraph of section 59 of this regulation is amended by inserting, after subsection f, the following:

“f.1) the appeals committee;”.

5. The title of subsection 7 of section III of this regulation is replaced by the following:

“§7. *Committee on professional ethics and discipline and appeals committee*”.

6. Section 77 of this regulation is amended:

(1) by inserting, in the first paragraph, after the word “rule”, the words “including a chairman”;

(2) by inserting, in the second paragraph, after the words “executive committee”, the words “of the council and appeals committee”;

(3) by inserting, after the second paragraph, the following:

“The committee on professional ethics and discipline sits with 3 or 5 members.

7. This regulation is amended by inserting, after section 77, the following:

“77.1. The appeals committee consists of 5 members in good standing, including a chairman, appointed by the council.

Its functions are to sit on appeal from the decisions rendered by the committee on professional ethics and discipline as well as from the decision of the chairman of this committee rejecting a complaint according to section 82. It is authorized to make any decision that comes under its functions.

The appeals committee sits with 3 or 5 members.

Members of the executive committee, of the council and of the committee on professional ethics and discipline may not act as members of the appeals committee.”

8. Section 78 of this regulation is amended by inserting, after the word “committee”, the words “on professional ethics and discipline and of the appeals committee”.

\* The Regulation of the Corporation of Master Electricians of Québec, adopted under the 10 March 1983 decision (1983, G.O. 2, 1416), was last amended by the Regulation made by Order in Council 2320-85 dated 7 November 1985 (1985, G.O. 2, 4118). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

9. Section 79 of this regulation is amended, in the first paragraph, by inserting, after the word “committee”, the words “on professional ethics and discipline”.

10. Section 82 of this regulation is amended by inserting, after the word “committee”, the words “on professional ethics and discipline”.

11. Section 83 of this regulation is amended in the part preceding subsection *a*, by inserting, after the word “committee”, the words “on professional ethics and discipline”.

12. Section 85 of this regulation is amended by inserting, after the words “of the committee”, the words “on professional ethics and discipline and of the appeals committee”.

13. Section 86 of this regulation is amended by inserting, after the word “hearing”, the words “before the committee on professional ethics and discipline”.

14. Section 87 of this regulation is repealed.

15. Section 88 of this regulation is amended:

(1) by inserting, after the words “In cases where the committee”, the words “on professional ethics and discipline”;

(2) by inserting, after the words “delegate the chairman”, the words “of the committee”.

16. Section 89 of this regulation is amended by inserting, after the word “committee”, the words “on professional ethics and discipline”.

17. Section 90 of this regulation is amended by inserting, after the words “before the committee”, the words “on professional ethics and discipline”.

18. Section 91 of this regulation is amended by inserting, after the words “before the committee”, the words “on professional ethics and discipline”.

19. Section 92 of this regulation is replaced by the following:

“92. The committee on professional ethics and discipline, after deliberating, renders a written decision stating the reasons therefore.

All decisions require the absolute majority of the members who sit on this committee.”.

20. Sections 93 to 97 of this regulation are replaced by the following:

“93. An appeal may be made on the initiative of any interested party within 30 days from the date of the sending of the decision of the committee on professional ethics and discipline by means of a summary inscription addressed to the executive secretary of the Corporation.

A \$50 deposit must accompany the summary inscription. This deposit will be returned to the plaintiff if, after the appeal hearing, the decision is amended in his favour.

94. Upon receipt of a summary inscription the executive secretary shall forward to the appeals committee the record of first instance and the summary inscription.

95. Each party may send to the executive secretary a statement of his contentions no later than 5 days before the hearing of the appeal. The executive secretary then forwards it to the appeals committee.

96. A notice of hearing shall be sent to the parties at least 10 days before the hearing.

97. In appeal, the record of first instance, the summary inscription and the statement of contentions of the parties are the only documents produced. However, the appeals committee may authorize the deposit of additional documents if it sees fit.

97.1. The parties have the right to testify and to make oral representations before the appeals committee. No other witness may be heard, except by authorization of the appeals committee.

97.2. After deliberating, the appeals committee renders a written decision stating the reasons therefore.

The appeals committee may reject or maintain the appeal or render the decision that it believes the professional ethics and discipline committee should have rendered.

All decisions require the absolute majority of the members sitting on this committee.”.

21. Section 98 of this regulation is amended:

(1) by replacing, in the part preceding subsection *a*, the words “discipline committee or executive committee, as the case may be, may” by the words “professional ethics and discipline committee or the appeals committee may”;

(2) by replacing, in subsection *b*, the words “of the discipline committee” by the words “of this committee”.

(3) by adding, at the end, the following paragraphs :

“The committee seized of the matter may, in addition to the disciplinary measures referred to in the first paragraph, recommend that the Régie du bâtiment du Québec suspend or revoke the electrician contractor’s license of the member when it considers that his conduct warrants it. The committee shall also specify the recommended length of disciplinary action and forward the file to the executive secretary of the Corporation.

The Corporation’s executive secretary shall forward the file and the recommendation referred to in the first paragraph to the Régie du bâtiment du Québec so that it may decide on the suspension or revocation of the license.”.

22. Section 99 of this regulation is amended by replacing the words “or the council” by the words “on professional ethics and discipline or the appeals committee”.

23. Sections 99.1 et 99.2 of this regulation are repealed.

24. Section 115 of this regulation is amended in the second paragraph by inserting, after the words “other committee”, the words “except for the committee on professional ethics and discipline and the appeals committee”.

25. Section 126 of this regulation is replaced by the following :

“126. A member or the representative of a member of the Corporation who is present at a meeting of the council or of the executive committee, or at a meeting or hearing of a standing or temporary committee, is entitled to an allowance of \$84 per day or half-day of sitting, in the form of an attendance allowance.

This allowance is increased, on August 1st of each year, according to the rate of change of the consumer price index for Canada for the 12-month period ending on May 31st of the same year as determined by Statistics Canada.

These increased allowances are rounded off by increasing or decreasing them to the hundredth of a dollar.

The council decrees by resolution concerning allowances for travelling, hotel and meals expenses and the conditions for their payment. If these expenses exceed those provided by the resolutions adopted, they may be paid upon presentation of vouchers.”.

26. The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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## 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 application of 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.

The purpose of the draft Regulation is to amend the definitions of “spouse”, “resident” and “dependant” to harmonize those definitions with legislative amendments made by the Act to amend the Health Insurance Act and other legislative provisions (1999, c. 89) and those that will be made under the Regulation to amend the Regulation respecting eligibility and registration of persons in respect of the Régie de l’assurance maladie du Québec which was published as a draft regulation in the *Gazette officielle du Québec* of 12 July 2000, page 3586.

Further information may be obtained by contacting Mre Danielle Champagne, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1S 2M1 ; telephone : (418) 266-8959 ; fax : (418) 266-8965, or Mre Marie-Andrée Pelletier, Régie de l’assurance maladie du Québec, 1125, chemin Saint-Louis, dépôt 84, Sillery (Québec) G1S 1E7 ; telephone : (418) 682-5172 ; fax : (418) 643-7312.

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.

RÉMY TRUDEL,  
*Minister of State for Health and Social Services  
and Minister of Health and Social Services*