

public or private institution under agreement and may, in such a regulation, prescribe the automatic indexing of all or part of the amounts fixed in the regulation, according to the index provided therein;

WHEREAS, under the first paragraph of section 619.41 of the Act respecting health services and social services (R.S.Q., c. S-4.2), subject to any special provisions enacted by the Act, all orders in council, orders or regulations made or decisions rendered by the Government, the Minister or by another competent authority, pursuant to any provision of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5) and applicable to persons and bodies subject to the Act respecting health services and social services (R.S.Q., c. S-4.2) shall remain applicable to those persons and bodies to the extent that they are compatible with the Act, until new orders in council, orders or regulations are made or new decisions are rendered pursuant to the corresponding provisions of the Act;

WHEREAS the Government made regulatory provisions concerning the contribution of beneficiaries in the Regulation respecting the application of the Act respecting health services and social services (R.R.Q., 1981, c. S-5, r.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and the third paragraph of section 173 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), the Regulation to amend the Regulation respecting the application of the Act respecting health services and social services was published in Part 2 of the *Gazette officielle du Québec* of 21 February 2001, on pages 1231 and 1232 with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the application of the Act respecting health services and social services, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the application of the Act respecting health services and social services\*

An Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5, ss. 159 and 161.1)

An Act respecting health services and social services (R.S.Q., c. S-4.2, ss. 512, 515, par. 1 and 619.41; 1998, c. 39, s. 160)

1. Section 360 of the Regulation respecting the application of the Act respecting health services and social services is amended

(1) by substituting the following for the first paragraph:

“**360.** The per diem payable to a hospital centre for an adult who is a Québec resident shall be \$46.68 for a private room, \$39.02 for a semi-private room and \$29.01 in every other case.”; and

(2) by substituting “1 January 2003” for “1 January 1998” in the second paragraph.

2. This Regulation comes into force on 1 January 2002.

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Gouvernement du Québec

**O.C. 580-2001, 16 May 2001**

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

### Cartage industry — Québec region — Amendments

CONCERNING the Decree to amend the Decree respecting the cartage industry in the Québec region

WHEREAS the Government made the Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r. 7);

\* The Regulation respecting the application of the Act respecting health services and social services (R.R.Q., 1981, c. S-5, r. 1) was last amended by the Regulation made by Order in Council 98-2001 dated 7 February 2001 (2001, G.O. 2, 1222). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

WHEREAS the contracting parties within the meaning of the Decree have petitioned the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour for certain amendments to be made to that Decree;

WHEREAS sections 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to decree the extension of a collective agreement and to amend an extension decree at the request of the contracting parties by making, where applicable, the amendments it deems appropriate;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, the draft of the amendment Decree attached hereto was published in Part 2 of the *Gazette officielle du Québec* of 20 December 2000 and, on the same date, in a French language newspaper and an English language newspaper and, on 22 and 24 December 2000, in four other French language newspapers, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS it is expedient to make that draft Decree with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour:

THAT the Decree to amend the Decree respecting the cartage industry in the Québec region, attached hereto, be made.

JEAN-ST-GELAIS,  
*Clerk of the Conseil exécutif*

## **Decree to amend the Decree respecting the cartage industry in the Québec region\***

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. Section 1.01 of the Decree respecting the cartage industry in the Québec region is amended by substituting the following for paragraph 21:

“(21) “spouse” means either of two persons who:

- i. are married and cohabiting;
- ii. are living together in a de facto union and are the father and mother of the same child;
- iii. are of opposite sex or the same sex and have been living together in a de facto union for one year or more;”.

2. Section 5.01 is amended by substituting the words “the hourly wage actually paid to the employee, except for premiums computed on an hourly basis” for the words “the employee’s wage”.

3. Section 10.03 is amended by adding, at the end, the following paragraphs:

“He is also entitled, if he applies therefor, to an additional annual leave without pay equal to the number of days required to increase his annual leave to three weeks.

Such additional leave need not follow immediately a paid leave of two weeks. However, it may not be divided, or be replaced by a compensatory indemnity.”.

4. Section 13.01 is amended:

(1) by inserting, after paragraph 4, the following:

“(4.1.) “driver, Class IV”: employee who alone drives a straight truck with a tilt subframe;”;

(2) by inserting, after paragraph 5, the following:

“(5.1) “grade”: period during which an employee acquires 2,000 hours of experience in one of the trades provided for in this Decree. Only those hours actually worked are taken into account in the computation of hours of experience;”;

(3) by substituting the following for paragraph 9:

“(9) “spouse” means either of two persons who:

- i. are married and cohabiting;
- ii. are living together in a de facto union and are the father and mother of the same child;
- iii. are of opposite sex or the same sex and have been living together in a de facto union for one year or more;”.

5. Section 16.01 is amended by substituting the words “the hourly wage actually paid to the employee, except for premiums computed on an hourly basis” for the words “the employee’s wage”.

\* The Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r. 7) was last amended by the regulation made by Order in Council No. 1383-99 dated 8 December 1999 (1999, G.O. 2, 4613). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

6. Section 18.01 is amended by substituting the following for paragraphs 1 to 3:

“(1) (A) Region 01 (Bas Saint-Laurent): municipalities included in the regional county municipalities of Kamouraska, Les Basques, Rimouski-Neigette, Rivière-du-Loup and Témiscouata;

(B) Region 12 (Chaudière-Appalaches): municipalities included in the regional county municipalities of Beauce-Sartigan, L’Amiante, L’Islet, La Nouvelle-Beauce, Les Etchemins, Montmagny and Robert-Cliche:

Class of Employment	As of 2001 05 30	As of 2001 07 01	As of 2002 07 01
(1) helper	\$12.65	\$13.03	\$13.42
(2) driver, class I	\$12.93	\$13.31	\$13.71
(3) driver, class II	\$13.03	\$13.42	\$13.82
(4) driver, class III	\$13.58	\$13.98	\$14.40
(5) driver, class IV	\$14.09	\$14.51	\$14.95
(6) mechanic, welder			
1st grade	\$10.00	\$10.30	\$10.61
2nd grade	\$13.58	\$13.99	\$14.41
(7) serviceman			
1st grade	\$10.00	\$10.30	\$10.61
2nd grade	\$13.03	\$13.42	\$13.82;
(2) Region 02 (Saguenay – Lac-Saint-Jean): municipalities included in the regional county municipalities of Lac Saint-Jean-Est, Le Domaine-du-Roy, Le Fjord-du-Saguenay and Maria-Chapdelaine:			
Class of Employment	As of 2001 05 30	As of 2001 07 01	As of 2002 07 01
(1) helper	\$12.34	\$12.71	\$13.09
(2) driver, class I	\$13.48	\$13.89	\$14.30
(3) driver, class II	\$13.60	\$14.00	\$14.42
(4) driver, class III	\$13.74	\$14.15	\$14.58
(5) driver, class IV	\$14.26	\$14.68	\$15.12

Class of Employment	As of 2001 05 30	As of 2001 07 01	As of 2002 07 01
(6) mechanic, welder			
1st grade	\$10.00	\$10.30	\$10.61
2nd grade	\$13.74	\$14.15	\$14.57
(7) serviceman			
1st grade	\$10.00	\$10.30	\$10.61
2nd grade	\$13.20	\$13.60	\$14.01;
(3) (A) Region 03 (Capitale-Nationale): municipalities included in the Communauté urbaine du Québec as well as the municipalities included in the regional county municipalities of L’île-d’Orléans, La Côte-de-Beaupré, La Jacques-Cartier and Portneuf;			
(B) Region 12 (Chaudière-Appalaches): municipalities included in the regional county municipalities of Bellechasse, Desjardins, Les Chutes-de-la Chaudière and Lotbinière:			
Class of Employment	As of 2001 05 30	As of 2001 07 01	As of 2002 07 01
(1) helper	\$14.00	\$14.42	\$14.85
(2) driver, class I	\$14.28	\$14.70	\$15.15
(3) driver, class II	\$14.40	\$14.83	\$15.28
(4) driver, class III	\$14.94	\$15.38	\$15.84
(5) driver, class IV	\$15.45	\$15.91	\$16.39
(6) mechanic, welder			
1st grade	\$10.00	\$10.30	\$10.61
2nd grade	\$14.67	\$15.11	\$15.56
(7) serviceman			
1st grade	\$10.00	\$10.30	\$10.61
2nd grade	\$14.40	\$14.83	\$15.27”.

7. Section 20.03 is amended by adding, at the end, the following paragraphs:

“He is also entitled, if he applies therefor, to an additional annual leave without pay equal to the number of days required to increase his annual leave to three weeks.

Such annual leave need not follow immediately a paid leave of two weeks. However, it may not be divided, or be replaced by a compensatory indemnity.”

8. Section 26.01 is amended by deleting, in the first paragraph, the following sentence: “The insurance contract is subject to the approval of the Inspector General of Financial Institutions of Québec and its guarantee is subject to his supervision.”

9. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

### **O.C. 608-2001, 23 May 2001**

Consumer Protection Act  
(R.S.Q., c. P-40.1)

#### **Policy on accurate pricing for merchants who use optical scanner technology — Amendment to Order in Council 11-2001 dated 11 January 2001**

Amendment to Order in Council 11-2001 dated 11 January 2001 concerning a policy on accurate pricing for merchants who use optical scanner technology

WHEREAS under section 314 of the Consumer Protection Act (R.S.Q., c. P-40.1), the president of the Office de la protection du consommateur may accept a voluntary undertaking from a person with the object of governing the relations between a merchant, or group of merchants, and consumers;

WHEREAS under section 315.1 of the Act, the Government may, by order and with or without modification, extend the application of a voluntary undertaking made under section 314 to all merchants in the same sector of activity, for all or part of the territory of Québec;

WHEREAS several merchants who use the universal product code optical scanner technology and who intend to use the exemption prescribed in section 91.4 of the Regulation respecting the application of the Consumer Protection Act (R.R.Q., 1981, c. P-40.1, r. 1) introduced by section 4 of the Regulation to amend the Regulation respecting the application of the Consumer Protection Act made by Order in Council 10-2001 dated 11 January 2001 have entered into a voluntary undertaking to adopt and implement a policy on accurate pricing of goods sold in their establishments;

WHEREAS by Order in Council 11-2001 dated 11 January 2001, the Government extended the application of such voluntary undertaking to all merchants who use the universal product code optical scanner technology and who intend to use the exemption mentioned above, for all of the territory of Québec.

WHEREAS it is expedient to amend the Order in Council to correct a clerical error;

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

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

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

— Order in Council 11-2001 dated 11 January 2001 came into force on 24 February 2001 and it is expedient to correct forthwith the mistake in paragraph 2 of section 1 of the Voluntary Undertaking attached to that Order in Council so as to render it consistent with the equivalent provision of the undertaking entered into by the merchants;

WHEREAS it is expedient to make this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Relations with the Citizens and Immigration:

THAT section 1 of the Voluntary Undertaking attached to Order in Council 11-2001 dated 11 January 2001 be amended by substituting “paragraph 1” for “subparagraph a”, in paragraph 2;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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