

ording the depositions of witnesses (R.R.Q., 1981, c. C-25, r. 10) in order to prescribe, in particular, new standards allowing the use of new technologies to take the depositions of witnesses;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the taking of witnesses' depositions in civil matters, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 25 April 2001 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments were received from the public following that consultation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation respecting the taking of witnesses' depositions in civil matters, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the taking of witnesses' depositions in civil matters

Code of Civil Procedure
(R.S.Q., c. C-25, art. 324)

1. The depositions of witnesses before the courts in civil matters may be taken by stenotypy, by stenography, by means of an apparatus commonly called "stenomask", or by means of sound only or sound and picture recording apparatus.

The taking of depositions before the court by means of sound only or sound and picture recording apparatus shall be done by the personnel of the court or by any person designated by the clerk or assistant clerk. The taking of depositions outside the court using such apparatus shall be done by a stenographer.

The recording shall make it possible to listen to and, where applicable, to watch the depositions, as well as to transcribe, preserve and issue true copies of the depositions.

2. This Regulation replaces the Regulation respecting the use of sound recording apparatus for recording the depositions of witnesses (R.R.Q., 1981, c. C-25, r. 10).

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

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Gouvernement du Québec

O.C. 964-2001, 23 August 2001

Medical Act
(R.S.Q., c. M-9)

Physicians

— Acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (pharmacists)

— Amendments

Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians (pharmacists)

WHEREAS under section 31 of the Medical Act (R.S.Q., c. M-9), every act having as its object to diagnose or treat any deficiency in the health of a human being constitutes the practice of medicine and shall comprise, in particular, medical consultation, prescribing of medication or treatment, radiotherapy, attendance at confinements, establishing and controlling diagnosis and treatment of illnesses or diseases;

WHEREAS under subparagraph *b* of the first paragraph of section 19 of the Medical Act, the Bureau du Collège des médecins du Québec, in addition to the duties provided for in sections 87 to 93 of the Professional Code (R.S.Q., c. C-26), shall by regulation determine among the acts contemplated in section 31 of the Medical Act those which, under certain prescribed conditions, may be done by classes of persons other than physicians;

WHEREAS under the second paragraph of section 19, the Bureau du Collège shall, before passing a regulation under subparagraph *b* of the first paragraph, consult the Office des professions du Québec and the professional orders to which the persons contemplated by such regulation belong or, if there are no such orders, the representative bodies of such classes of persons;

WHEREAS pursuant to subparagraph *b* of the first paragraph of section 19, the Bureau du Collège adopted the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians on 18 September 1981 and it was published in Part 2 of the *Gazette officielle du Québec* of 6 January 1982;

WHEREAS pursuant to that subparagraph, the Bureau du Collège, at its meeting held on 23 February 2001, has adopted the French and English texts of the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians;

WHEREAS the consultation prior to the passage of the Regulation and required under the second paragraph of section 19 was made;

WHEREAS the Regulation, subject to the provisions of the Regulations Act (R.S.Q., c. R-18.1), was published as a draft in Part 2 of the *Gazette officielle du Québec* of 18 April 2001;

WHEREAS under section 95 of the Professional Code, subject to sections 95.1 and 95.2 of the Code, a regulation adopted by the Bureau of a professional order under the Act constituting the professional order, also under the Medical Act, shall be transmitted to the Office for examination and submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS the Regulation was transmitted to the Office which examined it and recommended that it should be approved by the Government, with amendments;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians*

Medical Act
(R.S.Q., c. M-9, s. 19, 1st par., subpar. *b*)

1. The Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians is amended at section 1.01 by the addition, after paragraph *s*, of the following:

“*t*) “pharmacist”: any person entered on the roll of the Ordre professionnel des pharmaciens du Québec.”.

2. This regulation is amended by adding, after section 5.11, the following section:

“5.12. Pharmacists may do the acts listed in schedule E, subject to Division II.”.

3. This regulation is amended by adding after schedule D the following schedule:

“SCHEDULE E

Act consisting in:	Conditions
«E. 1.01 Prescribing medication required for the purpose of emergency oral contraception.	The act is done by a pharmacist who holds a certificate delivered by the Ordre des pharmaciens du Québec attesting to his successful completion of the training requirements.
	The pharmacist shall personally fill the prescription.”.

4. This regulation shall come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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* The recent amendments to the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians, adopted on September 18, 1981 (Suppl., 871) were introduced by the regulation approved by Order in council 1417-2000 of December 6, 2000 (2000, G.O. 2, 5606). For previous amendments, see the *Tableau des modifications et Index Sommaire*, Quebec Official Publisher, 2000, updated to November 1st, 2000.