

The holiday on Good Friday may be substituted by that of Easter Monday, at the option of the employer, for all or part of his employees.”.

7. Section 6.06 is amended by substituting the following for the part of subsection 2 preceding paragraph *a*:

“(2) For Good Friday, the Monday preceding 25 May, 1 July, the first Monday in September and the second Monday in October, the employee receives the indemnity provided for in paragraph 1, provided that:”.

8. Section 7.03 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 the two-week annual leave with pay. However, it may not be divided, or be replaced by a compensatory indemnity.”.

9. Section 7.07 is amended:

(1) by substituting the following for the text preceding paragraph *a* of subsection 1:

“**7.07.** (1) The employee who completes his fifth or twelfth year of uninterrupted service, after 1 May of the current year, is entitled to additional paid vacation days, determined as follows:”;

(2) by substituting the following for the first sentence of subsection 2:

“(2) The employee must take the additional days specified in subsection 1 after the anniversary date of his fifth or twelfth year of uninterrupted service.”.

10. Section 9.06 is revoked.

11. Section 11.03 is revoked.

12. The following is substituted for section 12.01:

“**12.01.** This Decree remains in force until 31 December 2002.”.

13. 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. 1003-2001, 29 August 2001

Highway Safety Code
(R.S.Q., c. C-24.2)

Demerit points

Regulation respecting demerit points

WHEREAS, under paragraph 9 of section 619 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may, by regulation, establish a system of demerit points on the basis of which the Société de l'assurance automobile du Québec cancels a licence or suspends the right to obtain a licence; the system shall include a list of offences and the corresponding number of demerit points for each offence and determine the total number of demerit points entered in a person's file that entails the sending of a notice, the cancellation of a licence or the suspension of the right to obtain a licence;

WHEREAS, under paragraph 9.2 of section 619 of the Code, the Government may, by regulation, determine which provisions of Division IV of Chapter II of Title II of the Code or of a regulation made under paragraph 9 of that section shall apply to the holder of a learner's licence or probationary licence and provide for derogatory provisions to this division or to that regulation which shall apply to such holders;

WHEREAS, under paragraph 9.3 of section 619 of the Code, the Government may, by regulation, prescribe the total number of offences or demerit points entered in a person's record that shall entail the suspension of a learner's licence and of a probationary licence or of the right to obtain such licences;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation respecting demerit points was published in Part 2 of the *Gazette officielle du Québec* of 20 June 2001 with a notice that it could be submitted to the Government for adoption upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation respecting demerit points, with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Transport:

THAT the Regulation respecting demerit points, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting demerit points

Highway Safety Code
(R.S.Q., c. C-24.2, s. 619, pars. 9, 9.2 and 9.3)

DIVISION I INTERPRETATION

1. Any references in this Regulation must be read taking into account amendments that may be made to the legislative and regulatory provisions referred to.

DIVISION II DEMERIT POINT SYSTEM

2. Demerit points shall be assigned for any offence against the provisions of the Highway Safety Code (R.S.Q., c. C-24.2) listed in the table of demerit points in the Schedule, according to the number of points listed for each offence.

3. The same number of demerit points shall be assigned for any offence the description of which corresponds to one of the offences listed in the Schedule and committed against a provision of:

(1) a by-law in force in a municipality;

(2) a Statute of Canada other than the Criminal Code (R.S.C., 1985, c. C-46) or a regulation of Canada in the case of an offence committed in a territory under the jurisdiction of the Government of Canada.

4. A total of at least 7 demerit points must be entered in the record of a person to entail the sending of the notice prescribed in section 114 of the Highway Safety Code.

5. A total of at least 15 demerit points must be entered in the record of a person to entail the cancellation of the licence or the suspension of the right to obtain a licence.

In the case of a person referred to in section 191.2 of the Code, a total of at least 4 demerit points must be entered in the person's record to entail the suspension of the licence or the suspension of the right to obtain a licence.

DIVISION III

PROVISIONS OF DIVISION IV OF CHAPTER II OF TITLE II OF THE HIGHWAY SAFETY CODE APPLICABLE TO THE HOLDER OF A LEARNER'S LICENCE OR A PROBATIONARY LICENCE

6. The provisions of Division IV of Chapter II of Title II of the Highway Safety Code apply, subject to the first paragraph of section 111, to the holder of a learner's licence or a probationary licence.

The Société de l'assurance automobile du Québec shall suspend the licence of a person referred to in the first paragraph and who is convicted of an offence within the meaning of section 110 of the Code or the right to obtain a licence, in accordance with section 191.2 of the Code.

DIVISION IV TRANSITIONAL AND FINAL

7. Demerit points appearing in the record of a person on the day preceding that of the coming into force of this Regulation shall be deemed to be demerit points entered in the record in accordance with this Regulation.

8. This Regulation replaces the Regulation respecting demerit points, made by Order in Council 1424-91 dated 16 June 1991.

Notwithstanding the foregoing, the demerit points prescribed by Schedule I to the Regulation shall remain applicable to the offences committed before the coming into force of this Regulation.

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

SCHEDULE

(ss. 2 and 3)

TABLE OF DEMERIT POINTS

Summary description of offence for reference purposes only	Sections of the Highway Safety Code		Points
	Description	Penal Provisions	
1. Driving while unaccompanied	99 or 100	140.1	4
2. Failure by a driver involved in an accident to do his duty	168, 169, 170 or 171	178 or 179	9
3. Driving with the presence of alcohol in the blood or failing to provide a breath sample	202.2 or 202.8	202.8	4
4. Failure to obey the orders or signals of a peace officer, school crossing guard or flag man	311	314.1	3
5. Speeding or reckless driving	327	512	4
6. Speed in excess of a limit prescribed or indicated on traffic signs Exceeding the speed limit by :	299, 303.2, 328 or 329	516	
11 to 20 km/h			1
21 to 30 km/h			2
31 to 45 km/h			3
46 to 60 km/h			5
61 to 80 km/h			7
81 to 100 km/h			9
more than 100 km/h			12 + 3 points for every additional 20 km/h in excess of 100 km/h over the speed limit
7. Passing where prohibited by a line marking off a lane	326.1	510	3
8. Failure to reduce speed to take into account atmospheric or environmental conditions	330	507	2
9. Following another vehicle more closely than is prudent	335	509	2
10. Accelerating while being passed by another vehicle	340	510	2
11. Passing a bicycle when there is not enough space in the traffic lane	341	510	2
12. Successively passing vehicles in a zigzag pattern	342	510	4

Summary description of offence for reference purposes only	Sections of the Highway Safety Code		Points
	Description	Penal Provisions	
13. Prohibited passing in the lane reserved for traffic moving in the opposite direction	345	510	4
14. Prohibited passing to the right	346	510	3
15. Prohibited passing to the left	348	510	3
16. Failure to yield the right of way to pedestrians and cyclists at an intersection	349	504 or 509	2
17. Failure to yield the right of way to vehicles moving in the opposite direction	350	504 or 509	2
18. Failure to obey a red light	359 or 360	504 or 509	3
19. Failure to stop before turning right on a red light	359.1	504 or 509	3
20. Failure to obey a stop sign	368, 369 or 370	504 or 509	3
21. Failure to wear a seat belt	396 or 401	508	3
22. Failure to make an obligatory stop at a level crossing	411	504 or 509	3
23. Failure to come to a stop at a level crossing when driving a bus, a minibus or a road vehicle carrying certain categories of hazardous materials	413	510	9
24. Prohibited driving in reverse	416 or 417	509 or 506	3
25. Driving for a wager, a stake or a race	422	512	6
26. Sudden unnecessary braking	436	506	2
27. Failure to obey the flashing lights or stop sign of a school bus	460	510	9
28. Failure to wear a protective helmet	484	508	3
29. Prohibited driving of a road vehicle carrying hazardous materials in a tunnel (section 11 of the Transportation of Dangerous Substances Regulation, made by Order in Council 674-88 dated 4 May 1988)	622	646	9