

(3) by substituting the following for subcategory “4284 Electrical contractor”:

“4284 Electrical contractor:

This subcategory includes the construction work on an electrical installation to which Chapter V of the Construction Code introduced by the Regulation to amend the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies, with the exception of demolition work. It is work of the exclusive jurisdiction of the electrical constructor.

It also includes construction work on appliances permanently connected to the electrical installation if they are governed by Chapter V of the Construction Code and if they are not part of another specific subcategory, as well as construction work included in subcategories 4250.1, 4250.2, 4250.3, 4250.4, 4252.1 and 4252.2. It also includes related construction work.”; and

(4) by adding “It also includes related construction work.” at the end of subcategories “4285.10 Warm air heating systems contractor”, “4285.11 Natural gas burner systems contractor”, “4285.12 Oil burner systems contractor”, “4285.13 Hot water and steam heating systems contractor” and “4285.14 Plumbing contractor”.

13. This Regulation comes into force on 1 October 2002.

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Gouvernement du Québec

O.C. 966-2002, 21 August 2002

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Ministère de la Santé et des Services sociaux — Implementation of the agreement on any program

Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux

WHEREAS, under section 16 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), a person doing work under a project of any government, whether or not the person is a worker within the meaning of that Act, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission de

la santé et de la sécurité du travail and the government, agency or legal person concerned;

WHEREAS the Commission and the Ministère de la Santé et des Services sociaux have entered into such an agreement to consider the persons admitted to any program of the Ministère de la Santé et des Services sociaux to be workers;

WHEREAS, under section 170 and subparagraph 39 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission may make regulations taking the necessary measures for the implementation of such an agreement;

WHEREAS, in accordance with section 224 of that Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 January 2001, with a notice that it could be made by the Commission with or without amendments and submitted to the Government for approval, upon the expiry of 60 days following that notice;

WHEREAS at its sitting of 21 March 2002, the Commission adopted the Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux, with amendments;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Human Resources and Labour and Minister of Labour:

THAT the Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpar. 39)

1. The Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) applies to persons who participate in any program of the Ministère de la

Santé et des Services sociaux to the extent and on the conditions provided by the agreement entered into by the Minister of Health and Social Services with the Commission de la santé et de la sécurité du travail attached as Schedule I.

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

SCHEDULE I

AGREEMENT BETWEEN

THE MINISTER OF HEALTH AND SOCIAL SERVICES

AND

THE COMMISSION DE LA SANTÉ ET DE LA SÉCURITÉ DU TRAVAIL

WHEREAS, under section 1 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), the Minister of Health and Social Services shall have charge of the direction and administration of the Ministère de la Santé et des Services sociaux and of the application of the Acts and regulations respecting health and social services;

WHEREAS, under paragraph *h* of section 3 of the same Act, the Minister shall in particular promote the development and implementation of programs and services according to the needs of individuals, and families and other groups;

WHEREAS, under section 10 of the same Act, the Minister may enter into agreements with any government, one of its departments, with an international organization or with an agency of that government or organization for the purposes of the application of the Act or another Act within the competence of the Minister;

WHEREAS, under section 138 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail is a legal person within the meaning of the Civil Code of Québec and has the general powers of such a legal person and the special powers conferred upon it by that Act;

WHEREAS, under section 170 of the same Act, the Commission may make agreements with a Government department or agency, another government or a department or agency of such a government for the application of the Acts and regulations administered by it, according to law;

WHEREAS the Minister requires that the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) be applicable to workers covered by this Agreement and he or she intends to assume the obligations prescribed for employers;

WHEREAS, under section 16 of the Act respecting industrial accidents and occupational diseases, a person doing work under a project of any government, whether or not the person is a worker, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission and the government, agency or legal person concerned;

WHEREAS, under section 16 of that Act, the second paragraph of section 170 of the Act respecting occupational health and safety applies to the agreement, to wit, that the Commission may, by regulation, put into effect an agreement extending benefits arising out of Acts or regulations administered by it;

THEREFORE, THE PARTIES AGREE AS FOLLOWS :

CHAPTER 1.00 ENABLING PROVISION

Enabling provision 1.01 This Agreement is entered into under section 16 of the Act.

CHAPTER 2.00 PURPOSES

Purposes 2.01 The purposes of this Agreement is to provide to what extent and on what conditions the Act is to apply to the workers governed and to determine the respective obligations of the Minister and the Commission.

CHAPTER 3.00 DEFINITIONS

For the purposes of this Agreement,

“service employment paycheque” (a) “service employment paycheque” means the method of paying for services provided by a worker, which will be managed by Services de paie Desjardins or any other organization called upon to perform that function;

“Commission”	(b) “Commission” means the Commission de la santé et de la sécurité du travail;			Ministère de la Santé et des Services sociaux, nor of any category of institutions specified in the Act respecting health services and social services or of regional boards established under that Act.
“employment injury”	(c) “employment injury” means an injury or a disease arising out of or in the course of an industrial accident, or an occupational disease, including a recurrence, relapse or aggravation within the meaning of the Act;	General obligations	4.02	As the employer, the Minister is bound by all the obligations imposed by the Act, with any adaptations required, including the obligation to keep a register of industrial accidents occurring in users’ domiciles.
“Act”	(d) “Act” means the Act respecting industrial accidents and occupational diseases;			
“Minister”	(e) “Minister” means the Minister of Health and Social Services;	Register of accidents		Notwithstanding the first paragraph, in the case of the register referred to therein, the Minister is required to put the register at the disposal of the Commission only.
“worker”	(f) “worker” means a person who provides services to a user, particularly under the program indicated in Schedule 1, and whose remuneration is paid by means of the service employment paycheque;	Information		Upon request by the Commission, the Minister shall send a description of the tasks and activities performed by the worker when the employment injury occurred.
“user”	(g) “user” means a user referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2) who uses the services of a worker within the meaning of this Agreement.	Exceptions	4.03	Notwithstanding section 4.02, section 32 of the Act concerning the dismissal, suspension or transfer of a worker, discriminatory measures or reprisals, as well as Chapter VII concerning the right to return to work, are not applicable to the Minister.

CHAPTER 4.00 MINISTER’S OBLIGATIONS

Employer	4.01 The Minister is deemed to be the employer of any worker covered by this Agreement.	First aid		The Minister shall see that first aid is given to a worker suffering from an employment injury, in accordance with sections 190 and 191 of the Act, and pay the related costs.
Restrictions	Notwithstanding the foregoing, the employer-employee relationship shall be recognized as such only for the purposes of indemnification, assessment and imputation of the cost of benefits payable under the Act and shall not be deemed to be an admission of a factual situation lending itself to interpretation in other fields of activity.	Payment of assessment	4.04	The Minister undertakes to pay the assessment calculated by the Commission in accordance with the Act and the regulations thereunder, as well as the fixed administration expenses related to each special envelope.
Exclusions	The workers covered by this Agreement are neither employees, public servants or officers of the Gouvernement du Québec, including the	Assessment	4.05	For assessment purposes, the Minister is deemed to pay a salary corresponding to the annual gross employment income paid to the worker by means of the service employment paycheque.

Annual statement	<p>4.06 Each year before 15 March, the Minister shall send the Commission a statement indicating</p> <p>(1) the amount of annual gross salaries earned by the workers covered by this Agreement during the preceding calendar year; and</p> <p>(2) an estimate of annual gross salaries that will be paid to the workers covered by this Agreement during the current calendar year.</p>	<p>day the worker became unable to carry on his employment and for all the time of that inability, the income replacement indemnity determined by the Commission based on the gross annual employment income determined by it, in accordance with the Act.</p>
Register	<p>4.07 The Minister shall keep a detailed register of the workers' names and addresses and, upon request by the Commission, shall provide it with the information it needs for the purposes of this Agreement.</p>	<p>Advance</p> <p>Notwithstanding the preceding, should the worker's claim be refused by the Commission, the amount paid by the Minister is an advance with respect to the remuneration paid by means of the service employment paycheque.</p>
Description of programs	<p>4.08 The Minister shall send the Commission, upon the coming into force of this Agreement, a description of any program appearing in Schedule 1.</p>	<p>Reimbursement</p> <p>5.03 The Commission shall reimburse the Minister the income replacement indemnity paid by it as of the fifteenth full day following the day the worker became unable to carry on his employment and for all the time of that inability, in accordance with the second paragraph of section 5.02, to the extent that the Commission recognizes the worker's entitlement to the payment of that indemnity.</p>
New programs or amendment	<p>Any new program or any subsequent amendment to a program appearing in Schedule 1 shall also be sent so as to determine whether it should come or remain under this Agreement.</p>	<p>Financial envelope</p> <p>5.04 Upon request by the Minister, the Commission shall allocate a specific financial envelope to each program covered by this Agreement.</p>
<p>CHAPTER 5.00 COMMISSION'S OBLIGATIONS</p>		<p>Program referred to</p> <p>In the case of the program referred to in Schedule 1, it shall be classified in the unit of operation "Commercial, industrial or residential Building maintenance" or, where applicable, following amendments made to that unit of operation following the signing of this Agreement, in a unit corresponding to those activities.</p>
Worker status	<p>5.01 The Commission shall consider a worker covered by this Agreement as a worker within the meaning of the Act.</p>	<p>Other programs</p> <p>The Commission may allocate to any new program covered by this Agreement an envelope classified according to the rate of a unit corresponding to the activities included in that new program.</p>
Indemnity	<p>5.02 A worker suffering from an employment injury is entitled to an income replacement indemnity as of the first day following the day the worker became unable to carry on his employment by reason of the injury.</p>	<p>Applicable rate</p> <p>5.05 The Commission shall fix for the program provided for in the second paragraph of section 5.04</p>
Payment	<p>Notwithstanding the first paragraph of section 124 of the Act, the Minister shall pay that worker, as of the fifteenth full day following the</p>	

	either the specific assessment rate of the unit, or a personalized assessment rate, provided in the latter case that the Minister meets the conditions of the Act and its regulations for each assessment year.	Terms	It shall remain in force until 31 December 2002.
Other programs	The foregoing also applies to any new program covered by this Agreement.	Tacit renewal	7.02 This Agreement will be renewed tacitly from one calendar year to another, unless one of the parties sends the other a notice by registered or certified mail indicating that it intends to terminate the Agreement or to make amendments thereto, at least 90 days before the Agreement expires.
Retrospective adjustment	The Commission shall also carry out the retrospective adjustment of the annual assessment applicable to the Minister, provided that the Minister meets the conditions of the Act and its regulations for the assessment year.	Amendments	7.03 In the latter case, the notice shall include the amendments that the party intends to make.
		Renewal	Sending such a notice does not prevent the tacit renewal of this Agreement for one year. If the parties disagree on the amendments to be made, the Agreement shall come to an end, without further notice, at the end of that renewal period.

CHAPTER 6.00 MISCELLANEOUS

Follow-up	6.01 Both the Commission and the Minister shall each designate, within 15 days of the coming into force of this Agreement, a person responsible for the follow-up of this Agreement.
Addresses of notices	6.02 Any notice required by this Agreement shall be sent to the Commission or Minister at the following addresses : (a) Le Secrétaire de la Commission Commission de la santé et de la sécurité du travail 1199, rue de Bleury, 14 ^e étage Montréal (Québec) H3C 4E1 ; (b) Le Secrétaire du Ministère Ministère de la Santé et des Services sociaux 1075, chemin Sainte-Foy Québec (Québec) G1S 2M1.

CHAPTER 7.00 COMING INTO FORCE, TERM AND TERMINATION

Effective date	7.01 This Agreement takes effect on the date of coming into force of the Regulation made for that purpose by the Commission under section 170 of the Act respecting occupational health and safety.
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CHAPTER 8.00 CANCELLATION OF THE AGREEMENT

Default	8.01 If the Minister fails to respect any of his or her obligations, the Commission may ask the Minister to rectify the default within the time set by it. If the situation is not rectified within the prescribed time, the Commission may cancel this Agreement unilaterally, upon written notice.
Date	8.02 The Agreement shall then be cancelled on the date on which the written notice is sent.
Financial adjustments	8.03 In the event of cancellation, the Commission shall make the financial adjustments taking into account the amounts payable under this Agreement.
Amount due	Any amount due following those financial adjustments shall be payable on the due date specified on the notice of assessment.
Common agreement	8.04 The parties may cancel this Agreement at any time if they both agree thereto.

Damages 8.05 In the event of cancellation, neither party may be obliged to pay damages or any other form of indemnity or fees to the other party.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED

at _____ on this _____ at _____ on this _____
day of _____, 2002 day of _____, 2002

PIERRE GABRIÈLE,
*Deputy Minister
Ministère de la Santé
et des Services sociaux*

JACQUES LAMONDE,
*Chairman of the board
of directors and Chief
Executive Officer
Commission de la santé
et de la sécurité
du travail*

SCHEDULE 1 TO THE AGREEMENT

Program governed by the Agreement

Direct allowance program for home services.

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Gouvernement du Québec

O.C. 982-2002, 28 August 2002

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Hunting activities — Amendments

Regulation to amend the Regulation respecting hunting activities

WHEREAS, under paragraph 9 of section 162 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may make regulations determining the conditions that must be fulfilled by the applicant or holder of a licence and the obligations with which the holder of a licence must comply; the conditions and obligations may vary;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting hunting activities, attached hereto, was published in Part 2 of the

Gazette officielle du Québec of 6 February 2002 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments were made concerning that draft Regulation;

WHEREAS it is expedient to make the Regulation with amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting hunting activities, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting hunting activities*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 162, par. 9)

1. Section 4 of the Regulation respecting hunting activities is amended in the first paragraph by substituting the words “hunting licences; the resident shall also provide his name, address and date of birth, as well as the number of his hunter’s or trapper’s certificate when it is required.” for the words “hunting licences.”.

2. The words “or older; the non-resident shall also provide his name, address and date of birth.” are substituted for the words “or older.” in section 5.

3. The following is inserted after section 5:

“**5.1.** The holder of a resident’s or non-resident’s hunting licence shall enter his name, address and date of birth on the back of the licence when any of those particulars does not appear on the front or is inaccurate.”.

* The Regulation respecting hunting activities, made by Order in Council 858-99 dated 28 July 1999 (1999, *G.O.* 2, 2427), was last amended by the Regulations made by Orders in Council 953-2001 dated 23 August 2001 (2001, *G.O.* 2, 4857) and 541-2002 dated 7 May 2002 (2002, *G.O.* 2, 2346). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.