

In its award, the council of arbitration may confirm, reduce or cancel the account in dispute and may also determine, where applicable, the refund or payment to which a party may be entitled.

The award must be reasoned and signed by all the members; if a member refuses or is unable to sign, the others shall indicate that fact and the award shall have the same effect as though signed by all the members.

27. Each party shall bear the expenses it incurs for the arbitration.

28. In its award, the council of arbitration has full discretion to rule on the arbitration expenses, which are the expenses incurred by the Order for the arbitration. The total amount of the expenses to be borne by a party may not exceed 15% of the amount to which the arbitration pertains.

However, in any case where expenses are awarded, those expenses shall equal a minimum of \$50.

29. When an agreement is reached between the parties before the council of arbitration renders its decision or when the application for arbitration is withdrawn in writing, the council shall nonetheless award the arbitration expenses in accordance with section 28.

30. When the account in dispute is confirmed in whole or in part or when a refund is awarded, the council of arbitration may add interest and an indemnity as provided in articles 1618 and 1619 of the Civil Code of Québec, calculated from the date of the application for conciliation.

31. The arbitration award is final and binding on the parties. It is also subject to compulsory execution after having been homologated pursuant to the procedure provided for in articles 946.1 to 946.6 of the Code of Civil Procedure.

32. Within five days of its issue, the arbitration award shall be filed with the secretary of the Order who, within 10 days after it is filed, shall send a certified copy of the award to the parties or their advocates, to the syndic and to the Bureau.

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

SCHEDULE I

(ss. 8 and 9)

APPLICATION FOR ARBITRATION OF AN ACCOUNT

I, the undersigned _____

(name of woman)

(domicile)

declare that

1. _____
(name of member of the Order)

is claiming from me (or refuses to refund to me) a sum of money for professional services.

2. I have enclosed a copy of the conciliation report and, where applicable, a certified cheque to the member of the Ordre des sages-femmes du Québec representing the amount that I acknowledge owing and indicated in the conciliation report.

3. I am applying for arbitration of the account under the Regulation respecting the conciliation and arbitration procedure for the accounts of midwives.

4. I have received a copy of the Regulation mentioned above and have taken cognizance thereof.

5. I agree to abide by the procedure provided for in the Regulation and, where required, to pay to _____ the amount of the arbitration award.
(name of member)

5630

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Nurses

— Professional act that may be performed by a person acting on behalf of Héma-Québec

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des infirmières et infirmiers du Québec, at its meeting held on February 20 and 21, 2003, adopted the “Regulation respecting a professional act that may be performed by a person acting on behalf of Héma-Québec”.

The said regulation has been transmitted to the Office des professions du Québec for examination in accordance with section 95 of the Professional Code. Thereafter, it will be submitted, with the recommendation of the Office, to the Government which, in accordance with the same section, may approve it, with or without amendment, following the expiry of a period of 45 days from the publication of this notice.

The Ordre des infirmières et infirmiers du Québec advises that:

— this regulation proposes to determine, among the professional acts that may be performed by nurses, an act that may be performed by a person acting on behalf of Héma-Québec;

— in the civic interest and having regard for the protection of the public, the regulation provides that the said act is to be performed following training, in the context of operations forming part of a blood donor clinic and in the presence of a nurse at the location where the act is performed.

Further information may be obtained from Hélène d'Anjou, attorney, Ordre des infirmières et infirmiers du Québec, 4200, Dorchester Boulevard West, Montreal, Quebec, H3Z 1V4; telephone: (514) 935-2505, extension 319, fax: (514) 935-3147, e-mail: hdanjou@oiiq.org.

Persons wishing to submit comments on the text reproduced above are invited to forward them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, Place D'Youville, 10th floor, Quebec, Quebec, G1R 5Z3. These comments will be communicated by the Office to the Minister Responsible for the Administration of Legislation respecting the Professions; they may also be submitted to the professional order that adopted the regulation, i.e., the Ordre des infirmières et infirmiers du Québec, and to the persons, ministries and agencies concerned.

JEAN-K. SAMSON,
Chairman of the Office
des professions du Québec

Regulation respecting a professional act that may be performed by a person acting on behalf of Héma-Québec

Professional Code
(R.S.Q., c. C-26, s. 94 h; 2002, c. 33, s. 5)

1. The purpose of this Regulation is to determine, among the professional acts that may be performed by nurses, an act that, on the terms and conditions prescribed herein, may be performed by a person acting on behalf of Héma-Québec.

2. A person acting on behalf of Héma-Québec may remove a needle that has been inserted in the arm of a donor for purposes of blood collection, on the following conditions:

(1) the person demonstrates, after following training provided by Héma-Québec, mastery of the knowledge and skill required to perform that act;

(2) the person performs that act in the context of operations forming part of a blood donor clinic;

(3) a nurse is present at the location where the act is performed and available to intervene with the donor within a short delay.

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

5652

Draft Regulation

Professional Code
(R.S.Q., c. C-26; 2001, c.78)

Pharmacists
— Code of ethics
— Amendment

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 Code of ethics of pharmacists, adopted by the Bureau of the Ordre des pharmaciens du Québec, may be submitted to the Government for approval, with or without amendment, upon the expiry of 45 days following this publication.