

WHEREAS the Office des professions du Québec adopted, under those sections, the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications at its sitting of 12 December 2002;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 5 March 2003, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 13 of the Professional Code (R.S.Q., c. C-26), the Office des professions du Québec must submit the Regulation to the Government for approval;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications*

Pharmacy Act
(R.S.Q., c. P-10, s. 37.1; 2002, c. 27, s. 41)

Veterinary Surgeons Act
(R.S.Q., c. M-8, s. 9; 2002, c. 27, s. 41)

1. The Regulation respecting the terms and conditions for the sale of medications is amended

(1) by inserting “Meclizine and its salts” after “Mannitol and its salts” in Schedule II;

(2) by inserting “, derivatives” after “Loratadine, its salts” in Schedule III; and

(3) by inserting “Minoxidil” and the specification “Dosage forms for topical use in concentrations of 2% or less” after “Miconazole and its salts” in Schedule III; and

(4) by inserting “Nitenpyram” after “Naled” in Schedule V.

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

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Gouvernement du Québec

O.C. 860-2003, 20 August 2003

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

Agreement on driver’s licence exchange — Ratification of the agreement and making of the Regulation

Ratification of an agreement on driver’s licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium and making of the Regulation giving effect to the agreement

WHEREAS an agreement on driver’s licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium was signed on 12 September 2002 in Brussels;

WHEREAS the purpose of the agreement is to ensure the reciprocal recognition of certain classes of drivers’ licences issued by Québec and Belgium authorities and to establish the terms and conditions for the exchange of the drivers’ licences;

WHEREAS, under section 65 of the Highway Safety Code (R.S.Q., c. C-24.2), no person may drive a road vehicle on a public highway or on any road described in the Act unless the person holds a driver’s licence of the class appropriate to the driving of that vehicle;

* The Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998 (1998, *G.O.* 2, 2149), was last amended by the regulation approved by Order in Council dated 698-2001 dated 6 June 2001 (2001, *G.O.* 2, 2806). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

WHEREAS, under section 629 of the Code, the Minister of Transport may, according to law, enter into an agreement with any government, department, or body respecting any matter referred to in the Code;

WHEREAS, under section 631 of the Code, the Government may, by regulation, adopt the necessary measures to give effect to an agreement under section 629 of the Code and the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to such a regulation;

WHEREAS the agreement constitutes an international agreement within the meaning of section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), amended by section 4 of chapter 8 of the Statutes of 2002;

WHEREAS the agreement also constitutes an important international commitment within the meaning of subparagraph 1 of the second paragraph of section 22.2 of the Act respecting the Ministère des Relations internationales, enacted by section 6 of chapter 8 of the Statutes of 2002;

WHEREAS, under the third paragraph of section 20 of the Act respecting the Ministère des Relations internationales, introduced by paragraph 2 of section 5 of chapter 8 of the Statutes of 2002, international agreements referred to in section 22.2 of that Act must, to be valid, be signed by the Minister of International Relations, approved by the National Assembly and ratified by the Government;

WHEREAS, under the second paragraph of section 20 of the Act respecting the Ministère des Relations internationales, the Minister may, in writing, authorize a person to sign an international agreement on his or her behalf and that signature has the same effect as the signature of the Minister;

WHEREAS the Minister of International Relations authorized the Minister of Transport to sign on her behalf the agreement on driver's licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium;

WHEREAS, under section 22.4 of the Act respecting the Ministère des Relations internationales, enacted by section 6 of chapter 8 of the Statutes of 2002, the ratification of an international agreement, where it concerns an important international commitment, shall not take place until the commitment is approved by the National Assembly;

WHEREAS the National Assembly approved the agreement on 18 December 2002;

IT IS ORDERED, therefore, on the recommendation of the Minister of International Relations and Minister responsible for La Francophonie and of the Minister of Transport:

THAT the agreement on driver's licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium, signed on 12 September 2002 and approved by the National Assembly on 18 December 2002, the text of which appears as a Schedule to the Regulation giving effect to an agreement on driver's licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium, be ratified;

THAT the Regulation giving effect to an agreement on driver's licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation giving effect to an agreement on driver's licence exchange between the Gouvernement du Québec and the Government of the Kingdom of Belgium

Highway Safety Code
(R.S.Q., c. C-24.2, s. 631)

- 1.** The Highway Safety Code (R.S.Q., c. C-24.2) and the regulations thereunder apply to the holder of a driver's licence issued by the Government of the Kingdom of Belgium.
- 2.** The provisions of the Code and the regulations thereunder apply in the manner prescribed in the "Entente visant l'échange des permis de conduire entre le gouvernement du Québec et le gouvernement du Royaume de Belgique", which appears as a Schedule.
- 3.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

AGREEMENT ON DRIVER'S LICENCE
EXCHANGE BETWEEN THE GOUVERNEMENT
DU QUÉBEC AND THE GOVERNMENT
OF THE KINGDOM OF BELGIUM

THE GOVERNMENT OF THE KINGDOM
OF BELGIUM

represented by the Minister for Mobility and Trans-
port, Isabelle Durant

AND

THE GOUVERNEMENT DU QUÉBEC

represented by the Minister of Transport, Serge Ménard

Also referred to hereafter as the Parties,

DESIRING to facilitate the exchange of driver's licences
for holders of a valid licence issued by one of the Parties
who settle or stay in the territory of the other Party;

CONSIDERING the reciprocal applications for recogni-
tion and exchange of driver's licences introduced by the
Parties;

HAVE AGREED to conclude an agreement on reciprocal
recognition of driver's licences according to the follow-
ing provisions.

ARTICLE 1
DEFINITIONS

In this Agreement :

1.1 "**authority**" means the Ministry of Communica-
tions and Infrastructure of the Kingdom of Belgium or
the Société de l'assurance automobile du Québec and
"**authorities**" means both the Ministry of Communica-
tions and Infrastructure of the Kingdom of Belgium and
the Société de l'assurance automobile du Québec.

"**driver's licence**" means a licence issued by one of
the authorities authorizing the holder to drive a motor
vehicle, subject to the terms and conditions specific to
the class or category of driver's licence and any other
related condition, and subject to the relevant laws and
regulations in force in the territory involved.

"**territory**" means Belgium or Québec and "**territo-
ries**" means both Belgium and Québec.

"**valid**" means that at the time a driver's licence issued
by one authority is exchanged for a driver's licence
issued by the other authority, the original driver's licence
has not expired or been revoked, suspended or cancelled
by the issuing authority and that the driver's licence is
not subject to any similar restriction which prevents the
holder from using it for the intended purpose.

1.2 More specifically for Québec

A Class 5 driver's licence is a valid licence issued by
the authority authorizing the holder to drive a motor
vehicle having two axles and a net weight of less than
4,500 kg, a motor vehicle permanently converted into a
dwelling, a tool vehicle and a service vehicle.

A probationary licence is issued to an applicant whose
driving experience, including experience under the
Belgian licence, is less than 24 months and who is under
the age of 25.

1.3 More specifically for Belgium

A Category B driver's licence is a licence issued by
one of the communes of the Kingdom of Belgium or by
the Ministry of Foreign Affairs authorizing the holder to
drive

— a motor vehicle with a maximum weight of not
more than 3,500 kg and a maximum number of eight
seats, in addition to the driver's seat, to which a trailer
having a maximum authorized weight not exceeding
750 kg may be attached;

— a combination of road vehicles consisting of a
Category B tractor and a trailer having a maximum
authorized weight not exceeding 3,500 kg for the com-
bination of vehicles and a maximum authorized weight
for the trailer not exceeding the tare weight of the tractor.

ARTICLE 2
RECOGNITION AND EXCHANGE OF LICENCES

2.1 A resident of Belgium who holds a Category B
driver's licence may exchange that licence for a Class 5
licence in the year of settlement in the territory of Québec
without undergoing a proficiency examination or an eye
test, upon presentation of a valid licence and the identi-
fication documents required by the Québec authority,
and after paying the fees and insurance contribution
fixed by regulation.

The Québec authority shall issue a driver's licence to an applicant who is at least 25 years old or who can prove that he or she has held a valid driver's licence for the past 24 months; otherwise, the authority will issue a probationary licence.

The driving experience indicated on the licence to be exchanged is recognized by the Québec authority.

2.2 A Québec resident who holds a valid Class 5 driver's licence or a probationary licence and who complies with the issuance conditions in Belgium may exchange the licence for a Category B licence without undergoing a proficiency examination or an eye test.

2.3 The restrictions on the original driver's licence are carried over onto the driver's licence issued in exchange, in the form of equivalent codes.

2.4 Only driver's licences bearing a photograph, a copy of which has been provided in accordance with this Agreement, shall be exchanged.

The Belgian authority agrees, however, to exchange valid Québec licences without a photograph, a copy of which has been provided in accordance with this Agreement, during the year following the coming into force of the Agreement.

ARTICLE 3 FINAL PROVISIONS

3.1 The Parties append to this Agreement a sample or a copy certified as true by their respective authority of the various valid driver's licences in their territory.

Any change by one Party to a driver's licence appended as a sample, in force at the time the Agreement is signed, shall be communicated to the other Party by the respective authorities.

3.2 This Agreement does not invalidate the provisions of any law or regulation applicable in the territory of one of the Parties with respect to the right to use a foreign driver's licence.

3.3 This Agreement will be amended to take into account any amendment made to applicable domestic law in the territory of either Party.

3.4 The designated authorities are responsible for the application of this Agreement. As such, they agree to implement all necessary mechanisms, including those allowing for the exchange of information and validation of the licences submitted to the other authority under this Agreement.

3.5 The Parties shall assist each other in the application of this Agreement and exchange information, when necessary, on licences submitted to be exchanged. A contact point shall be established so that the validity of a licence may be verified directly.

The authority exchanging a licence may if need be ascertain the validity of the licence with the issuing authority using information technologies, in accordance with the terms and conditions to be determined between them.

Applications made under this article shall be sent to the following addresses:

For Québec:

Société de l'assurance automobile du Québec
Service des opérations et de la diffusion
333, boulevard Jean-Lesage, C-3-14
Québec (Québec) G1K 8J6
Canada
Fax: 1-418-644-7167
Telephone: 1-418-528-3183

For Belgium:

Ministère des Communications et de l'Infrastructure
Direction du permis de conduire
Rue de la Loi, 155
1040-Bruxelles (Belgique)
Fax: 32.2.287.44.54
Telephone: 32.2.287.44.49/50

Each Party may change the address to which applications must be sent by sending a written notice to the other Party.

3.6 Any document or communication provided or sent under this Agreement must be in writing and will be deemed duly provided or sent to the Party to which it is addressed at the time it is handed in person, delivered by messenger or registered mail (postage paid) or sent by fax to the following addresses:

For Québec:

Société de l'assurance automobile du Québec
Vice-présidence à la sécurité routière
333, boulevard Jean-Lesage, C-4-1
Québec (Québec) G1K 8J6
Canada
Fax: 1-418-643-2748
Telephone: 1-418-528-3600

For Belgium :

La Ministre de la Mobilité et des Transports
Rue de la Loi, 63-65
1040-Bruxelles (Belgique)
Fax : 32.2.230.18.24
Telephone : 32.2.237.67.11

Each Party may change the address to which documents or communications must be sent by sending a written notice to the other Party.

3.7 This Agreement comes into force once the necessary internal formalities have been completed, on the date agreed on in an exchange of letters between the Parties.

3.8 A Party may terminate this Agreement by means of a written notice sent to the other Party. The Agreement shall end on the ninetieth (90th) day after the sending of the notice.

Made in Bruxelles, this 12 September, 2002, in duplicate.

FOR THE GOUVERNEMENT
DU QUÉBEC

FOR THE GOVERNMENT
OF THE KINGDOM
OF BELGIUM

SERGE MÉNARD,
Minister of Transport

ISABELLE DURANT,
*Minister for Mobility
and Transport*

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Gouvernement du Québec

O.C. 861-2003, 20 August 2003

Forest Act
(R.S.Q., c. F-4.1)

**Wood processing plants
— Operating permits**

Regulation to amend the Regulation respecting operating permits for wood processing plants

WHEREAS, under subparagraph 16 of the first paragraph of section 172 of the Forest Act (R.S.Q. c. F-4.1), the Government may, by regulation, establish classes of wood processing plants;

WHEREAS, under subparagraph 17 of the first paragraph of that section, the Government may prescribe the conditions to be met by an applicant for the issue or renewal of a wood processing plant operating permit, the dues payable by the applicant for the issue or renewal, the classes of annual timber consumption authorized and the form and content of the register to be kept pursuant to section 168, and the time at which the register must be transmitted;

WHEREAS the Government made the Regulation respecting operating permits for wood processing plants by Order in Council 908-88 dated 8 June 1988;

WHEREAS the issue of operating permits for wood processing plants is a means whereby the State may control existing plants, promote the orderly development of the industry and have better knowledge of the use of the resource;

WHEREAS, under section 164 and the first paragraph of section 165 of the Act, no person may operate a wood processing plant unless the person holds a permit issued by the Minister for that purpose upon payment of the duties and on the conditions determined by regulation of the Government;

WHEREAS, by Décret 563-2003 dated 29 April 2003, it is ordered that the Minister of Natural Resources be from then on designated under the name of Minister of Natural Resources, Wildlife and Parks;

WHEREAS, following the enactment of section 24.0.1 of the Act, it is expedient to amend the Regulation to add a new class of plant, namely the class of industries processing shrubs or half-shrubs or branches from shrubs or half-shrubs for the production of substances intended for pharmaceutical use;

WHEREAS it is expedient to amend the Regulation to harmonize it with section 93 of the Act, in order to include all plants producing energy from forest biomass, such as cogeneration plants and power plants;

WHEREAS, considering that shipment outside Québec of incompletely processed timber from forests in the public domain of Québec is already governed by section 161 of the Act and that in Québec, there are no plants producing wood chips for shipment outside Québec, it is expedient to amend the Regulation to delete plants producing wood chips for shipment outside Québec;