

Regulations and other acts

Gouvernement du Québec

O.C. 204-2006, 29 March 2006

Labour Code
(R.S.Q., c. C-27)

Application of the definition of “employee” in the Labour Code to certain public servants of the Ministère du Conseil exécutif

WHEREAS subparagraph 3.1 of paragraph 1 of section 1 of the Labour Code (R.S.Q., c. C-27) provides that the definition of “employee” does not include a public servant of the Ministère du Conseil exécutif, except in the cases that the Government may determine by order;

WHEREAS Order in Council 42-2006 dated 1 February 2006 concerning the departmental responsibilities relating to government communications services provides that the Premier is responsible for all communications services within the various government departments, excluding the communications service within the Sûreté du Québec and those relating in particular to translation, linguistic services, graphics, publishing, management of the visual identification program, publicity and organization of events and public functions, and that the Premier is responsible for the personnel other than office staff, technicians and staff of comparable rank;

WHEREAS it is expedient that certain public servants under the authority of the Secrétariat à la communication gouvernementale of the Ministère du Conseil exécutif pursuant to the above-cited Order in Council be included in the definition of “employee” in the Labour Code;

IT IS ORDERED, therefore, on the recommendation of the Premier and the Minister of Labour:

THAT the public servants under the authority of the Secrétariat à la communication gouvernementale of the Ministère du Conseil exécutif exercising their functions in the communications services within the various government departments, other than the Ministère du Conseil exécutif and the secretariat of the Conseil du trésor, be included in the definition of “employee” in paragraph 1 of section 1 of the Labour Code (R.S.Q., c. C-27).

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 208-2006, 29 March 2006

An Act respecting the distribution of financial products and services
(R.S.Q., c. D-9.2)

Designation of persons that may offer an insurance product that cannot be offered by a distributor

WHEREAS section 428 of the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2) provides that the Government may order, after consulting the Autorité des marchés financiers, that an insurance product that cannot be offered by a distributor may be offered in accordance with Chapters I and II by any person it specifies and that the persons specified in the order are deemed to be distributors for that product;

WHEREAS the Authority has been consulted;

WHEREAS it is expedient to allow funeral homes whose directors are holders of a funeral director’s permit issued in accordance with the Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., c. L-0.2), to offer, through any person acting on behalf of the funeral home, in accordance with Chapters I and II of Title VIII of the Act respecting the distribution of financial products and services, the “Death Savings Plan” and the “Death Insurance Plan”, both of which are products of Assurant Life of Canada;

WHEREAS it is expedient to replace Order in Council 635-2003 dated 4 June 2003;

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

THAT funeral homes whose directors are holders of a funeral director’s permit issued in accordance with the Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., c. L-0.2), be authorized to offer, through any person acting on behalf of the funeral home, in accordance with Chapters I and II of Title VIII of the Act respecting the distribution of financial products and services, the “Death Savings Plan” and the “Death Insurance Plan”, both of which are products of Assurant Life of Canada;

THAT this Order in Council replace Order in Council 635-2003 dated 4 June 2003.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 239-2006, 29 March 2006

Stenographers' Act
(R.S.Q., c. S-33)

Courts of Justice Act
(R.S.Q., c. T-16)

Legal Aid Act
(R.S.Q., c. A-14)

Code of Penal Procedure
(R.S.Q., c. C-25.1)

Tariff of fees for the recording and transcription of depositions of witnesses

Tariff of court costs in penal matters — Amendment

Certain court costs in penal matters applicable to persons under 18 years of age — Amendment

Tariff of fees for the recording and transcription of depositions of witnesses, Regulation to amend the Tariff of court costs in penal matters and Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age

WHEREAS, under the fourth paragraph of section 224 of the Courts of Justice Act (R.S.Q., c. T-16) and section 4 of the Stenographers' Act (R.S.Q., c. S-33), the Government may establish, amend and replace a tariff for the taking down and copying or transcription of the depositions which have been stenographed or recorded in any other manner it authorizes before a court or a judicial officer and determine the manner in which such fees shall be paid;

WHEREAS, under the second paragraph of section 81 of the Legal Aid Act (R.S.Q., c. A-14), notwithstanding any general law or special Act, the Government may make regulations, failing an agreement, to establish the tariffs of fees applicable for the purposes of the Act;

WHEREAS consequential amendments are also made to the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age made by Order in Council 40-94 dated 10 January 1994 and to the Tariff of court costs in penal matters made by Order in Council 1412-93 dated 6 October 1993;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 July 2005 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Tariff of fees for the recording and transcription of depositions of witnesses, the Regulation to amend the Tariff of court costs in penal matters and the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Tariff of fees for the recording and transcription of depositions of witnesses

Stenographers' Act
(R.S.Q., c. S-33, s. 4)

Courts of Justice Act
(R.S.Q., c. T-16, s. 224)

Legal Aid Act
(R.S.Q., c. A-14, s. 81)

■. This Tariff applies to the recording of depositions by a stenographer in stenotypy, stenography or by means of a device known by the name "stenomask". It also applies to the recording of depositions by means of sound only or sound and picture recording apparatus where the recording is done by a stenographer.

The Tariff also applies to the transcription of depositions recorded as described in the first paragraph and to depositions recorded by means of sound only or sound and picture recording apparatus supplied by the Ministère de la Justice.