

Gouvernement du Québec

O.C. 374-2006, 2 May 2006

An Act to amend the Act respecting parental insurance and other legislative provisions (2005, c. 13)

Regulation 2 under section 108

Regulation 2 under section 108 of the Act to amend the Act respecting parental insurance and other legislative provisions

WHEREAS the Act to amend the Act respecting parental insurance and other legislative provisions (2005, c. 13) was assented to on 17 June 2005;

WHEREAS, under the first paragraph of section 108 of that Act, the Government may, by regulation, adopt any other transitional provision or measure that is expedient for the purposes of the Act, the Canada-Québec Final Agreement on the Québec Parental Insurance Plan and related administrative agreements before 17 June 2006;

WHEREAS, under the second paragraph of that section, a regulation made under that section is not subject to the publication requirement under section 8 of the Regulations Act (R.S.Q., c. R-18.1) and a regulation may, if it so provides, apply from any date that is not prior to 17 June 2005;

WHEREAS it is expedient to make a regulation under section 8 to prescribe certain transitional provisions and other relevant measures that are expedient for the purposes of the Act, the Canada-Québec Final Agreement on the Québec Parental Insurance Plan and related administrative agreements;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT Regulation 2 under section 108 of the Act to amend the Act respecting parental insurance and other legislative provisions, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation 2 under section 108 of the Act to amend the Act respecting parental insurance and other legislative provisions

An Act to amend the Act respecting parental insurance and other legislative provisions (2005, c. 13, s. 108)

1. Section 42.1 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), enacted by section 91 of the Act, is amended

(1) by replacing “preceding” in the first paragraph by “preceding the week of”;

(2) by adding the following sentence at the end of the first paragraph:

“The worker is presumed to be eligible for those benefits from that fourth week.”;

(3) by replacing the second paragraph by the following:

“However, the expected date of delivery may be changed if the Commission is informed by the worker’s attending physician of a new expected date of delivery, not later than four weeks before the date stated in the certificate mentioned in the first paragraph.”.

2. The Regulation under the Act respecting parental insurance, made by Order in Council 986-2005 dated 19 October 2005 and amended by Order in Council 9-2006 dated 17 January 2006, is further amended by adding the following after section 31.1:

“**31.2.** The qualifying period of a person who, during the 52 weeks preceding the benefit period, had insurable earnings while being unable to have other insurable earnings because the person was receiving indemnities under the Act respecting occupational health and safety by reason of the fact that the person had ceased to work because continuation of work entailed physical dangers for the person by reason of her pregnancy or for the person’s unborn child or the child the person was breast-feeding, is the 52-week period preceding the first week in which that inability occurs.

Such a qualifying period is established on request if the person proves to the satisfaction of the Minister that the person was in the situation referred to in the first paragraph.

The qualifying period of the person may be extended in the cases and on the conditions set out in section 32 but may not, once extended, exceed the 104th week preceding the benefit period.

This section does not apply when income from a business is taken into account.

31.3. Where the qualifying period of a person is the calendar year preceding the benefit period and, during that year, the person had insurable earnings derived from a business while being unable to have other insurable earnings for the reason referred to in the first paragraph of section 31.2, the average of the insurable earnings is established as follows :

(1) determine the average of the weekly insurable earnings for the calendar year preceding the qualifying year of the person ;

(2) multiply the amount obtained under subparagraph 1 by the number of weeks the person was unable to have other insurable earnings ;

(3) determine the weekly average of the insurable earnings from a business for the qualifying year ;

(4) multiply the amount obtained under subparagraph 3 by the number of weeks the person was unable to have other insurable earnings ;

(5) subtract the amount obtained under subparagraph 4 from the earnings of the qualifying year ; and

(6) add the amount obtained under subparagraph 2 to the earnings of the qualifying year calculated under subparagraph 5 and divide the total by 52.

The calculation in the first paragraph is made on request if the person proves to the satisfaction of the Minister that the person was in the situation referred to in that paragraph.

Despite section 20 of the Act, the qualifying period of a person whose qualifying year is the calendar year 2005 may not be extended.”

3. Section 42 of the Regulation is amended by inserting the following after paragraph 4 :

“(4.1) income replacement indemnities that a person received or is entitled to receive under the Act respecting occupational health and safety by reason of the fact that the person had ceased to work because continuation of work entailed physical dangers for the person or for the person’s unborn child or the child the person was breast-feeding ;”.

4. The following is inserted after section 54 :

“**54.1.** Section 31.3 does not apply if a person’s qualifying year is the calendar year 2005.”.

5. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*, except sections 2 to 4 which have effect from 1 January 2006.

7590

M.O., 2006

Order number 2006-003 of the Minister of Transport dated 2 May 2006

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

CONCERNING the approval of weigh scales

CONSIDERING section 467 of the Highway Safety Code (R.S.Q., c. C-24.2) under which the axle load and the total loaded mass of a road vehicle or combination of road vehicles are determined by means of devices designed for that purpose, approved by the Minister of Transport and used in the manner he determines ;

1. The Minister of Transport approves the following wheel-load scales :

Make	Model	Serial No.
Haenni	WL-101	28536
Haenni	WL-101	28537
Haenni	WL-101	28538
Haenni	WL-101	28539
Haenni	WL-101	28540
Haenni	WL-101	28541
Haenni	WL-101	28542
Haenni	WL-101	28543
Haenni	WL-101	28544
Haenni	WL-101	28545
Haenni	WL-101	28546
Haenni	WL-101	28547
Haenni	WL-101	28548
Haenni	WL-101	28549
Haenni	WL-101	28550
Haenni	WL-101	28551
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