

## Regulation respecting the conditions of placement in an intensive supervision unit

Youth Protection Act  
(R.S.Q., c. P-34.1, s. 132, 1st par., subpar. k;  
2006, c. 34, s. 70)

**1.** The decision of the executive director of an institution or the person the executive director authorizes in writing concerning placement in an intensive supervision unit must be in writing and give reasons. The decision must be based on an assessment of the child that shows a serious risk that the child represents a danger to himself or herself or to others.

The assessment must be made with recognized clinical tools and consider

- (1) the gravity, intensity, level of dangerousness and recurrence of the child's behaviour;
- (2) the child's characteristics;
- (3) the child's background and the overall progress of the rehabilitation process; and
- (4) the analysis of alternatives to such a placement.

**2.** A child placed in an intensive supervision unit must receive sustained and personalized clinical support in addition to rehabilitation services and activities including schooling.

The intervention plan developed for the child must take the situation into account.

**3.** The executive director of the institution or the person the executive director authorizes in writing must review the child's situation as soon as the child's clinical situation so requires to ensure that the placement in the intensive supervision unit is still warranted.

The child cannot be maintained in the intensive supervision unit for a period exceeding one month without the advisability of doing so being reassessed.

**4.** The board of directors of every institution operating a rehabilitation centre must adopt a protocol for placement in an intensive supervision unit in its facilities in accordance with this Regulation.

The protocol must contain

- (1) a statement of the legal framework;

(2) the guidelines and clinical and administrative processes; and

(3) the required and recognized clinical tools, including the intensive supervision program orientation profile.

The executive director of the institution or the person the executive director authorizes must ensure that the protocol is complied with.

**5.** The child and the child's parents must be informed of the reasons justifying the decision to place the child in an intensive supervision unit and the available remedies, including before the tribunal, in relation to that decision.

**6.** The executive director of the institution or the person the executive director authorizes in writing must report to the board of directors every six months, or at the request of the board of directors, on the situations in which the executive director authorized placement in an intensive supervision unit.

**7.** Unless authorized by the director of youth protection, no child under 14 years of age may be placed in an intensive supervision unit.

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

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### Notice

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1)

### Commission d'accès à l'information — Internal Management Rules

Please take note that under section 110.1 of the Act respecting Access to documents held by public bodies and the Protection of personal information, la Commission d'accès à l'information adopted the Internal Management Rules of the Commission d'accès à l'information at its meeting held on 13 June 2007.

JACQUES SAINT-LAURENT,  
*Chair*

## **Internal Management Rules of the Commission d'accès à l'information**

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1, s. 110.1)

### **DIVISION I PURPOSE**

**1.** These Rules govern the operation of the Commission d'accès à l'information. They set out the procedure governing meetings of the Commission and the duties and responsibilities of its members.

### **DIVISION II THE COMMISSION**

**2.** The Commission is composed of a chair, a vice-chair and members. The Commission consists of two divisions: the oversight division and the adjudicative division.

The National Assembly resolution appointing the members, other than the chair and vice-chair, states the division to which the members are assigned and their term of office.

#### **Meetings of the Commission**

**3.** The secretary calls meetings of the Commission at the request of the chair. Meetings are held at the Commission's head office or at any other place in Québec set out in the notice of meeting.

Meetings may be adjourned by the members without a new notice of meeting being necessary.

**4.** When requested to call a meeting, the secretary sends a notice, together with an agenda, the minutes of the last meeting and all relevant documents, to the chair, vice-chair, members and any other person whose presence is required at the meeting, at least 5 days before the meeting.

Notice of a special meeting may be given 6 hours before the special meeting by telephone, fax, or any other information technology medium.

A member may waive the notice of meeting in writing. Attendance of a member at a meeting constitutes that member's waiver of the notice of meeting.

The formalities for the calling of a meeting may be waived by the written consent of all members.

**5.** Members may participate in meetings through the use of information technology, including by telephone.

**6.** The chair conducts meetings and decides the procedure to be followed.

**7.** A majority of the members constitutes a quorum at meetings of the Commission.

**8.** Decisions of the Commission are made by a majority of the members present.

A vote must be held if requested by a member.

Voting is conducted orally, in writing or through the use of information technology.

**9.** The chair's declaration that a decision has been made unanimously or by a majority is entered in the minutes of the meeting.

#### **Oversight division**

**10.** The function of the oversight division is to oversee the carrying out of the laws under the Commission's jurisdiction and to ensure compliance with and promotion of access to documents and the protection of personal information.

**11.** Before making a decision, the oversight division must give the persons involved an opportunity to make submissions.

**12.** Decisions of the oversight division are made in writing.

#### **Adjudicative division**

**13.** The function of the adjudicative division is to decide applications for review made under the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1) and applications for examination of disagreements made under the Act respecting the protection of personal information in the private sector (R.S.Q., c. P-39.1).

**14.** Members of the adjudicative division perform their duties and functions on the dates and at the places determined by the chair.

#### **The chair**

**15.** For the purposes of the administration of the Commission, the chair manages its personnel and performs all the duties and functions inherent in the office of chair and assigned to the chair by law, including

- (1) establishing and implementing the strategic plan;
- (2) managing the Commission's human, financial, material and information resources; and
- (3) delegating powers and temporarily assigning a commissioner to another division, which must be in writing.

**16.** The chair, or the person designated by the chair, acts as spokesperson for the Commission.

#### **The vice-chair**

**17.** The vice-chair performs all the duties and functions assigned by the chair and replaces the chair if the chair is absent or unable to act or if the office of chair is vacant.

#### **The secretary**

**18.** The secretary of the Commission performs all the duties and functions assigned by the chair, which include

- (1) drafting the minutes of meetings of the Commission;
- (2) communicating the decisions of the Commission; and
- (3) archiving the Commission's records.

**19.** These Rules come into force on the fifteenth day following their publication in the *Gazette officielle du Québec*.