

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to amend the Regulation respecting the application of the Environment Quality Act was published in Part 2 of the *Gazette officielle du Québec* of 27 February 2008, with a notice that it could be made by the Government on the expiry of 60 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 Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Regulation respecting the application of the Environment Quality Act, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Environment Quality Act*

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpar. f)

1. The Regulation respecting the application of the Environment Quality Act is amended in section 1 by adding the following paragraph:

“(6) construction, work or activities to be carried out in aquatic reserves, biodiversity reserves or ecological reserves, or on land set aside for reserve purposes, if an authorization has been issued by the Minister under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).”.

2. 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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Gouvernement du Québec

O.C. 979-2008, 8 October 2008

An Act respecting the Ministère de la Santé et des Services sociaux
(R.S.Q., c. M-19.2)

Implementation of the provisions regarding health in the agreements entered into by the Gouvernement du Québec with international organizations

Regulation respecting the implementation of the provisions regarding health in the agreements entered into by the Gouvernement du Québec with international organizations

WHEREAS, under subparagraph 2 of the first paragraph of section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), the Minister may, according to law, enter into agreements with any government, one of its departments, with an international organization or with an agency of that government or organization for the purposes of enabling, on a basis of reciprocity, a person to benefit, from the time specified in those agreements and on the conditions determined therein, from all or part of the health services and social services provided for in the Acts administered by the Minister or in the laws of a foreign State to which the agreements apply;

WHEREAS, under the third paragraph of section 10, to give effect to such agreements, the Government may, by regulation, determine the manner in which an Act administered by the Minister is to apply in any case covered by the agreements, and adapt the provisions of such an Act;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the implementation of the provisions regarding health in the agreements entered into by the Gouvernement du Québec with international organizations was published in Part 2 of the *Gazette officielle du Québec* of 28 May 2008 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;

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

* The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was last amended by the regulation made by Order in Council 320-2006 dated 13 April 2006 (2006, *G.O.* 2, 1344). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

THAT the Regulation respecting the implementation of the provisions regarding health in the agreements entered into by the Gouvernement du Québec with international organizations, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the provisions regarding health in the agreements entered into by the Gouvernement du Québec with international organizations

An Act respecting the Ministère de la Santé et des Services sociaux
(R.S.Q., c. M-19.2, s. 10)

CHAPTER I GOVERNMENT INTERNATIONAL ORGANIZATIONS

1. This Chapter applies to any person who

(1) is a public officer employed by a government international organization that, for the purpose of establishing its head office in Québec, entered into an agreement with the Gouvernement du Québec;

(2) is registered with the Ministère des Relations internationales in accordance with the agreement;

(3) temporarily resides in Québec for the term of his or her contract of employment.

It also applies to the persons who accompany the public officer during the time of his or her employment in Québec, provided that those persons are covered by the agreement and on the conditions set therein.

2. To be entitled to the benefits of the health insurance plan and the hospital insurance plan or another health service provided for in a program of the Ministère de la Santé et des Services sociaux, a person referred to in section 1 must register with the Régie de l'assurance maladie du Québec and provide the required information on the appropriate registration form.

In addition to the registration form required under the first paragraph, the public officer must provide the Board with

(1) the document of Le Protocole attesting to the officer's registration with the Ministère des Relations internationales;

(2) a document issued by the international organization and indicating the start and end dates of the contract of employment and, where applicable, the identity of the persons covered by the agreement who accompany the officer; and

(3) the acceptance visa issued by the Department of Foreign Affairs and International Trade.

In addition to the registration form required under the first paragraph of this section, a person referred to in the second paragraph of section 1 must provide the Board with

(1) the document of Le Protocole attesting to the person's registration with the Ministère des Relations internationales;

(2) a copy of the document issued to the public officer by the international organization and indicating the start and end dates of the contract of employment; and

(3) the acceptance visa issued by the Department of Foreign Affairs and International Trade.

Entitlement to the benefits granted to the public officer and the persons covered by the agreement who accompany the officer takes effect on the start date stipulated in the contract of employment or the date of arrival to Québec, whichever is latest. Entitlement to benefits ends on the end date of the contract of employment or the date of departure from Québec, whichever comes first.

3. A public officer referred to in section 1 who stays outside Québec in the course of the officer's duties on behalf of the employing international organization remains entitled to the benefits referred to in section 2 for the duration of the stay.

A person referred to in the second paragraph of section 1 who accompanies the public officer during such a stay also remains entitled to benefits.

4. A public officer who stays outside Québec during a leave authorized by the officer's employer, excluding a stay referred to in section 3, remains entitled to benefits provided that the total duration of the stays for the year does not exceed 12 weeks, without taking into account stays of 21 consecutive days or less.

A person referred to in the second paragraph of section 1 who stays outside Québec, for a stay excluding a stay referred to in section 3, also remains entitled to benefits on the same conditions.

5. A child without a spouse of a public officer referred to in section 1 who is under 25 years of age and who is a duly registered full-time student in a college-level or university-level educational institution located in Canada is presumed to live permanently with the public officer. That presumption applies for no more than 5 consecutive school years if the institution is located outside Québec.

6. In the event of inconsistencies, the provisions of this Regulation and those of the agreement concerned prevail over the provisions of the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec, made by Order in Council 1470-92 dated 30 September 1992.

7. The Minister draws up a list of the government international organizations referred to in this Chapter and keeps it up-to-date.

CHAPTER II NON-GOVERNMENT INTERNATIONAL ORGANIZATIONS

8. This Chapter applies to any person who

(1) is employed by a non-government international organization that, for the purpose of establishing its head office in Québec, entered into an agreement with the Gouvernement du Québec;

(2) is registered with the Ministère des Relations internationales in accordance with the agreement;

(3) temporarily resides in Québec for the term of his or her contract of employment.

It also applies to the persons who accompany the employee during the time of his or her employment in Québec, provided that those persons are covered by the agreement and on the conditions set therein.

9. To be entitled to the benefits of the health insurance plan and the hospital insurance plan or another health service provided for in a program of the Ministère de la Santé et des Services sociaux, a person referred to in section 8 must register with the Régie de l'assurance maladie du Québec and provide the required information on the appropriate registration form.

In addition to the registration form required under the first paragraph, the employee must provide the Board with

(1) the document of Le Protocole attesting to the employee's registration with the Ministère des Relations internationales;

(2) a document issued by the international organization and indicating the start and end dates of the contract of employment and, where applicable, the identity of the persons covered by the agreement who accompany the employee;

(3) the employment authorization issued by Canadian immigration authorities.

In addition to the registration form required under the first paragraph of this section, a person referred to in the second paragraph of section 8 must provide the Board with

(1) the document of Le Protocole attesting to the person's registration with the Ministère des Relations internationales;

(2) a copy of the document issued to the employee by the international organization and indicating the start and end dates of the employee's contract of employment;

(3) the authorization of stay issued by Canadian immigration authorities.

Entitlement to the benefits of the plan granted to the employee and the persons covered by the agreement who accompany the employee takes effect on the start date stipulated in the contract, the date on which the authorization of stay is issued or the date of arrival to Québec, whichever is latest. Entitlement to benefits ends on the end date of the contract of employment, the date on which the authorization of stay expires or the date of departure from Québec, whichever comes first.

10. An employee referred to in section 8 who stays outside Québec in the course of the employee's duties on behalf of the employing international organization remains entitled to the benefits for the duration of the stay.

A person referred to in the second paragraph of section 8 who accompanies the employee during such a stay also remains entitled to benefits.

11. An employee who stays outside Québec during a leave authorized by the employer, excluding a stay referred to in section 10, remains entitled to benefits provided that the total duration of the stays for the year does not exceed 12 weeks, without taking into account stays of 21 consecutive days or less.

A person referred to in the second paragraph of section 8 who stays outside Québec, for a stay excluding a stay referred to in section 10, also remains entitled to benefits on the same conditions.

12. A child without a spouse of an employee referred to in section 8 who is under 25 years of age and who is a duly registered full-time student in a college-level or university-level educational institution located in Canada is presumed to live permanently with the employee. That presumption applies for no more than 5 consecutive school years if the institution is located outside Québec.

13. In the event of inconsistencies, the provisions of this Regulation and those of the agreement concerned prevail over the provisions of the Regulation respecting eligibility and registration of persons in respect of the Régie de l'assurance maladie du Québec.

14. The Minister draws up a list of the non-government international organizations referred to in this Chapter and keeps it up-to-date.

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