

Regulations and other Acts

Gouvernement du Québec

O.C. 808-2011, 3 August 2011

Regulations Act
(R.S.Q., c. R-18.1)

Exclusion of draft regulations respecting the implementation of agreements on social security signed by the Government from the Act

Exclusion of draft regulations respecting the implementation of agreements on social security signed by the Government from the Regulations Act

WHEREAS the Government has entered into reciprocal agreements on social security with foreign governments for more than 30 years;

WHEREAS those agreements favour the international mobility of persons by coordinating the application of national legislation in matters of pensions, health, industrial accidents and occupational diseases;

WHEREAS those agreements must be integrated into a regulation in order to have force of law;

WHEREAS, in the case of an agreement on social security that concerns pensions and health, the Government makes a regulation to implement it under section 215 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), section 10 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001) and section 9 of the Tax Administration Act (R.S.Q., c. A-6.002);

WHEREAS the draft of that regulation and that regulation are excluded from the application of the Regulations Act (R.S.Q., c. R-18.1) under Order in Council 1118-93 dated 11 August 1993;

WHEREAS, if an agreement on social security also includes a chapter on industrial accidents and occupational diseases, the Commission de la santé et de la sécurité du travail makes a regulation under section 170 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1);

WHEREAS the draft regulation and the regulation of the Commission de la santé et de la sécurité du travail are not excluded from the application of the Regulations Act;

WHEREAS the publication of draft regulations respecting the implementation of agreements on social security in the *Gazette officielle du Québec* does not make it possible for the public to make comments on their terms with a view to amending them because the agreements are already signed when published as a schedule to the draft regulation;

WHEREAS paragraph 6 of section 3 of the Regulations Act empowers the Government to determine that the Act does not apply to certain proposed regulations and certain regulations;

WHEREAS it is expedient to exclude only draft regulations respecting the implementation of agreements on social security from the application of the Regulations Act so that the agreements may come into force more quickly after their signing;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice, the Minister of International Relations, the Minister of Revenue, the Minister of Health and Social Services, the Minister of Employment and Social Solidarity and the Minister of Labour:

THAT the draft regulations of the Government and the Commission de la santé et de la sécurité du travail respecting the implementation of agreements on social security signed by the Government under section 215 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), section 10 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2), section 10 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001), section 9 of the Tax Administration Act (R.S.Q., c. A-6.002) or section 170 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1) be excluded from the application of the Regulations Act (R.S.Q., c. R-18.1);

THAT this Order in Council replaces Order in Council 1118-93 dated 11 August 1993.

GILLES PAQUIN,
Clerk of the Conseil exécutif