

The object of this draft regulation is to delete the provision of the Regulation respecting hearing devices and insured services (chapter A-29, r. 2) that excludes, as an insured service, those hearing aids including any electronic device for eliminating head noise.

For further information, please contact:

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Persons wishing to comment on this draft regulation may write, before the deadline, to the undersigned, the Minister of Health and Social Services and Minister responsible for Seniors, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

RÉJEAN HÉBERT,
*Minister of Health and Social Services
and Minister responsible for Seniors*

Regulation to amend the Regulation respecting hearing devices and insured services

Health Insurance Act
(chapter A-29, s. 69, 1st par., subpar. (h.2))

1. The Regulation respecting hearing devices and insured services (chapter A-29, r. 2) is amended by deleting subparagraph (b) of the second paragraph of section 2.

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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Draft Regulation

Police Act
(chapter P-13.1)

Bureau des enquêtes indépendantes — Selection procedure and training of investigators

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the selection procedure and the training of investigators of the Bureau des enquêtes indépendantes, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation establishes the selection process of investigators of the Bureau des enquêtes indépendantes. It also determines the training to be completed by the investigators of the Bureau.

To date, study of the matter has shown no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jérôme Gagnon, Acting Director, Direction de la sécurité de l'État, Direction générale des affaires policières, Ministère de la Sécurité publique; telephone: 418 646-6777, extension 60002; email: jerome.gagnon@msp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to Katia Petit, Secretary General, Ministère de la Sécurité publique, 2525, boulevard Laurier, 5^e étage, Tour des Laurentides, Québec (Québec) G1V 2L2.

STÉPHANE BERGERON,
Minister of Public Security

Regulation respecting the selection procedure and the training of investigators of the Bureau des enquêtes indépendantes

Police Act
(chapter P-13.1, ss. 289.11 and 289.14)

CHAPTER I PURPOSE

1. The purpose of this Regulation is to establish the recruiting and selection procedure of investigators of the Bureau des enquêtes indépendantes, and to determine the training to be completed by the investigators of the Bureau.

CHAPTER II
SELECTION CRITERIA AND PROCESS
APPLICABLE TO INVESTIGATORS

DIVISION I
RECRUITMENT NOTICE AND CANDIDACY

2. When a list of persons qualified for appointment as investigator is to be prepared, the director of the Bureau publishes a recruitment notice in one or a number of publications circulating or broadcast throughout Québec, inviting interested persons to submit their candidacy.

3. The recruitment notice contains

(1) the minimum requirements for the position of investigator provided for in section 289.11 of the Police Act (chapter P-13.1);

(2) a description of the duties of an investigator;

(3) the main place of work of the investigator;

(4) in substance, the selection criteria prescribed by this Regulation and, where applicable, the eligibility requirements, qualifications, training and professional experience required for the Bureau;

(5) in substance, the system of confidentiality applicable to the selection procedure and an indication that the selection committee may hold consultations about the candidacies; and

(6) the deadline and address for submitting a candidacy.

4. A copy of the recruitment notice is sent to the Minister of Public Security.

5. Persons who wish to submit their candidacy forward their résumé containing the following information:

(1) their name, address, home telephone number and, if applicable, office address and telephone number;

(2) their date of birth;

(3) the college and university diplomas they hold;

(4) whether they have been a peace officer;

(5) if they are a member of a professional order, the year of admission to the order, proof of membership and the number of years of practice, along with the main sectors of activity in which they have worked;

(6) a description of the activities exercised and the experience relevant to the position of investigator;

(7) where applicable, any conviction, in any place, for an act or omission defined in the Criminal Code (R.S.C. 1985, c. C-46) as an offence, or any conviction for an offence referred to in section 183 of the Code contrary to one of the Acts listed therein, and a description of the act, omission or offence concerned and the imposed sentence;

(8) where applicable, any conviction for a penal offence, together with a description of the offence concerned and the penalty imposed, if there is reasonable cause to believe that such an offence is likely to call into question the integrity or impartiality of the Bureau or the candidate;

(9) where applicable, any disciplinary or ethics decision made in their regard, together with a description of the breach concerned and the penalty or disciplinary measure imposed;

(10) the names and contact information of their employers or partners over the last 10 years;

(11) the reasons for their interest in the position of investigator.

The persons must agree to being the subject of inquiries, in particular with the persons referred to in section 16.

Paper documents sent by mail are presumed received by the Bureau on the date of mailing. Technology-based documents are presumed received by the Bureau when they become accessible at the address of the Bureau, as provided in section 31 of the Act to establish a legal framework for information technology (chapter C-1.1).

6. Where a candidacy is received after the closing date indicated in the recruitment notice, the director returns the file to the person and indicates that the person's candidacy is rejected.

DIVISION II
TRAINING AND OPERATION OF
A SELECTION COMMITTEE

7. Following the publication of a recruitment notice, a selection committee consisting of the director of the Bureau, a representative from the Ministère de la Sécurité publique designated by the Deputy Minister of Public Security and the director of police training of the École nationale de police du Québec is formed. If the director of police training is unable to act, a representative from the École nationale de police du Québec is designated by the executive director of the school.

8. The mandate of the committee is to determine whether a candidate is qualified for the position of investigator of the Bureau and to make a report.

9. The committee analyses the candidates' files and short-lists the candidates who, in its opinion, meet the requirements mentioned in the recruitment notice, taking into account in particular the number of vacant positions, the number of candidates and the requirement to encourage parity between investigators who have never been peace officers and those who have.

10. A committee member whose impartiality could be questioned must withdraw with respect to a candidate, including in the following situations:

- (1) the member is or was the candidate's spouse;
- (2) the member is related to the candidate by birth, marriage or civil union, up to the degree of first cousin inclusively;
- (3) the member is a partner, employer or employee of the candidate or was such a partner, employer or employee in the last 2 years;
- (4) the member is or was under the direct supervision of the candidate or is or was the candidate's immediate superior in the last 2 years.

11. If a committee member has withdrawn or is absent or unable to act, the decision is made by the other members.

12. Committee decisions are made by a majority of its members. In the event of a tie, the director has a casting vote.

13. The committee may, given the vacant positions or the number of candidates, apply evaluative measures that it determines, in particular, in collaboration with the École nationale de police du Québec, to selected candidates.

14. The committee informs the short-listed persons at this stage of the date and place of their meeting with the committee and informs the other persons that their candidacy was turned down and, as a result, they will not be called to a meeting.

DIVISION III SELECTION CRITERIA AND CONSULTATIONS

15. The selection criteria that the committee must take into account in determining a candidate's aptitude are

- (1) the candidate's interpersonal, intrapersonal and operational skills;
- (2) the candidate's personal and intellectual qualities;
- (3) the candidate's experience and the relevancy of that experience in relation to the duties of an investigator of the Bureau;
- (4) the extent of the candidate's knowledge or skills in view of the required qualifications, training or professional experience stated in the recruitment notice;
- (5) the candidate's ability to carry out the duties of an investigator; and
- (6) the candidate's conception of the duties of an investigator.

16. The committee may, on any matter in a candidate's file or any aspect of a candidacy or of the candidacies as a whole, consult with

- (1) any person who has been, in the last 10 years, an employer, partner, immediate superior or first-line supervisor of the candidate;
- (2) any person who is or was the candidate's spouse or related by birth, marriage or civil union to the candidate;
- (3) any legal person, partnership or professional association of which the candidate is or was a member;
- (4) any educational institution where the candidate has attended or any professional order of which the candidate is or was a member;
- (5) the École nationale de police du Québec;
- (6) any disciplinary body, police authority or credit bureau.

DIVISION IV REPORT OF THE SELECTION COMMITTEE

17. The committee promptly submits a report containing

- (1) the name of all the persons the committee met and the name of the persons considered qualified for the position of investigator of the Bureau, and indicating whether the persons have been peace officers or not;
- (2) any comments that the committee considers appropriate, especially with respect to the particular characteristics or qualifications of the qualified candidates.

18. A committee member may register his or her dissent with respect to all or part of the report.

19. The name of the persons considered qualified, the name of the persons whose candidacy was turned down, the reports of the selection committee and any information or document related to a consultation or decision by the committee are confidential.

20. The selection committee informs the persons of whether they are considered qualified or not, as the case may be.

DIVISION V

LIST OF DECLARATION OF APTITUDE

21. The director of the Bureau keeps the list of declaration of aptitude up-to-date and enters therein the name of the persons considered qualified for the position of investigator of the Bureau and indicates whether the persons have been peace officers or not.

The declaration of aptitude is valid for a period of 5 years from the date it is entered on the list.

The director strikes out an entry upon the expiry of the validity period of the declaration of aptitude or when the person is appointed as investigator of the Bureau, dies or asks to be withdrawn from the list.

22. Where a position of investigator is to be filled, the director of the Bureau recommends to the Government, from the up-to-date list of persons considered qualified for the position of investigator of the Bureau, the appointment of a person entered on the list while promoting parity between investigators who have never been peace officers and those who have.

23. If the director is of the opinion that he or she cannot, considering the list of persons qualified to be appointed as investigators and in the interests of, and to best carry out the duties of the Bureau, recommend an appointment, the director must have a recruitment notice published, in accordance with Division I.

CHAPTER III

TRAINING OF THE INVESTIGATORS

24. An investigator of the Bureau must have completed the Programme de formation des enquêteurs of the Bureau des enquêtes indépendantes of the École nationale de police du Québec.

The purpose of the program is to allow an investigator of the Bureau acquire the required investigating skills by preparing the investigator to intervene adequately and efficiently within a context specifically related to independent police investigations.

25. An investigator who is in the process of completing the required training may exercise his or her duties as a investigator of the Bureau under the supervision of another investigator who completed the training, provided the investigator began the training within 12 months after the date on which the investigator is appointed and completes the training not later than 24 months after that date. The director of the Bureau may authorize an extension of these periods.

26. An equivalence for a training activity under the Programme de formation des enquêteurs of the Bureau des enquêtes indépendantes may exceptionally be granted when an investigator can show that his or her school training or work experience has enabled the investigator to acquire the skills of the professional training activity concerned.

The École nationale de police du Québec determines whether the investigator has the skills of the training activity for which an equivalence is requested.

27. All equivalence requests must be submitted to the School Registrar in writing on the form provided for that purpose, together with the relevant documents. The investigator must pay any fees required by the School.

28. The School Registrar must, within 30 days of the request, notify the investigator in writing of the Registrar's decision to grant the requested equivalence or not. The Registrar must also inform the director of the Bureau of the decision.

CHAPTER IV

FINAL

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