

Regulations and other Acts

Gouvernement du Québec

O.C. 249-2016, 30 March 2016

Educational Childcare Act
(chapter S-4.1.1)

Educational Childcare — Amendment

Regulation to amend the Educational Childcare Regulation

WHEREAS subparagraphs 1 to 24 and 30 of the first paragraph of section 106 of the Educational Childcare Act (chapter S-4.1.1) empower the Government to make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Educational Childcare Regulation was published in Part 2 of the *Gazette officielle du Québec* of 21 October 2015, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS comments have been made and it is expedient to make the Regulation with amendments;

WHEREAS, under section 17 of the Regulations Act, a regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation or in the Act under which it is made;

IT IS ORDERED, therefore, on the recommendation of the Minister of Families:

THAT the Regulation to amend the Educational Childcare Regulation, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Educational Childcare Regulation

Educational Childcare Act
(chapter S-4.1.1, s. 106)

1. The Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended in section 2

(1) by replacing “an attestation” in the first paragraph by “a copy of the consent to investigation and the attestation”;

(2) by inserting “of the consent to investigation and” after “communication” in the second paragraph.

2. Section 6 is amended by inserting “a consent to investigation and” after “provide” in the second paragraph.

3. Section 13 is amended by replacing the second paragraph by the following:

“That amount is adjusted on 1 April of each year based on a rate corresponding to the annual change in the overall average Québec consumer price index without alcoholic beverages and tobacco products for the 12-month period ending on 31 December of the preceding year, as determined by Statistics Canada.”.

4. The following is inserted after section 20:

20.1. A permit holder who has recourse to an organization or enterprise providing replacement childcare staff members must ensure that the replacement staff member has in his or her possession the certificate provided for in section 20 and, where applicable, proof that the replacement staff member holds the qualification provided for in section 22 before allowing the replacement staff member to work in the facility.”.

5. Section 23.1 is amended by adding the following paragraph at the end:

“If the number of childcare staff members is less than 3, at least 1 of the members must be qualified.”.

6. Section 23.2 is amended by adding the following paragraph:

“If the number of childcare staff members is less than 3, at least 1 of the members must be qualified.”

7. Section 25 is amended by adding the following paragraph:

“However, the permit holder is not bound by the obligations provided for in the first paragraph with respect to a replacement who holds in his or her possession the documents required under sections 4.2 and 20.1.”

8. Section 34 is amended by adding the following after paragraph 3:

“(4) at least 1 carbon monoxide detector on each storey, complying with the “CAN/CSA-6.19-Residential Carbon monoxide Alarming Devices” standard, installed and replaced in accordance with the manufacturer’s instructions.”

9. The following is inserted after section 39:

“**39.1.** A permit holder must ensure, where the outdoor play space is that referred to in subparagraph 1 of the first paragraph of section 39, that all the elements located therein are in good condition, kept clean and used safely and do not present any potential dangers by reason of their nature, the place where they are used and the presence of children.”

10. Section 48 is amended by replacing “sections 5 and 82” in subparagraph *a* of paragraph 5 by “section 5”.

11. Section 54.1 is amended by adding “The home childcare provider must keep the documents for 3 years after the end of the employment relationship with the assistant.” at the end of the second paragraph.

12. Section 60 is amended by replacing “the attestation” in paragraph 13 by “a copy of the consent to investigation of the information required to establish that no impediment exists and the attestation”.

13. Section 82.2 is amended by adding “The home childcare provider must keep the documents for 3 years after the end of the employment relationship with the occasional replacement.” at the end of the second paragraph.

14. Section 91 is amended by inserting the following after paragraph 3:

“(3.1) at least 1 carbon monoxide detector on each storey, complying with the “CAN/CSA-6.19-Residential Carbon monoxide Alarming Devices” standard, installed and replaced in accordance with the manufacturer’s instructions;”

15. Section 123 is amended by replacing “The card must be” in the second paragraph by “The card must be accessible on the premises where the childcare is provided and”.

16. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 8 and 14, which come into force on 28 October 2016.

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Gouvernement du Québec

O.C. 258-2016, 30 March 2016

An Act respecting prescription drug insurance
(chapter A-29.01)

Benefits authorized for pharmacists — Amendment

CONCERNING the Regulation to amend the Regulation respecting benefits authorized for pharmacists

WHEREAS, pursuant to the first paragraph of section 78 of the Act respecting prescription drug insurance (chapter A-29.01), the Government may, after consulting with the Board, in addition to the other regulatory powers conferred to it by that Act, make regulations for the purposes listed therein;

WHEREAS, pursuant to the third paragraph of section 22 of that Act, if, after an investigation, the Board believes that a pharmacist has received rebates, gratuities or other benefits not authorized by regulation for pharmaceutical services or medications and the pharmacist is claiming payment for those services or medications or has received payment for them in the preceding 36 months, the Board may deduct an amount corresponding to the value of the rebates, gratuities or other benefits from the payment for those pharmaceutical services or medications or obtain the reimbursement of that amount by way of compensation or otherwise, as the case may be;