

15. The committee members are not remunerated. Each of the organizations represented on the committee defrays the costs related to the participation of its representative to the sittings of the committee.

CHAPTER III FINAL

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

102722

Draft Regulation

Professional Code
(chapter C-26)

Geologists — Compensation fund — Revoking

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec, made by the board of directors of the Ordre des géologues du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation revokes the Regulation respecting the compensation fund of the Ordre des géologues du Québec (chapter G-1.01, r. 3.002), which sets up a compensation procedure to compensate a claimant if a geologist uses funds or property for purposes other than those for which they were entrusted by the claimant to the geologist in the practice of the profession. The draft Regulation is consequential to the revoking of the Règlement sur la comptabilité en fidéicommiss des géologues (chapitre G-1.01, r. 3.001), that authorized geologists to hold funds or property for a third person in the practice of the profession.

The draft Regulation has no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Alain Liard, Chief Executive Director and Secretary of the Ordre des géologues du Québec, 500, rue Sherbrooke Ouest, bureau 900, Montréal (Québec) H3A 3C6; telephone: 514 278-6220 or 1 888 377-7708; fax: 514 844-7556.

Any person wishing to comment is requested to submit written comments within the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation, and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
Chair of the Office des professions du Québec

Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec

Geologists Act
(chapter G-1.01, s. 2)

Professional Code
(chapter C-26, s. 89.1)

1. The Regulation respecting the compensation fund of the Ordre des géologues du Québec (chapter G-1.01, r. 3.002) is revoked.

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

102721

Draft Regulation

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

Regulation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan, appearing below, may be made by the Minister of Health and Social Services on the expiry of 45 days following this publication.

The draft Regulation determines the rules applicable to calls for tenders concerning manufacturers or wholesalers of medications accredited by the Minister of Health and Social Services. It also determines certain conditions of supply contracts entered into with manufacturers or wholesalers of medications accredited by the Minister of Health and Social Services following a call for tenders.

The draft Regulation has no impact on the public. In addition, it should not have a negative impact on enterprises, in particular small and medium-sized businesses.

Further information may be obtained by contacting Dominic Bélanger, Direction des affaires pharmaceutiques et du médicament, Ministère de la Santé et des Services sociaux, 1005, chemin Sainte-Foy, 1^{er} étage, Québec (Québec) G1S 4N4; telephone: 418 266-8810; fax: 418 266-5957; email: dominic.belanger@msss.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,
Minister of Health and Social Services

Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan

An Act respecting prescription drug insurance (chapter A-29.01, s. 60.0.0.3; 2016, c. 16, s. 1)

DIVISION I SCOPE

1. This Regulation applies to

(1) contracts entered into with a manufacturer of medications accredited by the Minister of Health and Social Services to establish the price of a medication or supply and the conditions for its entry on the List of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance (chapter A-29.01);

(2) contracts entered into with a wholesaler of medications accredited by the Minister to establish the supply conditions of owner pharmacists and the profit margin.

DIVISION II CONDITIONS AND MECHANICS APPLICABLE TO CONTRACTS ENTERED INTO WITH A MANUFACTURER

2. With respect to contracts entered into with a manufacturer, the call for tenders is carried out in accordance with this Division.

§1. General call for tenders

3. A general call for tenders is made, with the necessary modifications, in accordance with Divisions I to IV.1 of Chapter II of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2; D. 292-2016, s. 1).

“General call for tenders” means the awarding process through which the Minister invites all accredited manufacturers of medications to submit a price for the purchase of a medication or supply for the purpose of concluding a contract.

4. The Minister may enter into a contract with a maximum of 3 manufacturers per medication of the same form and strength or per supply.

The Minister indicates in the tender documents, for each medication of the same form and strength or each supply,

(1) the number of manufacturers likely to be selected; and

(2) the shares of the market allocated to the manufacturers likely to be selected.

§2. Fixed-price call for tenders

5. The Minister may also make a fixed-price call for tenders to award a contract to one or more manufacturers. In that case, the Minister fixes the price for each medication of the same form and strength or for each supply. The price is indicated in the tender documents.

6. A fixed-price call for tenders is made by publishing a notice on the electronic tendering system approved by the Government.

7. In a fixed-price call for tenders, the instructions to the manufacturers include, in particular,

(1) the eligibility requirements required of manufacturers and the compliance requirements for tenders;

(2) a list of the documents or other items required from manufacturers;

(3) the period of validity of tenders;

(4) the tender opening procedure; and

(5) an indication that the Minister does not undertake to accept any of the tenders received.

8. In order to submit a tender, a manufacturer must meet the following eligibility requirements:

(1) have all the necessary qualifications, authorizations, permits, licences, registrations, certificates, accreditations and attestations;

(2) have in Québec or in a territory covered by an applicable intergovernmental agreement an establishment where activities are carried on on a permanent basis, clearly identified under the manufacturer's name and accessible during regular business hours;

(3) meet any other eligibility requirement specified in the tender documents.

Despite subparagraph 2 of the first paragraph, if competition is insufficient, the Minister may make eligible any manufacturer that has an establishment in a territory not covered by an applicable intergovernmental agreement, provided that the Minister so specifies in the tender documents.

A manufacturer that fails to comply with any of those requirements is ineligible.

9. Compliance requirements must specify the cases that will entail automatic rejection of a tender, namely,

(1) the place or the closing date or time has not been complied with;

(2) a required document is missing;

(3) the required signature of an authorized person is missing;

(4) the tender is conditional or restrictive; or

(5) any other compliance requirement stated in the tender documents as entailing automatic rejection of a tender has not been complied with.

10. The Minister may refuse to consider any manufacturer that, in the 2 years preceding the tender opening date, failed to follow up on a tender or contract or had a contract cancelled because of failure to comply with the contract conditions.

11. The Minister may amend the tender documents by means of an addendum sent to the manufacturers concerned.

12. Tenders are opened by the Minister at a public opening in the presence of a witness at the designated place and on the date and time fixed in the tender documents.

13. The Minister evaluates the tenders received, ensuring that the manufacturers are eligible and the tenders are compliant.

If the Minister rejects a tender because the manufacturer is ineligible or the tender is non-compliant, the Minister so informs the manufacturer and gives the reason for the rejection not later than 15 days after awarding the contract.

14. The award is made to all eligible manufacturers whose tender is compliant.

DIVISION III CONDITIONS AND MECHANICS APPLICABLE TO CONTRACTS ENTERED INTO WITH A WHOLESALER

15. With respect to contracts entered into with an accredited wholesaler, the call for tenders is carried out, with the necessary modifications, in accordance with Divisions I to III and IV.1 of Chapter II of the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4).

16. A wholesaler may not be eligible to submit a tender as part of the call for tenders where

(1) the enterprise has, in the preceding 5 years, been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1);

(2) any of the wholesaler's shareholders is a natural person who holds 50% or more of the voting rights attached to the shares that may be exercised under any circumstances and who has, in the preceding 5 years, been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C 65.1);

(3) any of the wholesaler's directors or officers has, in the preceding 5 years, been found guilty of an offence listed in Schedule I of the Act respecting contracting by public bodies (chapter C-65.1).

A finding of guilty must be disregarded if a pardon has been obtained.

For the purpose of this division, the term "enterprise" designates a private corporation, a general partnership, a limited partnership, a joint venture (undeclared partnership) or a natural person who operates a sole proprietorship.

DIVISION IV MISCELLANEOUS

17. The maximum term of a contract entered into with a manufacturer or a wholesaler following a call for tenders is 3 years, including any renewal.

18. Every manufacturer selected following a call for tenders must with due diligence inform the Minister where the manufacturer anticipates the possibility of a disruption in the supply of a medication that is the subject of the contract resulting from the call for tenders.

DIVISION V FINAL

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

102720

Draft By-law

An Act respecting the Société d'habitation du Québec (chapter S-8)

Conditions for the leasing of dwellings in low-rental housing in Nunavik — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, made by the Société d'habitation du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft By-law provides for the reduction of the annual increase of the maximum rent, for a maximum period of one year, for certain lessees whose annual income is less than \$90,000.

The draft By-law has no impact on small and medium-sized businesses.

Further information may be obtained by contacting André Ménard, Secretary, Société d'habitation du Québec, 1054, rue Louis-Alexandre-Taschereau, aile Saint-Amable, 3^e étage, Québec (Québec) G1R 5E7; telephone: 418 643-4035, extension 1334; fax: 418 646-5560.

Any person wishing to comment on the draft By-law is requested to submit written comments within the 45-day period to the Secretary of the Société d'habitation du Québec at the above-mentioned address.

MARTIN COITEUX,
*Minister of Municipal Affairs
and Land Occupancy*

By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

An Act respecting the Société d'habitation du Québec (chapter S-8, s. 86, 1st par., subpar. g, and 2nd par.)

1. The By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik (chapter S-8, r. 4) is amended in section 7 by replacing the third, fourth, fifth, sixth and seventh paragraphs by the following:

“The increase of the maximum rent provided for in this section for 1 July 2016 is set at 1.03% for leases renewed between 1 July 2015 and 30 June 2016, if the income of the lessee, calculated in accordance with subparagraph 1 of the first paragraph of section 5, is less than \$90,000 and if the lessee has filed, before (*insert the date of the 30th day following the date of coming into force of this By-law*), a copy of his or her notice of assessment.

The maximum rent for the month following the month during which the lessee files a copy of his or her notice of assessment is obtained using the following formula:

$$A - C \times (B - A)$$

where

(1) “A” is the maximum rent of the lessee on 1 July 2015, increased by 1.03%;

(2) “B” is the maximum rent established pursuant to the first and second paragraphs of this section on 1 July 2015 increased in accordance with those paragraphs;

(3) “C” is the number of months of rent already paid by the lessee since the renewal of the lease.

If the lessee files his or her notice of assessment after the prescribed period, the maximum rent of the month in which the lessee files the notice of assessment is the maximum rent of the lessee on 1 July 2015, increased by 1.03%. The lessor must make deductions on the rent of the following month.