

Draft Regulation

An Act respecting health services and social services (chapter S-4.2)

Provincial Committee on the dispensing of health and social services in the English language — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Firstly, the draft Regulation amends the composition of the Provincial Committee on the dispensing of health and social services in the English language so that it represents all of the English-speaking population of Québec. The amendment is made further to changes in the health and social services network resulting from the adoption of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2), which, in particular given the numerous mergers between institutions made by that Act, has led to certain changes in the access to English-language services and given the Provincial Committee additional responsibilities.

The draft Regulation provides for eligibility criteria for persons who may be appointed to the Provincial Committee. It also provides for the establishment by the Minister of a selection committee tasked in particular with making recommendations to the Minister concerning appointees to the Provincial Committee. Finally, the draft Regulation also makes certain changes to the Provincial Committee's mode of operation and rules of internal management.

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 Iannick Martin, Coordinator, Secrétariat à l'accès aux services en langue anglaise, Direction générale de la coordination réseau et ministérielle, Ministère de la Santé et des Services sociaux, 2021, avenue Union, 12^e étage, bureau 12.24, Montréal (Québec) H3A 2S9; telephone: 514 873-2292; email: iannick.martin@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 to amend the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language

An Act respecting health services and social services (chapter S-4.2, s. 509)

1. The Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language (chapter S-4.2, r. 4) is amended by replacing section 1 by the following:

“1. Pursuant to section 509 of the Act respecting health services and social services (chapter S-4.2), the Provincial Committee on the dispensing of health and social services in the English language is hereby formed.

The Committee shall be composed of 11 members appointed by the Minister of Health and Social Services to represent all of the English-speaking population, as follows:

(1) four members residing within the Montréal or Laval health region, including at least 3 who reside in the territory of the Montréal health region;

(2) one member residing within the Montérégie health region;

(3) six members residing within the other health regions of Québec.

All the members must also correspond to one of the following profiles, in the proportion indicated:

(1) at least one and not more than two must be physicians, or be professionals or management officers employed by or having previously been employed by a public health and social services institution;

(2) at least one must be or have been a health services or social services user;

(3) at least one must be from a community organization promoting the interests of the English-speaking population and working in the field of health and social services.

In addition, at least three of the members must have been chosen from lists containing ten candidates provided by provincial organizations promoting the interests of the English-speaking population and working in the field of health and social services.

1.1. No person may be a member of the Committee who

- (1) is not resident in Québec;
- (2) is a minor;
- (3) is under tutorship or curatorship;
- (4) within the preceding three years, forfeited his office or was removed from his duties as a member of the board of directors of a health and social services institution or a health and social services agency;
- (5) within the preceding three years, was convicted of an offence against the Act respecting health services and social services (chapter S-4.2) or a regulation under the Act;
- (6) holds a position as president and executive director, assistant president and executive director, senior administrator or senior management officer of a health and social services institution;
- (7) is a member of the board of directors of a health and social services institution;
- (8) is a member of the board of directors of the Régie de l'assurance maladie du Québec;
- (9) is a member of the board of directors of a foundation of a health and social services institution;
- (10) is employed by the Ministère de la Santé et des Services sociaux or the Régie de l'assurance maladie du Québec;
- (11) is a member of a regional committee for programs of access to health services and social services in the English language formed pursuant to section 510 of the Act respecting health services and social services (chapter S-4.2)."

2. Section 2 is replaced by the following:

"**2.** In order to appoint the members of the Committee, the Minister shall establish a selection committee tasked with making recommendations to him, particularly in respect of the candidates to be considered and the match between their profile and the profiles referred to in the third paragraph of section 1.

The selection committee is composed of the secretary of the Committee and three members appointed by the Minister. Two of those members are chosen from the lists of names provided by the provincial organizations that promote the interests of English speakers. The other is either the president and executive director or assistant president and executive director of one of the integrated health and social services centres recognized under section 29.1 of the Charter of the French language (chapter C-11) for the English language, or senior administrators from each of those institutions.

The members of the selection committee may not be members, employees, volunteers, officers or members of the board of directors of regional or provincial organizations that promote the interests of English speakers who are active in the field of health and social services.

When making its recommendations, the selection committee must take into account the demonstrated comprehension, knowledge and experience of the candidates regarding the cultural, historic and linguistic issues of the English-speaking community of Québec, as well as the issues faced by that community concerning the provision of health services and social services, the organization of the health and social services network and its governance.

The candidate selection process must include a general call for candidacies.

2.1. Where it is impossible for the Minister to obtain a list that meets the requirements of the fourth paragraph of section 1, he is not bound to comply with the rules set forth therein and may appoint members of his own choosing."

3. Section 3 is amended by replacing the second and third paragraphs by the following:

"Upon the expiry of his term of office, a member shall remain in office until he is reappointed or replaced. However, the period during which he remains in office without being reappointed may not exceed one year.

A member may not serve more than two consecutive terms."

4. Section 4 is replaced by the following:

“4. A member’s office becomes vacant upon the member’s death, if he is absent from more than three regular meetings of the Committee over a period of one year or if he submits his resignation in writing to the Minister and a copy of it to the chairman of the Committee.”

5. Section 6 is amended by replacing the second paragraph by the following:

“The Minister designates, to act as secretary of the Committee, a member of the staff of the Ministère de la Santé et des Services sociaux who has a special knowledge of the legal and administrative framework governing the provision of health and social services in the English language.

The secretary shall participate in the meetings of the Committee as if the secretary were a member of it, but the secretary shall have no right to vote.”

6. Section 7 is replaced by the following:

“7. Any vacancy occurring before the expiry of a term of office must be filled by the Minister within the following 180 days, for the unexpired portion of the term. The appointment must comply with the rules provided for in the second and third paragraphs of section 1.

The fourth paragraph of section 1 and section 2 do not apply when the Minister fills a vacancy.”

7. Section 9 is revoked.

8. Section 11 of the Regulation is amended by replacing “at its head office or at any other” par “at any”.

9. Section 12 is replaced by the following:

“12. The Committee must hold at least five meetings a year.

The meetings may be held using means which allow all of the participants to communicate directly with each other, but at least three of them must be held in person.”

10. Section 13 is amended by replacing “not fewer than 8” by “the majority of the” in the second paragraph.

11. Section 14 is replaced by the following:

“14. The meetings of the Committee shall be convened by means of a notice transmitted to each member.

In an emergency, the Committee may proceed without the formal calling of a meeting if the chairman so decides.”

12. Section 15 is amended by replacing “Six” by “A majority of the”.

13. The Regulation is amended by replacing “committee” by “Committee” everywhere it occurs.

14. Section 18 is replaced by the following:

“18. To carry out the mandate entrusted to it by section 509 of the Act respecting health services and social services (chapter S-4.2), the Committee may

(1) submit observations or give its opinion on any administrative document produced by the Minister to guide institutions in the preparation of programs of access to health services and social services in the English language to English speakers;

(2) give its opinion on the approval, assessment and modification by the Government of each program of access;

(3) monitor the application of the programs of access in the various regions of Québec;

(4) give its opinion on any proposed legislative amendment likely to affect the provision of health services and social services in the English language and on any other matter affecting the provision of services.

For the purpose of performing its functions, the Committee may also maintain relations with the English-speaking communities of Québec, hold consultations as required, solicit opinions and receive and hear requests and suggestions by persons, organizations or associations. It may also create subcommittees.”

15. The following is inserted after section 18:

“18.1. The Committee shall submit to the Minister, not later than 1 March of each year, a work plan for the following year, accompanied by a proposed operating budget.”

16. The term of office of the members of the Provincial Committee on the dispensing of health and social services in the English language who hold office on (*insert the date of the day preceding the coming into force of this Regulation*) shall end on (*insert the date occurring 3 months after the date of coming into force of this Regulation*).

17. Despite the first paragraph of section 3 of the Regulation respecting the Provincial Committee on the dispensing of health and social services in the English language (chapter S-4.2, r. 4), for the first appointment of the members of the Committee following the coming into force of this Regulation, the Minister may appoint one member among those referred to in subparagraph 1 of the second paragraph of section 1 and four members among those referred to in subparagraphs 2 or 3 of the second paragraph of that section for a term of four years.

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

103053

Draft Regulation

An Act respecting immigration to Québec
(chapter I-0.2)

Selection of foreign nationals —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the selection of foreign nationals, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation harmonizes the definition of “dependent child” in the Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) with the definition in the Immigration and Refugee Protection Regulations (SOR/2002-227). In the Regulations Amending the Immigration and Refugee Protection Regulations, published in Part II of the Canada *Gazette* of 3 May 2017 and whose coming into force is set on 24 October 2017, the federal government will increase the age of a dependent child, which is currently less than 19 years of age, to less than 22 years of age.

The draft Regulation will entail no administrative or financial burden for enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Nasra Tariqui, Service des parcours d’immigration, ministère de l’Immigration, de la Diversité et de l’Inclusion, 360, rue McGill, 3^e étage, Montréal (Québec) H2Y 2E9; telephone: 514 873-5914, extension 20330; fax: 514 873-1613.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Irvine Henry, Service Head, Service des parcours d’immigration, ministère de l’Immigration, de la Diversité et de l’Inclusion, 360, rue McGill, 3^e étage, Montréal (Québec) H2Y 2E9.

KATHLEEN WEIL,
*Minister of Immigration,
Diversity and Inclusiveness*

Regulation to amend the Regulation respecting the selection of foreign nationals

An Act respecting immigration to Québec
(chapter I-0.2, s. 3.3, 1st par., subpars. *b*, *c* and *c.3*)

1. The Regulation respecting the selection of foreign nationals (chapter I-0.2, r. 4) is amended in paragraph *d.1* of section 1

(1) by replacing “19” in subparagraph *i*. by “22”;

(2) by replacing “19” wherever it appears in subparagraph *iii*. by “22”.

2. Section 23 is amended in subparagraph *a* of the first paragraph:

(1) by replacing “13” in subparagraph *ii*. by “16”;

(2) by replacing “22” by “25” and “13” by “16” in subparagraph *iii*.

3. Schedule A is amended by replacing “18” in Criterion 8.2 of Factor 8 by “21”.

4. This Regulation applies to applications filed as of the coming into force of this Regulation.

5. This Regulation comes into force on 24 October 2017.

103058