

6. The Regulation is amended by replacing the title of Division VI with “MISCELLANEOUS AND TRANSITIONAL PROVISIONS”.

7. The Regulation is amended by inserting, after section 33, the following:

“**33.1.** Notwithstanding the fact that under section 1.1, spouses to which that section applies may agree, within 12 months following the date on which they ceased living together, to the partition of the benefits accrued by the member or former member under the Régime de retraite des membres de la Sûreté du Québec, such persons who ceased living together after 31 August 1990 but before (*insert the date of coming into force of this Regulation*), may agree, in accordance with section 75 of the Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions (2018, chapter 4), to such partition not later than 12 months following the latter date.”.

8. This Regulation comes into force on 10 January 2019.

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Gouvernement du Québec

O.C. 1420-2018, 12 December 2018

An Act respecting the Pension Plan of Elected Municipal Officers
(chapter R-9.3)

Pension Plan of Elected Municipal Officers — Partition and assignment of benefits accrued — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers

WHEREAS, under subparagraph 4.1 of the first paragraph of section 75 of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3), the Government may, by regulation, determine the terms and conditions of the applications required under Chapter VI.1 of the Act;

WHEREAS, under subparagraph 4.2 of the first paragraph of section 75 of the Act, amended by paragraph 1 of section 18 of the Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legis-

lative provisions (2018, chapter 4), the Government may, by regulation, determine, for the purposes of sections 63.1 and 63.1.1 of the Act respecting the Pension Plan of Elected Municipal Officers, the information which must be contained in the statement setting out the value of the benefits accrued by the member or former member of the council;

WHEREAS, under subparagraph 4.2.1 of the first paragraph of section 75 of the Act respecting the Pension Plan of Elected Municipal Officers, enacted by paragraph 2 of section 18 of the Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions, the Government may, by regulation, determine, for the purposes of section 63.1.1 of the Act respecting the Pension Plan of Elected Municipal Officers, the conditions and terms according to which the spouses may agree to partition the benefits accrued by the member or former member of the council under the plan;

WHEREAS, under subparagraph 4.3 of the first paragraph of section 75 of the Act respecting the Pension Plan of Elected Municipal Officers, the Government may, by regulation, fix, for the purposes of section 63.2 of the Act, the rules which apply to the establishment of the benefits accrued under the plan, which may differ from the rules otherwise applicable under the Act, and determine, for the purposes of section 63.2 of the Act, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under subparagraph 4.5 of the first paragraph of section 75 of the Act, the Government may, by regulation, determine, for the purposes of section 63.5 of the Act, the actuarial rules, assumptions and methods for reducing any sum payable under the plan, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS the Government made the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers (chapter R-9.3, r. 2);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers was published in Part 2 of the *Gazette officielle du Québec* of 20 June 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Housing:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers

An Act respecting the Pension Plan of Elected Municipal Officers
(chapter R-9.3, s. 75, 1st par., subpars. 4.1 to 4.5; 2018, chapter 4, s. 18)

1. Section 1 of the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Elected Municipal Officers (chapter R-9.3, r. 2) is amended:

(1) by adding, at the beginning of subparagraph 2 of the first paragraph, “in the case of married spouses,”;

(2) by inserting, after subparagraph 2 of the first paragraph, the following subparagraph:

“(2.1) in the case of spouses in a civil union, a certificate of civil union;”;

(3) by replacing subparagraph 3 of the first paragraph with the following:

“(3) written confirmation from a certified mediator to the effect that he or she has received a mandate within the context of family mediation or written confirmation from a notary to the effect that the spouses in a civil union have undertaken a joint procedure for the dissolution of their civil union or, as the case may be, the joint declaration dissolving the civil union and the notarized transaction contract, or a copy of the application for separation from bed and board, divorce, annulment of marriage or civil union, dissolution of civil union or payment of a compensatory allowance or, where applicable, a copy of the judgment disposing of such an application;”;

4° by adding, at the end of the second paragraph, “in accordance with section 4 of the Act respecting Retraite Québec (chapter R-26.3)”.

2. The Regulation is amended by inserting, after section 1, the following:

“**1.1.** Any application for a statement referred to in section 63.1.1 of the Act must be signed by the council member or former council member and his spouse. The application must contain the following information and be accompanied with the following documents:

(1) the name, address, Social Insurance Number and date of birth of the council member or former council member and of his spouse;

(2) an attestation by the council member or former council member and his spouse that neither was married or in a civil union on the date on which they ceased living together and, where applicable, the date of the divorce or the dissolution of the civil union and the documents attesting thereto, unless those documents have already been sent to Retraite Québec;

(3) an attestation by the council member or former council member and his spouse of the dates on which they began and ceased living together and, where applicable, proof that they were in a conjugal relationship. Furthermore, if the spouses lived in a conjugal relationship for at least one year but not more than three years preceding the date on which they ceased living together, they must also attest that a child was born or is to be born of their union and, where applicable, provide proof thereof;

(4) the information that must be provided by the employer in his annual report, in accordance with section 188 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), for the year during which the assessment is determined up to the date set for that assessment, as well as for the previous year; that information must be certified by an authorized representative of the employer.”.

3. Section 2 is amended by replacing subparagraph 3 of the first paragraph with the following:

“(3) in the case of married spouses or spouses in a civil union, the benefits accrued during the period of the marriage or civil union, as well as the value of those benefits;”.

4. Section 3 is amended by inserting “or civil union” in the second paragraph after “marriage”.

5. Section 4 is amended by replacing “proportionately to the amounts paid in capital for their payment out of the total capital amount. Those years or parts of a year are deemed to be credited for the period of the marriage,” with “as a ratio of the capital paid therefor to the total capital. The years or parts of a year are deemed to be credited for the period of the marriage or civil union,”.

6. Section 5 is amended:

(1) by replacing every occurrence of “comprised in the period of the marriage” with “included in the period of the marriage or civil union”;

(2) by inserting “or civil union” after every occurrence of “period of the marriage”.

7. Section 6 is amended by adding “or the civil union” at the end.

8. Section 7 is amended by replacing, in the French version, the first occurrence of “méthode” in the second paragraph with “valeur”.

9. Section 8 is amended by inserting, after “marriage” in the second paragraph, “or civil union”.

10. Section 11 is amended:

(1) by replacing paragraph 1 with the following:

“(1) the judgement of separation from bed and board, divorce, annulment of marriage or civil union, dissolution of civil union or the payment of a compensatory allowance unless the judgment has already been sent to Retraite Québec;”;

(2) by adding, at the end of paragraph 2, “or the joint declaration dissolving the civil union along with the notarized transaction contract”;

(3) by inserting, after paragraph 3, the following:

“(3.1) in the case of spouses referred to in the first paragraph of section 63.1.1 of the Act, the agreement between the spouses concerning partition of the benefits accrued by the council member or former council member under the Pension Plan of Elected Municipal Officers, signed before a notary or attorney, or a sworn declaration signed by both spouses within 12 months following the date on which they ceased living together;”.

11. This Regulation comes into force on 10 January 2019.

Gouvernement du Québec

O.C. 1432-2018, 12 December 2018

Pharmacy Act
(chapter P-10)

Sale of medications

— **Terms and conditions**

— **Amendment**

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, under section 37.1 of the Pharmacy Act (chapter P-10), the Office des professions du Québec, after consultation with the Institut national d'excellence en santé et en services sociaux, the Collège des médecins du Québec, the Ordre des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, may, by regulation, establish categories of medications and determine, for each category, if need be, by whom and subject to what terms and conditions the medications may be sold;

WHEREAS, after carrying out the required consultations, the Office des professions du Québec made the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications on 27 April 2018;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the terms and conditions for the sale of medications was published in Part 2 of the *Gazette officielle du Québec* of 23 May 2018 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, under section 13 of the Professional Code (chapter C-26), every regulation adopted by the Office under the Code or under an Act constituting a professional order must be submitted to the Government, which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif