

Gouvernement du Québec

O.C. 462-2019, 1 May 2019

An 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)

**Regulation respecting the application
— Amendment**

REGULATION to amend the Regulation respecting the application of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies

WHEREAS 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) has been made;

WHEREAS, under subparagraph *d* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner (chapter C-32.1.1), the nominating committee is composed in particular of a person appointed from among the members of boards of directors of institutions who are elected by the population under paragraph 1 of any of sections 129 to 131 and 133 of the Act respecting health services and social services (chapter S-4.2), after consultation with associations representing these institutions;

WHEREAS, under subparagraph *e* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner, the nominating committee is composed in particular of a person appointed from among the members of boards of directors of institutions operating a hospital centre who are designated by the users' committee of the institutions under paragraph 2 of any of sections 129, 131 and 133 of the Act respecting health services and social services, after consultation with groups of users' committees;

WHEREAS the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies amended the composition of boards of directors of integrated health and social services centres and unamalgamated institutions;

WHEREAS that Act does not provide any measure to address the amendment to the composition of boards of directors of integrated health and social services centres and unamalgamated institutions with respect to the formation by the Government of the nominating committee under section 4 of the Act respecting the Health and Welfare Commissioner;

WHEREAS section 217 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies provides in particular that the Government may, by regulation, take any measure necessary or useful for carrying out the Act and fully achieving its purpose and such regulation is not subject to the publication requirement or the date of coming into force set out in sections 8 and 17 of the Regulations Act (chapter R-18.1);

WHEREAS, under Order in Council 700-2015 dated 11 August 2015, the Government made the Regulation respecting the application 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, r. 0.2);

WHEREAS it is expedient to amend the Regulation to specify the classes of persons who are members of boards of directors of integrated health and social services centres and unamalgamated institutions from which the Government may appoint a person to the nominating committee under subparagraphs *d* and *e* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the application of the Act
to modify the organization and
governance of the health and social
services network, in particular by
abolishing the regional agencies**

An 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, s. 217)

1. The Regulation respecting the application 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, r. 0.2) is amended by adding the following after section 2.3:

“2.4. For the purposes of subparagraph *d* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner (chapter C-32.1.1), a reference to the members of boards of directors of institutions who are elected by the population under paragraph 1 of any of sections 129 to 131 and 133 of the Act respecting health services and social services (chapter S-4.2) is also a reference to the independent members of boards of directors of integrated health and social services centres and amalgamated institutions appointed under paragraph 8 of sections 9 and 10 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).

In addition, for the purposes of subparagraph *e* of paragraph 2 of section 4 of the Act respecting the Health and Welfare Commissioner, a reference to the members of boards of directors of institutions operating a hospital centre who are designated by the users' committee of the institutions under paragraph 2 of any of sections 129, 131 and 133 of the Act respecting health services and social services is also a reference to the members of boards of directors of integrated health and social services centres and amalgamated institutions designated by and from among the members of the users' committee of those institutions, under paragraph 6 of sections 9 and 10 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies.”.

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

103915

M.O., 2019-05

Order number D-9.2-2019-05 of the Minister of Finance dated 1 May 2019

An Act respecting the distribution of financial products and services (chapter D-9.2)

Insurers Act (2018, chapter 23)

Regulation respecting Alternative Distribution Methods

CONSIDERING section 202.2 of the Act respecting the distribution of financial products and services (chapter D-9.2), which provides that the Autorité des marchés financiers may, for each sector, determine by regulation the information and documents that a firm acting without the intermediary of a natural person must give to clients, as well as their form;

CONSIDERING paragraphs 5, 8, 12, 13.1 and 15 of section 223 of the Act, which provide that the Authority may, by regulation, determine for each sector the rules relating to maintenance of registration, the rules relating to the keeping of records and the register of commissions, the rules relating to the use, conservation and destruction of the records, books and registers to be kept by firms, independent representatives and independent partnerships, other rules relating to the activities of a firm, an independent representative or an independent partnership and the procedure by which and time within which firms, independent representatives and independent partnerships must advise the Authority of any change affecting the information entered in the register in their respect;

CONSIDERING section 440 of the Act, which provides that a distributor that, at the time a contract is made, causes the client to make an insurance contract must give the client a notice, drafted in the manner prescribed by regulation of the Authority, stating that the client may rescind the insurance contract within 10 days of signing it;

CONSIDERING the first paragraph of section 443 of the Act, which provides that a distributor that offers financing for the purchase of goods or services and that requires the debtor to subscribe for insurance to guarantee the reimbursement of the loan must give the debtor a notice, drawn up in the manner prescribed by regulation of the Authority, stating that the debtor may subscribe for insurance with the insurer and representative of the debtor's choice provided that the insurance is considered satisfactory by the creditor, who may not refuse it without reasonable grounds;

CONSIDERING paragraph 1 of section 485 of the Insurers Act, enacted by section 3 of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23), which provides that in addition to other regulations that it may make under the Insurers Act, the Authority may, by regulation, determine the standards applicable to authorized insurers in relation to their commercial practices and their management practices;

CONSIDERING the first paragraph of section 194 of the Act respecting the distribution of financial products and services and the third paragraph of section 486 of the Insurers Act, which provide that the Authority is to publish its draft regulations in the Authority's bulletin;

CONSIDERING the second paragraph of section 194 of the Act respecting the distribution of financial products and services, which provides that every draft regulation must be published with a notice stating the time that must elapse before the draft regulation may be made or be