

Gazette officielle du Québec

Laws and
Regulations



Éditeur officiel
Québec

LAWS AND REGULATIONS

NOTICE TO READERS

The *Gazette officielle du Québec* (LAWS AND REGULATIONS) is published under the authority of the Loi de la Législature (S.R. 1964, c. 6) and the Regulation respecting the *Gazette officielle du Québec* (O.C. 16-78, dated 5 January 1978) at least twice a month.

LAWS AND REGULATIONS contains the English translation of the laws, regulations and draft regulations published in the *Gazette officielle du Québec* Partie 2.

Under the Charte de la langue française (1977, c. 5), only the French text of the statutes and regulations is official. Therefore, to learn when a particular text or

part of a text comes into force, it may be necessary to consult the *Gazette officielle du Québec*, Partie 2 as published in French, if no specific date is given in the text itself.

Each law, regulation and draft regulation published in this number may be obtained as an offprint from the Éditeur officiel du Québec, who will quote rates on request.

The cost of an annual subscription to the *Gazette officielle du Québec* (LAWS AND REGULATIONS) is \$45.00.

L'Éditeur officiel du Québec.

For information concerning the publication of notices, please call:

Georges LAPIERRE
Gazette officielle du Québec
Tél.: (418) 643-5195

Offprints or subscription rates:

Commercial services
Tél.: (418) 643-5150

All correspondence should be sent to the following address:

Bureau de l'Éditeur officiel du Québec
1283, boul. Charest ouest
Québec, Qué.
G1N 2C9

Postage paid in cash — Third class matter (permit No. 197)

LAW AND REGULATIONS

Statutory instruments

O.C. 371-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
(AUTOMOBILE INSURANCE ACT)
(1977, c. 68)

Indemnities

Present: The Lieutenant-Governor in Council.

CONCERNING indemnities.

WHEREAS under section 195 of the Automobile Insurance Act (1977, chapter 68) the *Régie de l'assurance automobile du Québec* may make regulations for the purposes of Title II of the Act:

- to prescribe what must be prescribed by regulation of the *Régie* under section 76;
- to define, for the purpose of subsection 20 of section 1, in the case of a dependant, the expression "to be wholly or substantially maintained by the income of the victim";
- to establish the manner of determining and computing the real or presumptive gross income of a victim, for the purposes of sections 19 to 35;
- to specify the criteria according to which a student may be considered to attend a university, a college or another educational establishment of post-secondary level on a full-time basis, for the purposes of section 21;
- to specify, for the purposes of section 27, the terms and conditions of computing the net income;
- to establish and determine the general terms and conditions of revising the victim's net income when changes of situation occur;
- to specify the criteria according to which a person at home may be considered unable to attend to one or several of the usual occupations of such a person;
- to prescribe the reimbursement of expenses for the purposes of sections 23, 45 and 47;
- to prescribe the terms and conditions of payment of an unpaid indemnity at the death of the claimant;
- to specify the criteria according to which a victim must be considered unable to work for any reason whatever except age, and those according to which a victim may be considered to have a serious physical or mental disability, for the purposes of section 24;

WHEREAS the *Régie* made, at its meeting held on 16 February 1978, a Regulation concerning indemnities;

WHEREAS it is expedient that this Regulation be approved by the Government and published in the *Gazette officielle du Québec*.

IT IS ORDERED, therefore, upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*;

THAT the Regulation entitled "Regulation concerning indemnities", a copy of which is annexed hereto, be approved.

GUY COULOMBE,
Clerk of the Executive Council.

Regulation respecting indemnities

Automobile Insurance Act
(1977, c. 68, ss. 37, 59, 61, 76 and 195 subsec.
a, d, g, h, i, j, l, m, o, p, q, r)

Title I

DEFINITIONS

1. In this Regulation, unless otherwise indicated by the context,

- (a) "Act" means the Automobile Insurance Act (1977, chapter 68);
- (b) "dependant" means a person contemplated in subsection 20 of section 1 of the Act, subject to section 41;
- (c) "resident" means a person contemplated by subsection 26 of section I of the Act, subject to the Regulation concerning certain definitions approved under Order in Council 374-78 dated 16 February 1978.

Title II

RULES CONCERNING INCOME

Chapter I

CERTIFICATE OF INCOME

2. The victim's employer must provide the *Régie* with a certificate of income of the victim using the form prescribed for that purpose.

The employer must, within six days of its receipt, mail such form to the *Régie* or leave it at one of the offices of the *Régie*.

Chapter II

COMPUTING OF INCOME

Division I

GROSS INCOME

3. The gross income of a victim is:

- (a) in the case of an employee, the total salaries, wages and commissions received under an employment contract, in accordance with the type of work or the kind of business and, where applicable,
 - (i) bonuses,
 - (ii) premiums,
 - (iii) gratuities,
 - (iv) overtime,
 - (v) profit-sharing, and
 - (vi) the cash value of the personal use of a motor vehicle or dwelling provided by an employer, insofar as they are regularly provided;
- (b) in the case of a self-employed worker, the total income from businesses, fees and commissions customarily received, minus the sums spent during the year to earn that income, in accordance with the Taxation Act (1972, chapter 23).

4. Subject to the third paragraph of section 19 of the Act, if, at the time of the accident, the victim held at least one regular full-time remunerated employment, his real gross income shall be equal to the sum of the gross income that he was regularly receiving at the time of the accident, computed on an annual basis.

When the *Régie* takes into account exceptional circumstances as set forth in the third paragraph of section 19 of the Act, the computing of the victim's

gross income shall be done *mutatis mutandis* in accordance with section 6.

5. However, in the cases provided for in section 4, when, at the time of the accident, the victim was self-employed in addition to having other employment, the gross income from his self-employment shall be the higher of the following amounts:

- (a) the gross income received by the victim during the twelve months preceding the date of the accident; or,
- (b) the average gross income received by the victim during the three fiscal years preceding the year of the accident.

6. If, at the time of the accident, the victim did not hold at least one regular remunerated employment on a full-time basis, the *Régie* shall, in the manner provided for in the second paragraph of section 20 of the Act, determine the employment that the victim could have held on a regular full-time basis and shall estimate, in the manner prescribed in the third paragraph of section 20 of the Act, the presumptive gross income of the victim.

Division II

NET INCOME

7. The net income is computed by subtracting the amount, the premium and the contributions contemplated in section 27 of the Act and computed in accordance with sections 8 to 11, from the gross income computed in accordance with Division I.

8. To compute the amount equivalent to the income taxes computed in accordance with the tables established under the Taxation Act and the Act respecting income taxes, taxable income is the gross income computed in accordance with Division I, minus:

- (a) the employee's yearly premium payable under the Unemployment Insurance Act and determined in accordance with section 9;
- (b) the yearly contributions applicable under the Québec Pension Plan (1965, 1st session, chapter 24) and determined in accordance with section 10;
- (c) the annual amount of an alimentary pension actually being paid at the time of the accident, the deduction of which is permitted under the Taxation Act and the Act respecting income taxes, subject to the following maxima:
 - (i) when the victim's total income does not exceed the maximum gross income provided for by the Act, the total pension amount must be deducted; or,
 - (ii) when the victim's total income exceeds the maximum gross income provided for by the Act, only that portion of the pension amount obtained by applying the following formula must be deducted: the said portion is obtained by multiplying the amount of the alimentary pension actually paid, by the fraction of the maximum gross income provided for by the Act over the victim's total income;
- (d) the personal exemption;
- (e) the married person's exemption in cases where the victim has a spouse, without taking into account the latter's income;
- (f) the exemption equivalent to the married person's exemption when applicable under the Taxation Act or the Act respecting income taxes, if the not already deducted, without taking into account the dependant's income and, in cases where more than one person may be considered for such exemption, by choosing the person for which the dependant's exemption is the lowest; and
- (g) the dependant's exemption, when applicable under the Taxation Act and the Act respecting income taxes, without taking into account the dependant's income, and excluding persons for whom a married person's exemption, an exemption equivalent to the married person's exemption or an alimentary pension has already been deducted.

The exemption amounts in question in this section are those prescribed in the Taxation Act and the Act respecting income taxes in force at the time of the accident. The amounts, however, must be computed taking into account the definition of spouse under subsection 7 of section 1 of the Act, and that of dependant under subsection *b* of section 1.

The amount equivalent to the income tax shall be equal to the amount of income tax payable in accordance with the income tax tables applicable at the time of the accident, taking into account the taxable income determined in the first paragraph.

9. In order to compute the employee's yearly premium payable under the Unemployment Insurance Act, a victim is deemed to hold insurable employment within the meaning of the Unemployment Insurance Act, and the exceptions prescribed in the said Act are not taken into account.

10. In order to compute the yearly contribution applicable under the Québec Pension Plan, a victim is deemed to hold, at his employer's, a pensionable employment pursuant to the Québec Pension Plan, and the exceptions prescribed in the said Act are not taken into account.

11. The annual contribution applicable under the Act to provide for the financing of health programmes (1976, chapter 27) must be equivalent in all cases to that of an individual who is an employee residing in Québec throughout the year.

It must, however, be computed taking into account Québec Pension Plan contributions, unemployment insurance premiums and alimentary pension amounts computed in accordance with this Regulation.

12. The income determined in accordance with sections 8 to 11 must be revised:

- (a) on the date when the deductions provided for in subsections *c*, *e* and *f* of section 8 must be made or must cease to be made from the gross income, as the case may be; and,
- (b) every six months after the date of the accident, in cases where the deduction provided for in subsection *g* of section 8 must be made or must cease to

be made from the gross income, as the case may be.

Title III

RULES CONCERNING THE REIMBURSEMENT OF EXPENSES

Chapter I

REIMBURSEMENT OF EXPENSES CONTEMPLATED IN SECTION 45 OF THE ACT

Division I

GENERAL RULES GOVERNING ENTITLEMENT TO THE REIMBURSEMENT OF EXPENSES

13. For the purposes of this Chapter,

- (a) the terms "physician", "dentist", "optometrist", "ophthalmologist", "pharmacist", "physiotherapist" or "nurse" mean any person legally authorized to practise under such title,
- (b) the word "establishment", when used with reference to an establishment situated outside Québec, means any establishment of the same type as those contemplated in subsection 14 of section 1 of the Act.

14. An accident victim is entitled to a reimbursement of the expenses contemplated in this Chapter and in Schedule A.

A non-resident who is the victim of an accident in Québec is also entitled to a reimbursement of the expenses for services, medication, prostheses and orthopedic devices which would be assumed by the Québec Health Insurance Board on behalf of any resident under the Health Insurance Act (1970, chapter 37), and for services which would be insured services under the Hospital Insurance Act (1964, chapter 163), if they were provided to a resident.

15. When expenses for medical and paramedical care, for medication, prostheses or orthopedic devices or for hospital services are incurred outside Québec, the Régie shall reimburse, in the case of a non-resident, the excess of the expenses incurred over the amounts assumed by the Régie under the second paragraph of section 14, or, in the case of a resident, the excess of the expenses incurred over the amounts assumed by the Québec Health Insurance Board under the Health Insurance Act and over the services insured under the Hospital Insurance Act, and in both cases, based on the usual costs in the region in which the expenses are incurred.

16. Expenses shall be reimbursed upon the presentation of vouchers, with the exception of transportation expenses of less than \$2.00.

Division II

SPECIAL RULES CONCERNING TRANSPORTATION EXPENSES

17. The cost of transportation by ambulance shall be reimbursed:

- (a) from the place of the accident to an establishment;
- (b) upon prescription of the attending physician, from the establishment where the victim was registered or admitted, to another establishment;
- (c) upon prescription of the attending physician, to return to the victim's residence upon leaving the establishment.

The maximum reimbursement for assuming charge is \$45 for one victim or \$35 per victim if there are two.

In all cases the maximum additional amount per kilometre traveled is \$0.75.

18. Expenses for public transportation shall be reimbursed when the victim goes to a physician or an establishment to receive care or treatment.

The amount reimbursed is that actually disbursed to travel from a residence to the above-mentioned place, and to return.

19. Transportation expenses by taxi vehicles or personal automobiles, for the purposes mentioned in section 18, shall be reimbursed when there is no public transport or when the victim's condition does not permit the use of public transport, in accordance with the following terms and conditions:

- (a) in the case of transportation by taxi vehicle, the amount reimbursed shall be that actually disbursed to go to the places mentioned in section 18, from the victim's residence and to return;
- (b) in the case of the use of a personal automobile, the indemnity is established at \$0.13 per kilometre traveled to go to the places mentioned in section 18 from the victim's residence and to return;

Toll and parking expenses incurred by such travel shall also be reimbursed.

20. Air transportation expenses shall be reimbursed when the accident occurs in an isolated region, or when the duration of the journey or poor road conditions render the use of an ambulance inadequate or dangerous for purposes of transporting the victim.

21. Expenses for emergency transportation by snowmobile, snow vehicle, boat or other means shall also be reimbursed when circumstances require.

Division III

SPECIAL RULES RESPECTING PROSTHESES

22. Expenses shall be reimbursed for the purchase, adjustment, replacement or repair of the following prostheses:

- (a) hearing-aids, when prescribed by the attending physician;
- (b) dental prostheses, when prescribed by a dentist;

- (c) ocular prostheses, glasses and contact lenses, when prescribed by an optometrist or ophthalmologist, up to a maximum amount of \$100 for an ocular prosthesis, \$75 for glasses including the frames and \$160 for contact lenses.

However, payment for contact lenses shall be made only:

- (i) When other means of corrections are inadequate, in the following cases:
- myopia of at least 5 dioptres;
 - astigmatism of at least 3 dioptres;
or
 - keratoconus, monocular aphakia, binocular aphakia or anisometropia;
or;
- (ii) for treatment of any acute or chronic pathology of the eye-ball such as ocular perforation, ulceration of the cornea or dry keratitis.

23. The expenses for the repair or the replacement of prostheses already worn by the victim prior to the accident shall be reimbursed once only, unless a modification is necessitated as result of the accident.

Division IV

SPECIAL RULES RESPECTING CLOTHING

- 24.** Cleaning and repair expenses or, if need be, replacement costs for clothing shall be reimbursed.
- 25.** If he has no vouchers, a claimant must provide a declaration stating the value of his clothing by item and declaring that they could not be repaired or cleaned.
- 26.** The maximum amount payable under this Division shall not exceed \$300.

Division V

OTHER EXPENSES OR A SIMILAR NATURE

- 27.** Expenses for the rental or purchase of crutches or for the purchase of bandages, splints, casts or slings shall be reimbursed.
- 28.** Expenses for replacing a hairpiece worn by the victim at the time of the accident shall be reimbursed once only up to an amount of \$100.
- 29.** The cost of acquiring orthopedic shoes by prescription of the attending physician shall be reimbursed. The entire cost of the first pair and 50% (fifty per cent) of the cost of subsequent pairs shall be reimbursed.
- 30.** The cost of meals when a victim must leave his place of residence to receive care or treatment shall be reimbursed up to the following amounts:
breakfast: \$3.00
dinner: \$4.75
supper: \$6.50
- 31.** When a victim must be absent from his place of residence in order to receive care or treatment, and the distance or the victim's condition requires such absence, the costs of lodging in a hotel shall also be reimbursed, up to \$35 per day.

Chapter II

REIMBURSEMENT OF THE COSTS CONTEMPLATED IN SECTION 47 OF THE ACT

- 32.** The funeral costs listed in section 35 shall be reimbursed upon presentation of receipts.
- 33.** A person who claims a reimbursement for funeral costs must indicate the amounts that he paid and state whether, to his knowledge, he alone paid such costs.

If the funeral costs were, to his knowledge, also paid by other persons, the person who claims a reimbursement must give the names of such other persons to the Régie with the amounts already paid by them.

34. If more than one person paid the funeral costs, the reimbursement shall be made in proportion to the amounts disbursed by each person.

35. The costs eligible for reimbursement are the following:

- (a) transportation of the body to the laboratory of the funeral home or to the funerarium;
- (b) asepsis, shrouding and hair-dressing;
- (c) services of thanatopraxis;
- (d) rental of the funerarium;
- (e) rental of the hearse;
- (f) religious services;
- (g) casket or box for the ashes;
- (h) purchase of the lot;
- (i) a lump-sum payment for the upkeep of the lot;
- (j) gravestone; and,
- (k) burial or incineration costs.

Title IV

SPECIAL RULES CONCERNING CERTAIN VICTIMS

Chapter I

RULES CONCERNING THE CONDITION OF CERTAIN VICTIMS

Division I

STUDENTS

36. A student is considered to attend a university, a college or another educational establishment of post-

secondary level on a full-time basis from the time that he is admitted by the establishment to attend full-time studies at that level, until he completes the final term or until he abandons his studies, whichever occurs first.

37. Notwithstanding section 36, a student is no longer deemed to attend a university, a college or another educational establishment of post-secondary level on a full-time basis if he does not comply with the requirements of the institution attended.

Division II

PERSONS AT HOME

38. A person at home may be considered unable to attend to one or several of the usual occupations of such a person when the medical documents and other reports and information given to the *Régie* show that the physical or mental activity that this person at home is still able to exercise, taking into account his age, is inadequate to allow him to devote himself to the normal carrying out of one or several tasks relative to housework, the care of his children or other persons of his household, the preparation of meals and his other domestic activities.

Division III

CASES OF IMPAIRMENT AND OF DISABILITY

39. For the purposes of section 24 of the Act, a victim must be considered unable to work for any reason whatever except age:

- (a) if, at the time of the accident, he was receiving, as a disabled person, a disability pension payable under the Québec Pension Plan;
- (b) if, at the time of the accident, he was receiving compensation or other pecuniary benefits as a person with a permanent total disability under the Workmen's Compensation Act (R.S. 1964, chapter 159);
- (c) if, at the time of the accident, he was receiving, as a war veteran, an allowance contemplated in

subparagraph *c* of subsection 1 of section 3 of the War Veterans Allowance Act (R.S.C. 1970, chapter W-5);

- (d) if, at the time of the accident, he had been declared interdicted under articles 325 to 336 of the Civil Code;
- (e) if, at the time of the accident, he had been admitted for close treatment within the meaning of the Mental Patients Protection Act (1972, chapter 44); or,
- (f) if the medical documents and other reports and information submitted to the *Régie* show that the physical or mental activity that the victim was able to exercise prior to the accident was inadequate to enable him to hold occasional or regular employment.

40. For the purposes of section 24 of the Act, a victim shall be deemed to be suffering from a serious physical or mental disability if the medical documents and other reports and information submitted to the *Régie* show that the victim is, as a result of the accident, suffering from a physical or mental disability which alters in a severe and prolonged way the functioning of the victim's body or mind, thus inducing a condition of disability which makes it absolutely impossible for the victim to hold occasional or regular employment.

Chapter II

DEPENDANTS

41. For the purposes of subsection 20 of section 1 of the Act, the expression "to be wholly or substantially maintained by the income of the victim" means, in the case of the dependant, that at the time of the accident the victim was providing, from his income or earnings from all sources, more than fifty per cent of the basic needs and of the costs of maintaining such dependant.

42. For the purposes of subsection 5 of section 37 of the Act, a dependant other than the spouse of a victim

shall be deemed to remain a dependant of such victim, notwithstanding the latter's death:

- (a) when such dependant is a dependant contemplated in subparagraph *b* of subsection 20 of section 1 of the Act:

- (i) until the day on which that dependant remarries or begins to cohabit as husband or wife with another person;
- (ii) until his income or earnings from all sources enable him to provide for his own needs; or,
- (iii) until the age of thirty-five, if at the time of the accident he was not yet that age, was childless and was able to hold employment;

whichever of the three occurs first;

- (b) where such dependant is a dependant contemplated in subparagraph *c* of subsection 20 of section 1 of the Act:

- (i) until the day that he ceases to be a full-time student, if, at the time of the victim's death he was a student attending on a full-time basis a university, a college or another educational establishment of post secondary level;
- (ii) Until his income and earnings from all sources enable him to provide for his own needs;
- (iii) until he is twenty-five years old; or,
- (iv) until the day on which that dependant marries or begins to cohabit as husband and wife with another person, if this was not the case at the time of the victim's death;

whichever of the four occurs first.

If the dependant contemplated in subsection *b*, is suffering, before the age of twenty-five, from a disability which prevents him from providing for his own needs, subparagraphs (i) and (iii) shall not apply to him.

Chapter III

CRITERIA DETERMINING THE AGE OF A VICTIM

43. The criteria for determining a victim's age when it is impossible to determine in the usual manner are, by order of precedence:

- (a) the date of birth shown on the birth certificate issued by a demography department;
- (b) the date of birth shown in an extract from the registers of the hospital where the victim was born; or,
- (c) the date of birth shown in an extract from the registers of the physician who attended the mother at the time of the victim's birth.

44. When age may not be determined under section 43, the date of birth shown on a document issued by a government or, failing that, on a family paper, may serve as a criterion to determine the victim's age.

Title V

RULES CONCERNING THE PAYMENT OF INDEMNITIES

45. Indemnities must be paid to the claimant.

However, if the claimant is not legally able to receive them, indemnities must be paid to the person who is authorized to receive them in accordance with the laws governing the claimant's condition and capacity.

46. An indemnity unpaid at the time of the claimant's death shall be paid to this succession.

Title VI

PHYSICIAN'S EXAMINATION

47. When examining a claimant, the physician designated by the *Régie* under section 61 of the Act must

be alone with him. However, the presence of a third person during the examination is permitted with the express authorization of the physician and of the claimant.

48. The examination must develop and take into account the following items concerning the claimant:

- (a) clinical history;
- (b) occupational history;
- (c) record of antecedents;
- (d) history of physical or mental disorders and their evolution;
- (e) intercurrent disorders and illnesses;
- (f) medicinal history; and,
- (g) any other details pertaining to the physical or mental disorders affecting the claimant.

49. On the basis of the details obtained at the time of the examination, the physician must:

- (a) make a differential diagnosis;
- (b) determine the claimant's impairment resulting from the accident and the effects of such impairment with respect to his regular occupations; and,
- (c) indicate the claimant's capacity to resume his regular occupations or to adapt to other occupations, as well as the expected date of his return to such occupations.

The physician must also mention, if applicable, any special considerations which could affect the impairment, the nature or duration of the recommended treatment or the type of prostheses, orthoses or other recommended therapeutic appliances.

If the physician cannot definitely determine the claimant's impairment, he must nevertheless determine it in a provisional manner.

50. When the physician examines a victim for the purpose of establishing the indemnity payable under section 44 of the Act, he must indicate in a separate report any information required for the application of the Regulation concerning certain lump-sum indemnities, approved by Order in Council 372-78 of 16 February 1978.

51. When the accident occurred outside Québec, the physician must also determine in a separate report the percentage of the claimant's impairment as a result of the accident, and indicate whether such impairment is temporary or permanent, and partial or total.

If the physician is unable to establish the percentage of the claimant's impairment, he must nevertheless establish a provisional percentage of such impairment, subject to revision.

Title VII

RECOVERY OF INDEMNITIES

52. When a person has received an indemnity payment to which he has no right or whose amount exceeds that to which he is entitled, the *Régie*, without prejudice to all its legal recourses, may retain any sum due to such person as follows:

- (a) if the sum due to the person is to reimburse him for expenses incurred as a result of an accident or if such sum represents a lump-sum indemnity, the *Régie* may subtract from that sum the amount of the debt and remit only the difference, where applicable, to the person;
- (b) if the sum due to the person is an indemnity in the form of a pension, the *Régie* may:
 - (i) suspend the pension payments until the debt has been totally reimbursed; or,
 - (ii) decrease payment amounts by a percentage determined according to the circumstances. Such percentage must be sufficient to enable the *Régie* to recover the debt within a period of time not exceeding three (3) years;

When the debt has been repaid in full, the *Régie* shall readjust the payment accordingly.

Title VIII

COMING INTO FORCE

53. This Regulation shall come into force on 1 March 1978.

SCHEDULE A

LIST OF MEDICAL AND PARAMEDICAL CARE FOR THE PURPOSES OF CHAPTER I OF TITLE III

1. Upon prescription of the attending physician, a complete examination of the victim's eyesight, and an examination of his colour vision, beginning with the second examination within a twelve-month period.

2. Upon prescription of the attending physician, oral surgery required from a dental point of view, where it concerns a disorder of a traumatic origin.

3. Services and medications, provided by pharmacists upon prescription of a physician or dentist, and included in the list of medications prepared by the Minister of Social Affairs in accordance with section 32 of the Health Insurance Act (1970, chapter 37), when provided in Québec.

Outside Québec, the cost of services and medication provided by pharmacists upon prescription of a physician or dentist.

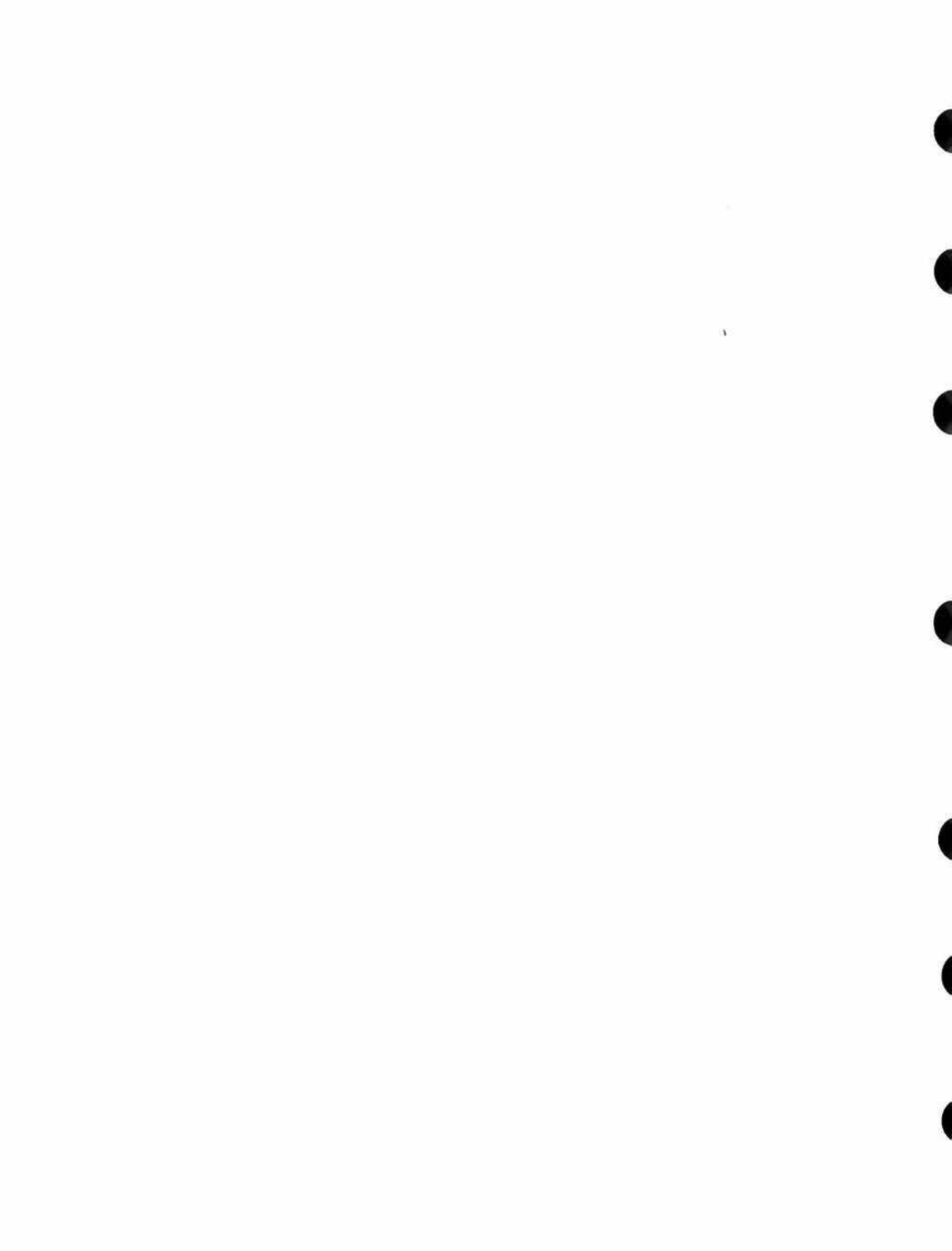
4. The difference between the rate for a bed in a ward and that for a private or semi-private room, when the victim's condition requires one of the latter, upon prescription of the attending physician.

5. The difference between hospital rates outside Québec assumed by a social security plan and the amount disbursed by the victim for such expenses, in accordance with the usual rates in the region where he is hospitalized.

6. Home nursing care, upon prescription of the attending physician.

Expenses relating to such care shall not be reimbursed when the person providing it is related by marriage to, or is a relative, of the victim.

102-o



O.C. 372-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
(AUTOMOBILE INSURANCE ACT)
(1977, chapter 68)

Certain lump sum indemnities

Present: The Lieutenant-Governor in Council.

CONCERNING certain lump sum indemnities

WHEREAS under paragraph *a* of section 195 of the Automobile Insurance Act (1977, chapter 68), the Régie may, by regulation, prescribe the amount and terms and conditions of the lump sum indemnities referred to in section 44 of the Act;

WHEREAS at its sitting held on 16 February 1978, the Régie made a regulation respecting certain lump sum indemnities;

WHEREAS pursuant to section 200 of the Act, it is expedient that such Regulation be approved by the Government and published in the *Gazette officielle du Québec*.

IT IS ORDERED, therefore, upon the recommendation of the Minister of Consumer Affairs, Cooperatives and Financial Institutions:

THAT the Regulation annexed hereto entitled "Regulation respecting certain lump sum indemnities" be approved.

GUY COULOMBE,
Clerk of the Executive Council.

**Regulation respecting certain
lump sum indemnities**

**Automobile Insurance Act
(1977, c. 68, s. 44 and 195 a)**

Chapter I**DEFINITIONS**

- I.** In this Regulation, unless the context indicates otherwise, the following words and expressions mean:
- (a) "activities of daily living": activities with respect to fulfilling, in an autonomous manner, the basic needs of self-care, dressing, communication, eating and ambulation;
 - (b) "impairment": The medically established sequelae of an injury of mutilation, affecting the victim's physical integrity;
 - (c) "indemnity": the lump sum contemplated in section 44 of the Act and established in accordance with this Regulation;
 - (d) "Act": the Automobile Insurance Act (1977, chapter 68);
 - (e) "permanent": where an impairment of disfigurement persists after medical treatment and after the victim's condition has become stable;

- (f) "major disfigurement": visible sequela other than a functional impairment, resulting from a loss of anatomic integrity, on a part of the body which is not normally concealed;
- (g) "minor disfigurement": visible sequela other than a functional impairment, resulting from a reparable loss of anatomic integrity, on a part of the body which is normally concealed.

Chapter II

RULES CONCERNING INDEMNITIES

Division 1

GENERAL RULES

- 2.** An indemnity shall be paid only if the impairment or disfigurement is permanent.
- 3.** If the victim dies before the impairment or major disfigurement can be considered permanent, the percentage of the impairment or disfigurement is determined on the basis of the available data at the time of death.
- 4.** The indemnity is computed according to the maximum amounts established on the date of the accident.
- 5.** The total of the amounts paid for a permanent impairment, for permanent disfigurement, for suffering or loss of enjoyment of life shall in no case exceed the amount provided for in section 44 of the Act, as revalorized in accordance with section 49 of the Act.

Division II

IMPAIRMENT

- 6.** The maximum amount paid for an impairment corresponds to 80% of the amount provided for in

section 44 of the Act, as revalorized in accordance with section 49 of the Act.

7. The amount paid for an impairment is determined according to the nature of the injury or mutilation, by attributing a percentage in conformity with the table in Schedule A.

The amount is equal to the product obtained by multiplying that percentage by the maximum amount contemplated in section 6.

8. In the case of injury to or mutilation of the symmetrical organs the percentage of impairment attributed to the least severe impairment is multiplied by an enhancement factor of one-fifth, and the percentage thus obtained is added to the percentage attributed to such impairment, unless otherwise provided for in Schedule A.

The enhancement factor shall also apply in the case of a pre-existing injury or mutilation.

9. Where a victim has several injuries or mutilations, the percentage of impairment is computed on 100 for the most severe impairment, and the subsequent percentages, starting with the highest, are calculated on the successive remainders.

However, this principle does not apply in the case of an injury or mutilation for which the percentage is 5% or less, such percentage being added in full to the other percentages.

Where such re-adjusted impairment is 90% or higher, the maximum amount contemplated in section 6 is granted to the victim.

Division III

DISFIGUREMENT

10. The maximum amount paid for major disfigurement corresponds to 40% of the amount provided for in section 44 of the Act, as revalorized in accordance with section 49 of the Act.

11. The amount paid for major disfigurement is determined by multiplying the percentage obtained following medical evaluation by the amount contemplated in section 10.

12. Minor disfigurement is combined to the impairment and included in the percentages determined for the various impairments.

Division IV

SUFFERING AND LOSS OF ENJOYMENT OF LIFE

13. The maximum amount paid for suffering or loss of enjoyment of life corresponds to 20% of the amount provided for in section 44 of the Act, as revalorized in accordance with section 49 of the Act.

14. The amount paid for suffering or loss of enjoyment of life is determined according to the total of the amounts paid for an impairment and for disfigurement other than minor disfigurement.

It is computed in accordance with the table prescribed in Schedule B.

The amounts prescribed in this Schedule are revalorized in accordance with section 49 of the Act.

Division V

COMING INTO FORCE

15. This Regulation shall come into force on 1 March 1978.

SCHEDULE A

TABLE OF IMPAIRMENTS

TABLE OF CONTENT

I

MUSCULO-SKELETAL SYSTEM
EXCLUDING MAXILLO-FACIAL

II

CENTRAL AND PERIPHERAL
NERVOUS SYSTEM

III

MAXILLO-FACIAL TRAUMATISM

IV

GENTO-URINARY SYSTEM

V

RESPIRATORY SYSTEM

VI

DIGESTIVE SYSTEM

The percentages of impairment contained in this table refer to the whole individual and do not include major disfigurements but include minor disfigurements.

Title I

**MUSCULO-SKELETAL SYSTEM
EXCLUDING MAXILLO-FACIAL**

(A) UPPER EXTREMITIES AND SCAPULA

(a) AMPUTATIONS, ARM AND FOREARM (anatomic or physiological loss)

- disarticulation at the shoulder and near the shoulder: —70%
- disarticulation at the middle third of the arm, at the elbow or near the elbow: —60%
- disarticulation at the middle third of the forearm and at the wrist: —55%

(b) CLAVICLE AND SCAPULA

- fracture without sequela: — 0%
- fracture with deformity: — 1 to 2%
- complete sterno or acromio-clavicular dislocation with or without resection: — 3%

(c) HUMERUS

- consolidated fracture with axial deviation of
 - (i) 5° to 15°: — 3%
 - (ii) more than 15°: — 5%
- consolidated fracture with shortening of
 - 3 to 4 cm: — 3%
 - more than 4 cm: — 5%

(d) SHOULDER: neutral position at 0°; arm along the body.

Articular and para-articular injury:

- ankylosis: permanent limitation of movements following the destruction of scapulo-humeral articular surfaces
 - (i) total ankylosis without movement of the scapula: —35%
 - (ii) gleno-humeral fusion, in position of function and with a gliding scapula: —20%

Adhesive stiffness by peri-arthritis or capsulitis must be evaluated according to maximum recovery or recovery expected 12 to 18 months following the accident.

— partial stiffness:

- | | |
|--|------------|
| (i) with movement limited to 90° (painful and combined limitation of all movements including rotations): | — 5 to 20% |
| (ii) backward flexion from 0 to 90° (only): | — 0 to 5% |
| (iii) abduction from 0 to 90° (only): | — 0 to 8% |

(e) BICEPS:

Musculo-tendinous rupture: — 2%

(f) ELBOW: neutral position 0°; forearm extended over arm.

— fracture:

- | | |
|--|-----------|
| (i) fracture of the radial head, resection (without limitation): | — 3 to 5% |
| (ii) coronoid intra-articular fracture (without limitation): | — 1% |

Other fractures will be evaluated according to the degree of functional limitations.

— ankylosis:

- | | |
|---|------|
| (i) total ankylosis in position of function between 60° and 110°: | —20% |
| (ii) partial ankylosis at the final stage of functional recovery or recovery expected 12 months following the accident: | |

Extension of limitation:

- | | |
|----------------------|-----------|
| between 10° and 20°: | — 2 to 5% |
| between 20° and 45°: | — 8% |

Flexion limitation:

- | | |
|-----------------------|-----------|
| between 90° and 110°: | — 2 to 5% |
|-----------------------|-----------|

(g) FOREARM:

- | | |
|---|-----------|
| — consolidated fracture with important axial deviation: | — 3 to 5% |
| — resection of the distal end of the cubitus: | — 2% |

- Colle's fracture without stiffness or complications: — 1 to 3%
- loss of pronation and supination in position of function: —10%
- total or partial loss of pronation only: — 1 to 3%
- total or partial loss of supination only: — 2 to 5%

Consolidated fractures without deformity are evaluated according to function.

(h) WRIST: neutral position 0°; hand in the axis of the arm, thumb extended upwards.

- total ankylosis of wrist (in position of function — straight up to 10° of dorsiflexion): —12.5%
- fracture of scaphoid or lunate (pseudarthrosis, aseptic necrosis), according to functional loss of the wrist at the final stage of recovery, or recovery expected 12 to 18 months after the date of the accident: — 3 to 6%

(i) HAND:

The principle of deduction provided for in section 9 applies only when the impairment affects the whole hand, if it is combined with other injuries or mutilations.

It does not apply in the case of injuries or mutilations affecting parts of the hand.

With the exception of the thumb, where two or more fingers are completely or partially amputated, the impairment of these fingers is obtained by adding the impairment of each of the fingers and by multiplying by two.

Where the thumb is also affected, its impairment is added to the impairment of the finger or fingers.

In computing impairments affecting the hand, the principle of deduction does not apply.

- whole hand: —55%
- last four fingers only: —35%
- thumb only: —15%
- amputation (anatomic or functional loss):
 - (i) metacarpus:
 - first: —10%
 - 2nd or 3rd: — 4%
 - 4th or 5th: — 3%
 - (ii) thumb:
 - one phalanx: —10%
 - two phalanges: —15%

(iii) index finger:	— one phalanx:	— 2%
	— two phalanges:	— 4%
	— three phalanges:	— 5%
(iv) middle finger:	— one phalanx:	— 1.6%
	— two phalanges:	— 3.2%
	— three phalanges:	— 4%
(v) ring finger:	— one phalanx:	— 1.2%
	— two phalanges:	— 2.4%
	— three phalanges:	— 3%
(vi) little finger:	— one phalanx:	— 0.8%
	— two phalanges:	— 1.6%
	— three phalanges:	— 2%
(viii) four fingers:		—35%
(ix) 1 st , 2 nd and 3 rd (index, middle and ring):		—24%
(x) 1 st , 2 nd and 4 th (index, middle and auricular):		—22%
(xi) 1 st , 3 rd and 4 th (index, ring and auricular):		—20%
(xii) 2 nd , 3 rd and 4 th (middle, ring and auricular):		—18%
(xiii) 1 st and 2 nd (index and middle):		—18%
(xiv) 1 st and 3 rd (index and ring):		—16%
(xv) 1 st and 4 th (index and auricular):		—14%
(xvi) 2 nd and 3 rd (middle and ring):		—14%
(xvii) 2 nd and 4 th (middle and auricular):		—12%
(xviii) 3 rd and 4 th (ring and auricular):		—10%
(xix) two or more, at the 2 nd articulation:		4/5 of the rates above
(xx) two or more, at the distal articulation:		2/5 of the rates above

— ankylosis:

(i) thumb:

- | | |
|--|--------|
| (a) total ankylosis of two articulations: | — 7.5% |
| (b) ankylosis of metacarpophalangeal joint: | — 3% |
| (c) ankylosis of interphalangeal joint: | — 2.5% |
| (d) partial ankylosis: according to functional loss. | |

(ii) finger:

All articulations: the impairment must be based on the loss of the functional value of the finger.

Where ankylosis in a faulty position is equivalent to an amputation, whether of one or several phalanges and affects several fingers of the same hand, the table for simple or multiple amputation shall apply.

(B) PELVIS

- | | |
|---|------------|
| (a) simple fracture of the pelvis without diastasis of the pubic symphysis, without sacro-iliac injury and without involvement of the acetabulum: | — 0% |
| (b) fracture of the pelvis with deformity, pubic dysjunction or sacro-iliac injury: | — 0 to 10% |
| (c) fracture with acetabular involvement (an enhancement factor based on the function of the coxo-femoral joint must also be taken into consideration): | — 2 to 5% |
| (d) fracture of the pelvis with osseous dystocia (evaluation in gynaecology): | — 4% |

(C) LOWER EXTREMITIES**(a) amputations**

— thigh

- | | |
|--|------|
| (i) disarticulation at the hip or near the hip, within 4 inches of the proximal end of the greater trochanter: | —70% |
| (ii) disarticulation at the middle third: | —55% |

— leg

- | | |
|--------------------|------|
| (i) Stokes-Gritti: | —45% |
|--------------------|------|

(ii) at the middle of the leg:	—35%
— foot	
(i) Symes:	—30%
(ii) across the foot:	—15 to 25%
— toes	
(i) great toe:	— 4%
(ii) great toe — one phalanx:	— 2%
(iii) second toe:	— 1%
(iv) third or fourth toe:	— 1%
(v) fifth toe:	— 1%
(vi) the five toes:	— 8%
— metatarsal bones	
distal end of the 1 st and 5 th metatarsal bones:	—12%
(b) Shortening of the leg by:	
— 2 cm to 2.5 cm:	— 1.5 to 2%
— 5 cm to 6.5 cm:	— 6 to 8%
— 7.5 cm to 10 cm:	—15 to 20%
(c) hip: neutral position 0°; thigh extended over the pelvis.	
In the case of traumatic lesions of the hip, the impairment is evaluated only after two years to allow for later complications even when the immediate result is satisfactory.	
— dislocation without complication:	— 5%
— fragmentation fractures of the head or the neck of the femur without acetabular injury and without functional disorder	— 5%

- complicated lesions of the hip entailing:
 - (i) total ankylosis (straight and up to 20° flexion, slight abduction and external rotation of a few degrees) according to the quality of the ankylosis: —25 to 35%
 - (ii) replacement of the hip by a prosthesis (movements at 75% without pain according to the degree of ankylosis or joint stiffness): —25%
 - (iii) partial ankylosis (joint stiffness) according to the loss of movements and inconveniences resulting therefrom: — 5 to 20%
- (d) femur:
 - fracture without sequela: — 0%
 - consolidation with range of angulation from 8° to 15° and rotation on the axis: — 3 to 10%
 - major permanent muscular atrophy: — 3 to 5%
- e) knee: the range of knee motion from full extension is from 0° to 130°.

Evaluation is made after recovery (12 to 18 months after the accident):

 - fracture of the tibial plateau (without major dysfunction — according to ankylosis, varus or valgus): — 3 to 8%
 - meniscectomy
 - (i) good result, (one meniscus): — 2%
 - (ii) good result (both menisci): — 5%
 - patellectomy
 - (i) partial: — 1 to 5%
 - (ii) total: — 7%
 - fracture of the patella
 - (i) without functional disorder: — 0 to 2%
 - (ii) with functional disorder: according to joint stiffness
 - tendinous rupture: — 0 to 3%
 - osseous ankylosis in extension or slight flexion of 10°: —20%

— partial ankylosis (joint stiffness)	
(i) limited to 90° (according to the resulting inconveniences):	— 8%
(ii) motion limited to 35° in flexion:	—10%
(iii) 5° to 10° in recurvatum:	— 3%
(iv) 10° to 20° in flexion deformity:	—10%
— functional disorders, instability of the knee up to the necessity of an orthosis:	— 3 to 20%
— arthroplasty (according to function)	—25% and over
— fracture of both bones of the leg	
(i) without sequela:	— 0 to 2%
(ii) modification of the axis adult:	— 2 to 8%
(f) ankle:	
— tibio-tarsal fracture (without major stiffness)	
(i) simple sprain or isolated fracture of the external malleolus:	— 0 to 2%
(ii) isolated fracture of the internal malleolus:	
(a) without diastasis:	— 0 to 2%
(b) with diastasis or pseudarthrosis:	— 2 to 5%
(iii) bi-malleolar fracture:	
(a) without diastasis:	— 2 to 3%
(b) with diastasis:	— 3 to 6%
— fracture of the foot	
(i) astragalus	
(a) slight sequelae:	— 2%
(b) moderate sequelae:	— 4 to 5%

(ii) calcaneus	
(a) greater tuberosity or fracture without displacement or joint involvement:	— 2%
(b) with joint involvement displacement:	— 3 to 8%
(iii) mid-tarsal region	
scaphoid, cuboid, cuneiforms:	— 0 to 5%
(g) ankle and foot: arthrodesis and joint stiffness	
— tibio-astragalar joint — in position of function (maximum plantar-flexion of 0° to 5°):	—12%
— sub-talar joint only, — in good position:	— 5 to 8%
— sub-talar and mid-tarsal joints (triple arthrodesis):	—12 to 18%
— sub-talar and tibio-astragalar joints:	—15 to 20%
— mid-tarsal joints:	— 3 to 6%
— great toe at metatarso-phalangeal joint (along the axis of the 1 st metatarsal bone):	— 2.5%
— interphalangeal — great toe:	— 1%
— other toes:	— 0.5%

(D) SPINE

(a) the bone structure of the spine:	—70%
(b) the cervical spine:	—40%
(c) the dorsolumbar spine:	—40%

Vertebral pathology where instability, neurological disorders and functional sequelae with major restrictions of the rachis with respect to effort are evaluated as follows:

1. the degree of impairment suggested for bone fusions is calculated with an enhancement factor justified by the medical evaluation.
2. every complex case with neurological or other disorders is evaluated following a joint examination in the specializations concerned.

(E) CERVICAL SPINE

- (a) cervical sprain without structural pathology demonstrable by x-ray, with pain: — 2%
- (b) stable chip fracture without major disorder: — 3%
- (c) fracture of one or two vertebrae with dislocation or subluxation, without neurological disorder, with or without injury to the posterior arch and the spinous process: — 8 to 15%
- (d) open reduction and fusion of two vertebral bodies:
- anterior approach: — 5 to 10%
 - posterior approach: — 15 to 20%
 - C-1, C-2 ankylosis or grafting with loss of rotation: — 20%
- (e) open reduction and fusion of three vertebral bodies:
- anterior approach: — 12 to 20%
 - posterior approach: — 15 to 25%
- (f) operated cervical herniated disc, with or without fusion (Cloward):
- cervical discectomy — 1 level: — 5 to 10%
 - cervical discectomy — 2 levels: — 8 to 12%

(F) DORSAL SPINE

- (a) severe thoracodorsal traumatism (including the sternum and the ribs):
- without immediate traumatic, radiological lesions but followed by osteo-arthritic phenomena or aggravation of a prior pathological condition: — 2 to 5%
 - with radiological lesions and intercostal neuralgias: — 5 to 10%
- (b) stable fracture of one vertebral body, without neurological disorder:
- less than 25% of the body of a vertebra: — 2 to 5%
 - less than 50% of the body of a vertebra: — 5 to 8%

(c) stable fracture of 2 vertebral bodies, without neurological disorder:	
— less than 25% of the body of a vertebra:	— 5 to 8%
— less than 50% of the body of a vertebra:	— 8 to 12%
(G) DORSOLUMBAR SPINE	
(a) stable fracture of D-12 or L-1, without neurological disorder:	
— less than 25% of the body of a vertebra:	— 5 to 10%
— less than 50% of the body of a vertebra:	— 10 to 15%
(b) stable fracture of D-12 and L-1, without neurological disorder:	
— less than 25% of the body of a vertebra:	— 8 to 18%
— less than 50% of the body of a vertebra:	— 15 to 25%
(H) LUMBAR SPINE	
(a) fracture of one vertebra:	
— less than 25% of the body of a vertebra:	— 2 to 5%
— less than 50% of the body of a vertebra:	— 5 to 10%
(b) more than one vertebra:	
— less than 25% of the body of a vertebra:	— 4 à 8%
— less than 50% of the body of a vertebra:	— 8 to 15%
(c) discectomy:	
— one level:	— 5 to 8%
— two levels:	— 10 to 15%
(d) fusion:	
— one space:	— 8 to 12%
— two spaces:	— 12 to 20%
— more than two spaces:	— 15 to 25%

- (e) fracture of a spinous process, transverse process, chip fracture, pseudarthrosis: — 0 to 2%

Title II

CENTRAL AND PERIPHERAL NERVOUS SYSTEM

(A) CRANIOCEREBRAL TRAUMATISM

(a) cerebral commotion or contusion:

- without identifiable and measurable residuals; presence of symptoms only: — 0 to 5%
- without signs of organic neurological impairment in spite of a particularly extended coma with brain stem injury, permanent impairment must be established with the aid of psychological or psychiatric evaluation:
- if there are residuals, such residuals must be evaluated in accordance with the pertinent table (see chapters B and C)

(b) fracture(s) of the skull:

- linear without displacement: — 1 to 2%
- with recess, with or without a depressed fracture of the skull, without dura mater laceration
 - (i) requiring elevation by trepanation: — 1 to 3%
 - (ii) in case of craniectomy and plasty (according to localization and extent): — 2 to 7%
- with recess and cortico-dura mater lacerations, whether or not complicated by sino-curicular lacerations and extrusion of brain matter:
- objective neurological signs are compensated in accordance with the fixed percentages. Following such traumatisms, the possibility of an appearance of epilepsy is taken into account. The evaluation table is the same as following closed cranial traumatisms.
- fracture of the base with dura mater tear leading to a subarachnoidal fistula via one of the paranasal sinuses or via the external auditory duct. The evaluation may only be final after two years.
At the end of such period:
 - (i) if meningitis without sequela occurred or the fracture line continues to be present on tomographies, one must add to the percentage already allowed: — 5%

— hydrocephalus justifying a derivation of cerebrospinal fluid:	—20%
(c) cerebral commotions or contusions complicated by a closed linear cranial fracture, without neurological sequelae discernable or measurable by usual clinical procedures:	— 2 to 6%
(d) post-traumatic epilepsy	
— occurrences of epileptic fits: if delayed clinical signs of epilepsy have appeared, use the following table, according to whether or not they are controlled by anticonvulsants:	
(i) the epileptic fits, disturb slightly the activities of daily living:	5 to 15%
(ii) the epileptic fits moderately disturb the activities of daily living:	—20 to 45%
(iii) the epileptic fits require constant surveillance or confinement:	—50 to 90%
— no epileptic fits: the evaluation may not be final until two years after the trauma.	
After such lapse of time	
(i) the electroencephalogram is normal:	
partial permanent impairment:	—none
(ii) the electroencephalogram is abnormal:	
multifocal or localized epileptic anomalies definitely increase the risk of possible occurrence of symptomatic epilepsy; to the impairment already evaluated, add:	— 5%
 (B) CRANIAL NERVES	
(a) olfactory nerve:	
— total unilateral loss:	— 0%
— total bilateral loss:	— 3%
(b) optic nerve:	
— total unilateral loss:	—16%
— total bilateral loss:	—90%
(c) oculomotor nerve: (injured singly or in combination, causing double vision which may be corrected by covering one eye):	— 1 to 16%

- (d) trochlear nerve (pathetic):
(isolated or combined injury causing double vision, which may be corrected by covering one eye: — 1 to 16%
- (e) abducent nerve:
(isolated or combined injury causing double vision, which may be corrected by covering one eye: — 1 to 16%
- (f) trigeminus nerve:
- total unilateral sensory loss (according to neuritic dysesthesia): — 1 to 10%
 - suborbital anesthesia: — 1 to 3%
 - super maxillary branch
 - (i) affecting the hard palate, dental arch and lip: — 2 to 6%
 - (ii) affecting the anterior dental arch and the lip: — 2 to 4%
 - (iii) affecting the upper lip: — 1 to 3%
 - inferior maxillary branch affecting anterior dental arch and the lip: — 1 to 4%
- (g) facial nerve:
- total unilateral paralysis: —10 to 15%
 - paralysis of the ophthalmic branch: — 1 to 10%
 - paralysis of the buccal and mandibular branch: — 1 to 6%
 - total bilateral paralysis: —30 to 45%
- (h) vestibulocochlear nerve:
- cochlear, total unilateral deafness: — 8%
 - total bilateral deafness: —30%
 - disturbance of vestibular functions:
 - (i) without disturbing the activities of daily living: — 0 to 5%
 - (ii) certain limitations to the activities of daily living, but without need of assistance: — 5 to 20%
 - (iii) unable to perform the activities of daily living: —20 to 60%

- (i) glossopharyngeal nerve, pneumogastric nerve
(isolated or combined injury to such nerves)
- dysphagia:
 - (i) as determined by diet: —10 to 30%
 - (ii) feeding by stomach tube: —40%
 - dysphonia:
 - (i) minor: able to express most needs: — 0 to 12%
 - (ii) major: serious restrictions, person limited to expressing essential needs only: —12 to 20%
 - (iii) severe: no articulated language: —20 to 35%
- (j) hypoglossal nerve:
- unilateral paralysis: — 0%
 - bilateral paralysis causing:
 - (i) dysphagia:
 - (a) as determined by diet: —10 to 30%
 - (b) feeding by stomach tube: —40%
 - (ii) dysphonia:
 - (a) minor: able to express most needs: — 0 to 12%
 - (b) major: serious restrictions, person limited to expressing essential needs only: —12 to 20%
 - (c) severe: no articulated language: —20 to 35%
- (C) CEREBRAL-SPINAL INJURY**
- spinal cord or brain:
 - (i) posture and ability to walk:
 - (a) able to stand, but with difficulty in walking: — 5 to 20%

(b) able to stand, but able to walk on a plane surface only or not at all:		—25 to 60%
(c) unable to stand or walk:		—90%
(ii) use of upper extremities:	unilateral	bilateral
(a) mildly impaired digital dexterity:	— 5 to 10%	—10 to 20%
(b) lack of digital dexterity:	—15 to 25%	—25 to 50%
(c) self-care performed with difficulty:	—30 to 35%	—50 to 70%
(d) incapable of self-care:	—40 to 70%	—90%
(iii) respiration:		
(a) respiration difficult only when additional exertion is required:		— 5 to 20%
(b) very serious difficulty when walking:		—25 to 50%
(c) victim confined to bed or lack of spontaneous breathing:		—90%
(iv) bladder functions:		
(a) dysfunction in the form of imperative miction:		— 5 to 10%
(b) satisfactory reflex function but without voluntary control:		—15 to 30%
(c) poor reflex activity and partial lack of voluntary control of reflex activity, up to total lack of control:		—30 to 60%
(v) anorectal function:		
(a) limited voluntary control:		— 0 to 5%
(b) presence of automatic reflex but lack of voluntary control, up to lack of automatic reflex:		—10 to 25%
— brain:		
(i) communication disturbances (dysphasia, aphasia, alexia, agraphia, acalculia):		
(a) minor difficulty:		— 0 to 15%
(b) able to understand linguistic symbols but unable to emit sufficient or appropriate language; depending on language capacity:		—25 to 80%

- (c) unable to understand language or speak: —90%
- (ii) disturbances of higher cognitive functions:
know organic cerebral injury affecting orientation, understanding, memory, judgement, introspection and social behavior.
 - (a) disturbances which do not stop victim from performing the tasks of daily living: — 5 to 15%
 - (b) some supervision required: —20 to 45%
 - (c) need for seclusion or internment in a protected milieu, domestic or otherwise; the victim is incapable of self-care: —50 to 90%
- (iii) emotional disturbances, which may also be caused by organic cerebral injury, and include irritability, euphoria, depression, involuntary laughter and crying, akinetic mutism, Evaluation in psychiatry is required.
- (iv) disturbances of consciousness which include confusion, a semi-conscious state or stupor (no reaction to pain stimuli) and coma.
 - (a) minor alteration: — 5 to 20%
 - (b) moderate alteration: —25 to 70%
 - (c) stupor or semi-consciousness or coma: —75 to 90%
- (v) neurological disorders or other disturbances of consciousness such as syncope, epilepsy, cataplexy or narcolepsy:
 - (a) when slightly impairing the performance of the activities of daily living: — 5 to 15%
 - (b) when moderately disturbing the ability to perform the activities of daily living: —20 to 45%
 - (c) when entailing constant supervision, confinement or suspension of the activities of daily living: —50 to 90%

(D) THE PERIPHERAL NERVOUS SYSTEM**(a) Impairment caused by injury to a root:**

Injured spinal nerve root	loss of function through sensory impairment	loss of function through motor impairment	loss of function through sensory and motor impairment
C-5	0 to 4%	0 to 20%	0 to 20%
C-6	0 to 6%	0 to 25%	0 to 25%
C-7	0 to 4%	0 to 25%	0 to 25%
C-8	0 to 4%	0 to 30%	0 to 30%
T-1	0 to 4%	0 to 15%	0 to 15%
L-3	0 to 4%	0 to 15%	0 to 15%
L-4	0 to 4%	0 to 15%	0 to 15%
L-5	0 to 4%	0 to 25%	0 to 25%
S-1	0 to 4%	0 to 15%	0 to 15%

(b) Impairment resulting from injury to the brachial plexus: brachial plexus — total impairment (sensory and motor) — 0 to 70%

	Loss of function through sensory impairment	Loss of function through motor impairment	Loss of function through sensory and motor impairment
Upper trunk (C5 C6) Erb-Duchenne paralysis	0 to 20%	0 to 50%	0 to 50%
Middle trunk (C7)	0 to 4%	0 to 25%	0 to 30%
Lower trunk (C8 T1 Klumpke-Déjerine syndrome)	0 to 15%	0 to 50%	0 to 50%

(c) Impairment caused by injury to a spinal nerve affecting the head and neck:

Injured nerve	Loss of function through sensory impairment	Loss of function through motor impairment	Loss of function through sensory and motor impairment
Greater occipital nerve	0 to 5%	0%	0 to 5%
Lesser occipital nerve	0 to 3%	0%	0 to 3%
Great Auricular Nerve C-2 C-3	0 to 3%	0%	0 to 3%
Spinal accessory	0%	0 to 10%	0 to 10%

(d) Impairment of peripheral spinal nerves affecting an upper limb:

Injured nerve	Loss of function through sensory impairment	Loss of function through motor impairment	Loss of function through sensory and motor impairment
Anterior thoracic nerves	0%	0 to 4%	0 to 4%
Circumflex (axillaris)	0 to 4%	0 to 25%	0 to 25%
Angular and rhomboidal nerve (dorsalis scapulae)	0%	0 to 4%	0 to 4%
Serratus magnus (thoralis longus)	0%	0 to 10%	0 to 10%
Internal cutaneous brachial (cutaneus brachii medialis)	0 to 3%	0%	0 to 3%
Internal cutaneous brachial (cutaneus antebrachii medialis)	0 to 3%	0%	0 to 3%
Median nerve (above middle forearm)	0 to 30%	0 to 40%	0 to 45%
Median nerve (below middle forearm)	0 to 30%	0 to 25%	0 to 25%
Musculo-cutaneous nerve	0 to 4%	0 to 15%	0 to 15%
Radial (triceps lost)	0 to 4%	0 to 35%	0 to 35%
Radial (triceps not lost)	0 to 4%	0 to 25%	0 to 25%
Upper and lower nerves of the subscapularis and teres major (subscapularis)	0%	0 to 4%	0 to 4%
Suprascapularis	0 to 4%	0 to 10%	0 to 12%
Greater dorsal nerve (thoraco-dorsalis)	0%	0 to 7%	0 to 7%
Cubital (ulnaris) above middle forearm	0 to 7%	0 to 25%	0 to 25%
Cubital (ulnaris) below middle forearm	0 to 7%	0 to 15%	0 to 20%

(e) Impairment of a unilateral nerve affecting inguinal region:

Injured nerve	Loss of function through sensory impairment
Greater abdomino-genital (ilio-hypogastricus)	0 to 3%
Lesser abdomino-genital (ilio-inguinalis)	0 to 5%

(f) Impairment caused by spinal nerve injury affecting lower extremities:

Injured nerve	Loss of function through sensory impairment	Loss of function through motor impairment	Loss of function through sensory and motor impairment
Anterior crural	0 to 3%	0 to 20%	0 to 20%
Genitofemoral (genito-femoralis)	0 to 3%	0%	0 to 3%
Gluteal (gluteus inferior)	0%	0 to 10%	0 to 10%
Femorocutaneous (cutaneous femoris lateralis)	0 to 4%	0%	0 to 4%
Obturator, internal obturator, pyramidal, quadratur femoris and upper gemellus nerves	0%	0 to 7%	0 to 7%
Posterior cutaneous of the thigh	0 to 2%	0%	0 to 2%
Gluteus superior	0%	0 to 10%	0 to 10%
Greater sciatic, above ischiotibial branches	0 to 20%	0 to 45%	0 to 50%
External peroneal	0 to 2%	0 to 18%	0 to 20%
(i) anterior tibial (peroneus profundus)			
above mid-leg	0%	0 to 12%	0 to 12%
below mid-leg	0%	0 to 3%	0 to 3%
(ii) musculo-cutaneous (peroneus superficialis)	0 to 3%	0 to 5%	0 to 7%

Internal popliteal nerve

(i) above knee	0 to 7%	0 to 18%	0 to 20%
(ii) posterior tibial:			
(a) at soleus level	0 to 7%	0 to 12%	0 to 12%
(b) at mid-calf level	0 to 7%	0 to 7%	0 to 10%
(iii) internal plantar (medial plantaris)	0 to 2%	0 to 3%	0 to 4%
(iv) external plantar (lateral plantaris)	0 to 2%	0 to 3%	0 to 4%
(v) external sapheneus (cutaneus sural)	0 to 2%	0%	0 to 2%

Title III

MAXILLO-FACIAL TRAUMATISMS

Where maxillo-facial traumatism is accompanied by lesions of the central and peripheral nervous system, the latter are evaluated according to Title II.

(A) LESIONS OF THE JAWS AND HARD PALATE

(a) mutilations:

— loss of both maxillae, with loss of dental arch, hard palate and nasal bone structure:	30 to 80%
— loss of mandible, including the entirety of its dental portion:	50 to 80%
— loss of one maxilla, oronasal fistula and loss of more or less mandibular arch tissue:	40 to 75%
— loss of a single maxilla, with retention of the other one and of the mandibular arch:	20 to 40%

(b) loss of tissue, pseudarthrosis, malunion:

— maxilla

(i) pseudarthrosis:

(a) great mobility of the entire upper maxilla (cranio-facial fracture), mastication problems (including loss of teeth):	10 to 40%
--	-----------

- (b) malunion with mobility of a greater or lesser portion of the maxilla, the remainder remaining fixed; according to the size of the mobile portion and the possibility of mastication or of a prosthesis (including loss of teeth): 5 to 25%
- (c) loss of tissue from the hard and soft palates, or from the hard palate only, with large oronasal or orosinus fistula, both these injuries being the cause of similar problems (problems of speech and deglutition): 10 to 30%
- (d) loss of tissue from the hard palate, involvement of the dental arch, possibility of prosthesis: 3 to 7%
- (e) partial loss of tissue from the dental arch, no possibility of a functional and adequate prosthesis (not including impairment for loss of teeth): 0 to 5%
- (ii) malunion:
- (a) any deformation that causes serious difficulty in dental occlusion, as for example false retrognathia of latero-deviation, with no possibility of a prosthesis (including impairment for loss of teeth): 10 to 20%
- (b) malunion resulting in slight difficulty in dental occlusion, comparable to problems related to a prosthesis or periodontal problems: 3 to 10%
- mandible
- (i) loss of tissue:
- extensive loss of tissue, with extremely loose pseudarthrosis, allowing neither mastication nor fitting of a prosthesis (including impairment for loss of teeth): 15 to 20%
- (ii) pseudarthrosis:
- (a) tight pseudarthrosis of the ramus: 0 to 5%
- (b) loose pseudarthrosis of the ramus: 5 to 10%
- (c) tight pseudarthrosis of the body of the mandible: 5 to 10%
- (d) loose pseudarthrosis of the body of the mandible: 10 to 20%
- (e) tight pseudarthrosis of the symphysis: 5 to 10%
- (f) loose pseudarthrosis of the symphysis: 10 to 20%
- (g) pseudarthrosis of part of the tissue of the dental arch, with the possibility of a functional prosthesis (not including impairment for loss of teeth): 0 to 5%

(iii) malunion:

as described for the maxilla:

(c) temporo-mandibular articulations and other lesions that interfere with the function thereof:

— ankylosis

- | | |
|--|-----------|
| (i) total ankylosis allowing the passage of liquids only: | 15 to 50% |
| (ii) lesser restriction of mouth opening, making eating more or less difficult and dental treatment almost impossible; according to the size of the opening, measured from the edge of the incisors: | |
| (a) opening less than 10 mm: | 10 to 40% |
| (b) opening from 10 to 30 mm: | 5 to 20% |

— Intra-articular and para-articular fractures of the temporo-mandibular joint

- | | |
|---|----------|
| (i) fracture of the neck of the condylar process, with no appreciable displacement or serious functional problems: | 0 to 3% |
| (ii) fracture of the neck of the condyle, with internal displacement, without angulation or dislocation, with retention of propulsion movement: | 2 to 5% |
| (iii) fracture with internal angulation of 45 degrees and with dislocation of the head of the condyle and with loss of propulsion movement: | 4 to 10% |
| (iv) fracture with antero-internal angulation, loss of propulsion and rotation: | 5 to 15% |
| (v) intra-articular fracture with no displacement causing lessening of propulsion or rotation, lesion of the meniscus that may develop into post-traumatic arthritis: | 0 to 6% |

(d) damage to or loss of teeth (teeth lost or damaged during an accident or during restoration)

	Maxilla	Mandible
— central incisor	1.5%	1.0%
— lateral incisor	1.0%	1.0%
— canine	1.75%	1.75%
— first premolar	1.25%	1.25%

— second premolar	1.00%	1.25%
— first molar	1.75%	2.00%
— second molar	1.75%	1.75%

The percentages for loss of teeth are cumulative.

The percentage thus obtained is reduced by two thirds if the victim is fitted with a permanent prosthesis.

It is reduced by one third if the injured person is correctly fitted with a well supported, removable prosthesis such apparatus not constituting *restitutio in integrum* but contributing appreciably to the improvement of the victim's functional condition.

B) FRONTO-ORBITO-NASAL AREA

(a) cranio-facial fracture:

- fracture of the cribriform plate of the ethmoid bone with rhinorrhea: — 3 to 5%
- depression of the frontal sinus: — 0 to 5%
- post-traumatic hypertelorism
 - (i) unilateral, with or without blockage of the lacrimal duct: — 0 to 5%
 - (ii) bilateral, with or without blockage of the lacrimal duct: — 5 to 8%

(b) fracture of the floor of the orbit:

- displacement of the eyeball accompanied by enophthalmia and diplopia: — 1 to 25%
- malposition of canthus, change in palpebral fissure, according to functional difficulty: — 0 to 5%

(c) fracture of the malar bone and the zygoma:

- deformation with no obstruction of the mandible: — 0 to 3%
- with obstruction of the mandible: — 5 to 20%

(d) fracture of the nose:

- obstructions:
 - (i) unilateral mechanical obstruction: — 0 to 2%

(ii) bilateral mechanical obstruction:	— 0 to 5%
(iii) functional obstruction:	— 2 to 5%
(iv) total obstruction with dyspnea after moderate effort (according to the evaluation of the rhinologist).	
— perforation of the septum:	
(i) asymptomatic:	— 0 to 1%
(ii) symptomatic:	— 1 to 5%
— post-traumatic trophic conditions:	— 0 to 5%
(e) enucleation of an eye:	—18%

(C) SALIVARY GLANDS

permanent fistulae following surgical failure, according to the importance of the gland: — 5 to 15%

(D) TONGUE (total or partial anatomic loss)
evaluation according to functional difficulty (dysphagia — dysphonia)

(a) minor:	— 0 to 5%
(b) moderate:	— 5 to 20%
(c) major:	—20 to 80%

Title IV**GENTO-URINARY SYSTEM****(A) NEPHRECTOMY**

(a) with normal results of basic tests:	—10%
(b) impairment of renal function, according to the changes in basic tests:	—20 to 40%

(B) URINARY BY-PASS, (URINARY SHUNT) —20%

(C) BLADDER DAMAGE (anatomical or functional)

- (a) cured with no complication, and no residual infection: — 0%
- (b) infection or incontinence, according to seriousness (evaluation made after optimum recovery, or recovery expected 12 to 18 months after the accident): — 5 to 15%

(D) URETHRA DAMAGE

- (a) contraction requiring regular dilation (every three or four months): — 5%
- (b) contraction requiring treatment (every three or four weeks): —10%
- (c) surgically incurable fistulae: —15%

(E) MALE GENITAL ORGANS

- (a) penis (castration, total or partial): —20%
- (b) loss of one testicle, the other remaining functional: — 5%
- (c) loss of both testicles:
 - up to 17 years of age, inclusive: —30%
 - from 18 to 60 years of age, inclusive: —10 to 25%
 - over 60 years of age: — 5%

(F) FEMALE GENITAL ORGANS

- (a) internal genital organs:
 - loss of one ovary, with or without connecting Fallopian tube (the corresponding organs remaining intact): — 5%
 - loss of both adnexa:
 - (i) up to 16 years of age, inclusive: —30%
 - (ii) from 17 to 55 years of age, inclusive: —10 to 25%
 - (iii) over 55 years of age: — 5%

(b) external genital organs (the percentages given below are not cumulative)

— loss of vagina — complete removal:	—20%
— destruction of upper half of vagina:	—14%
— loss of vulva or clitoris:	—15%

Title V**RESPIRATORY SYSTEM**

Impairment of respiratory function may occur as a result of a thoracic traumatism or a neurological lesion. Post-traumatic impairment of the respiratory function is never considered separately in the case of an accident. The neurological aspect is evaluated according to Title II of this Schedule. The traumatic aspect is evaluated by a pneumologist.

Title VI**DIGESTIVE SYSTEM****(A) SUPRADIAPHRAGMATIC**

- (a)** tongue: impairment is evaluated according to Title III of this Schedule.
- (b)** oesophagus: damage accompanied by stenosis or thoracic trauma medication and diet more or less normal: — 5 to 10%

(B) SUBDIAPHRAGMATIC

- (a)** laparotomy: — 3 to 5%
- (b)** stomach: (stress ulcer, study of case history, post-traumatic changes to a pre-existing condition):
- | | |
|--|------------|
| — rupture followed by complete healing: | — 0% |
| — rupture followed by progress toward a chronic condition: | — 5% |
| — rupture followed by deterioration toward stenosis: | —15 to 20% |
- (c)** small intestine:
- | | |
|--|------------|
| according to lesion and size of resection: | — 0 to 15% |
|--|------------|

(d) liver:

- simple laceration without an important loss of tissue: — 0 to 5%
- serious laceration with loss of tissue: — 5 to 15%
- complications caused by fistulae, with impairment of hepatic function: — 5 to 25%

(e) pancreas: tearing or partial amputation:

- no digestive problems, tests normal: — 3 to 5%
- digestive problems, changes in functional tests for exocrine and endocrine secretions: — 10 to 30%

SCHEDULE "B"**TABLE OF AMOUNTS ALLOWED FOR SUFFERING AND LOSS OF ENJOYMENT OF LIFE**

Total of amounts granted for impairment and disfigurement other than minor	Amount granted for suffering and loss of enjoyment of life
---	---

\$ 1. — \$ 500.	\$ 50.
501. — 1 000.	125.
1 001. — 1 500.	200.
1 501. — 2 000.	275.
2 001. — 3 000.	400.
3 001. — 4 000.	575.
4 001. — 5 000.	775.
5 001. — 6 000.	975.
6 001. — 7 000.	1 200.
7 001. — 8 000.	1 425.
8 001. — 9 000.	1 700.
9 001. — 11 000.	2 150.
11 001. — 13 000.	2 900.
13 001. — 16 000.	4 000.



O.C. 373-78, 16 February 1978**LOI SUR L'ASSURANCE AUTOMOBILE
AUTOMOBILE INSURANCE ACT
(1977, c. 68)****Rules of proof and procedure**

Present: The Lieutenant-Governor in Council.

CONCERNING rules of proof and procedure

WHEREAS under subsection *a* of section 195 the Automobile Insurance Act (1977, chapter 68), the *Régie de l'Assurance automobile du Québec* may make regulations to prescribe what must be prescribed by regulation of the *Régie* under the Act;

WHEREAS under subsection *q* of the said section, the *Régie* may determine by regulation the terms and conditions of application for an indemnity for the benefit of a claimant incapable of administering his affairs or otherwise incapable;

WHEREAS under subsection *s* of the said section, the *Régie* may determine by regulation the rules of proof and procedure applicable to the examination, hearing and decision of the matters over which the *Régie* has jurisdiction;

WHEREAS at its meeting of 16 February 1978 the *Régie* made a regulation concerning the rules of proof and procedure;

WHEREAS it is expedient under section 200 of the Act that this Regulation be approved by the Government and published in the *Gazette officielle du Québec*;

IT IS ORDERED therefore upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*;

THAT the Regulation entitled "Regulation concerning rules of proof and procedure", a copy of which is annexed hereto, be approved.

GUY COULOMBE,
Clerk of the Executive Council.

**Regulation concerning rules of proof
and procedure****Automobile Insurance Act
(1977, c. 68, ss. 53, 70, 195, subsec. a, q and s)****Division I****DEFINITIONS**

1. In this Regulation, unless otherwise indicated by the context, the following words and expressions mean:

- (a) "Act": the Automobile Insurance Act (1977, chapter 68);
- (b) "interested party": in the case of a death benefit, any person who may be considered a dependant of the victim.

Division II**RULES CONCERNING AN APPLICATION
FOR COMPENSATION****Subdivision 1****SUBMISSION OF AN APPLICATION
FOR COMPENSATION**

2. An application for compensation must be submitted on the form prescribed for such purpose, entitled "Application for compensation", together with the documents therein requested.

The claimant must also provide the *Régie* with the information required for the application of the Act or with the authorizations necessary to obtain such information.

3. An application for compensation shall be submitted in due form to the *Régie* if it is handed in at an office of the *Régie* or mailed within three years of the occurrence that establishes the right to compensation.

4. No application for compensation is admissible unless signed by the claimant.

5. Notwithstanding section 4, the application for compensation on behalf of a claimant incapable of administering his affairs or otherwise incapable, must be submitted and signed by the person authorized to represent him.

A person who submits an application for compensation in the name of another person must state in what capacity he is acting and provide proof of his title.

6. Upon receipt of an application for compensation, the *Régie* shall forward an acknowledgement of receipt to the claimant.

7. An application for compensation may be withdrawn or modified at any time by means of a written notice signed by the claimant.

Subdivision 2

EXTENSION OF TIME LIMIT

8. The claimant who submits an application for compensation more than three years after the advent of the occurrence that establishes the right to compensation, must include with the form a sworn declaration specifying the exceptional circumstances which prevented his filing earlier.

9. The *Régie* may require a claimant to provide the documents or information it deems useful for the purpose of granting or refusing an extension of the time limit for submitting an application for compensation.

Subdivision 3

CONSIDERATION OF AN APPLICATION FOR COMPENSATION

10. When a decision is made respecting an application for compensation, such decision shall be mailed to the claimant and to every interested party known to the *Régie*.

11. The claimant is deemed to have been notified of the decision within the meaning of section 55 of the Act from the time such decision is mailed to him.

Division III

RULES CONCERNING AN APPLICATION FOR REVIEW

Subdivision 1

SUBMISSION OF AN APPLICATION FOR REVIEW

12. An application for review must contain the victim's family name, given name and address, the file number assigned by the *Régie* when the application for compensation was made, the victim's social and health insurance numbers, where applicable, as well as a brief summary of the reasons set forth in support of such application for review. The claimant's name, given name and address must also be given, if they differ from those of the victim.

13. An application for review shall be submitted in due form to the *Régie* when it is handed in at an office of the *Régie* or mailed, within sixty days of notification of the decision.

14. No application for review is admissible unless it is signed by the claimant.

15. Notwithstanding section 14, an application for review on behalf of a claimant who is incapable of conducting his own affairs or otherwise incapable,

must be submitted and signed by the person authorized to represent him.

A person who submits an application for review in the name of another person must state in what capacity he is acting and provide proof of this title.

16. Upon receipt of an application for review, the *Régie* shall forward an acknowledgement of receipt to the claimant and to all interested parties known to the *Régie*.

17. An application for review may be withdrawn or modified at any time by means of a written notice signed by the claimant.

The *Régie* must communicate such notice to every interested party known to the *Régie*.

Subdivision 2

EXTENSION OF TIME LIMIT

18. The claimant who submits an application for review more than sixty days after notification of a decision must include with such application for review, a sworn declaration specifying all the facts which made it impossible for him to have acted earlier.

19. The *Régie* may require a claimant to provide the documents or information it deems useful for the purpose of granting or refusing an extension of the time limit for submitting an application for review.

Subdivision 3

HEARING OF AN APPLICATION FOR REVIEW

20. At least five days before the date of the hearing, the *Régie* shall forward to the claimant and to all interested parties known to the *Régie* a notice stating the date, time and place of the hearing.

21. If, at the opening of the hearing, the claimant fails to appear, the *Régie* shall decide on the application for review in the manner it deems appropriate.

22. The *Régie* may grant, for cause, a postponement or adjournment of a hearing.

The *Régie* may itself postpone or adjourn a hearing, under the conditions it deems appropriate.

23. Upon the request of the claimant or an interested party, or when the *Régie* deems it necessary for the progress of the hearing, the *Régie* may order an *in camera* sitting. However, despite an *in camera* order, the *Régie* may when it deems it appropriate, authorize any person to attend a hearing.

24. At a hearing, the witnesses may be questioned under oath by the *Régie*, the claimant or any interested party.

The oath may be waived for witnesses suffering from physical or mental disability.

25. An application for review may be taken under advisement.

26. When the *Régie* has taken under advisement an application for review, it may order the hearing reopened for the purposes and upon the conditions it determines.

27. The *Régie* must communicate the order reopening a hearing to the claimant and to all interested parties known to the *Régie*.

28. A Decision must be communicated to the claimant and to all interested parties known to the *Régie*.

Division IV

PROOF

29. The claimant must provide the *Régie* with the proof of all facts supporting his right to compensation.

The *Régie* may accept any mode of proof it deems useful for the purposes of justice.

It may also require the production of any document, book, paper or writing it deems necessary.

30. The *Régie* may, by means of a notice, convene any person to appear before it and oblige him to testify under oath.

The *Régie* may summon such person by means of subpoena.

31. The *Régie* may remit to a person required to appear before it, an indemnity and allowance fixed in accordance with the tariffs in force in courts of civil jurisdiction.

Division V

CONFIDENTIAL INFORMATION

32. Subject to section 64 of the Act, when a claimant or his authorized representative applies to the *Régie* pursuant to section 70 of the Act, to request that confidential information obtained concerning the claimant under the Act be communicated to a person designated in the application, such information may be communicated:

- (a) if the written application clearly indicates:
 - (i) the victim's name, address, health insurance number and file number at the *Régie*;
 - (ii) the exact nature of the information requested;
 - (iii) the name and address of the person to whom the information may be given;
- (b) if the application has been signed by the claimant or his authorized representative less than one month before the day on which it is received by the *Régie* and, in the case of the authorize representative, if the latter has indicated his title; and
- (c) if it is not information that the *Régie* has obtained from a department or government body.

33. Confidential information may not be communicated more than three months after the day on which the application was received by the *Régie*.

Division VI

RECUSATION OF AN OFFICER OR MEMBER OF THE REGIE

34. An officer or member of the *Régie* may not render a decision on an application for compensation or review, as the case may be, and must be recused:

- (a) if he is allied or related to the victim or the claimant, up to the degree of first cousin;
- (b) if he himself, has been, or is, party to an application for compensation or review involving a matter similar to the one in question;
- (c) if, before being appointed officer or member of the *Régie*, he had acted as the victim's or claimant's attorney, physician or mandatory, as the case may be, in relation to the application for compensation or review;
- (d) if there if mortal enmity between him and the victim or claimant, as the case may be;
- (e) if he has any interest in favouring the victim or claimant; or
- (f) in the case of his own application for compensation or review.

Division VII

GENERAL PROVISIONS

35. If a time limit expires on a day on which the offices of the *Régie* are closed or if it is ordered to do something on such a day, the time limit shall be extended to the following working day and what has to be done may be validly done on the following working day.

36. No procedure made pursuant to this Regulation shall be considered null and rejected because of faulty drafting or an irregularity.

37. This Regulation in no way restricts the powers and immunities conferred upon the *Régie*, its members and officers under the Act.

38. In the case of interruption of postal service, the *Régie* may accept or use another method of submission or service.

39. This Regulation shall come into force on 1 March 1978.

102-o



O.C. 374-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
 AUTOMOBILE INSURANCE ACT
 (1977, c. 68)

Certain definitions

Present: The Lieutenant-Governor in Council.

CONCERNING certain definitions.

WHEREAS under subsection *c* of section 195 of the Automobile Insurance Act (1977, chapter 68), the *Régie de l'assurance automobile du Québec* may make regulations for the purposes of Title II of the Act to specify or restrict the definition of the word "resident";

WHEREAS under subsection *f* of section 195 of the said Act, the *Régie de l'assurance automobile du Québec* may make regulations for the purposes of Title II of the Act to define, for the purposes of subsection *b* of the first paragraph of section 17, the following words: "a snow-mobile, a farm tractor, a farm trailer, self-propelled or drawn machinery, or a vehicle intended for use off a public highway";

WHEREAS at its meeting of the 16 February 1978, the *Régie* made a Regulation concerning certain definitions;

WHEREAS it is expedient, pursuant to section 200 of the said Act, that this Regulation be approved by the Government and published in the *Gazette officielle du Québec*.

IT IS ORDERED, therefore, upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*:

THAT the "Regulation concerning certain definitions", a copy of which is annexed hereto, be approved.

GUY COULOMBE,
 Clerk of the Executive Council.

Regulation concerning certain definitions

Automobile Insurance Act
 (1977, c. 68, s. 195 subsec. *c* and *f*)

Division I**DEFINITIONS**

1. In this Regulation, unless otherwise indicated by the context, the following words and expressions mean:

- (a) "Canadian returning to the country": a Canadian citizen who takes up residence in Canada again;
- (b) "landed immigrant": a non-Canadian who elects domicile in Canada and who holds a permanent visa permitting him to do so;
- (c) "landed immigrant returning to the country": a landed immigrant who elects domicile in Canada again;
- (d) "Act": the Automobile Insurance Act (1977, chapter 68).

Division II**RESIDENTS**

2. The definition of the word "resident" as found in subsection 26 of section 1 of the Act is further defined for the purposes of Title II of the Act in accordance with the criteria established in sections 3 to 8.

3. A person who is not a tourist, a transient or a visitor to the province, and who is:

- (a) a landed immigrant;
- (b) a Canadian returning to the country;
- (c) a landed immigrant returning to the country;
- (d) a Canadian citizen or his spouse who takes up residence in Canada for the first time;
- (e) a member of the Canadian Forces or the Royal Canadian Mounted Police who has not acquired the status of resident; or
- (f) a prisoner who has not acquired the status of resident but who has manifested his intention of taking up residence in Québec;

as well as his spouse and any unmarried child under eighteen years of age who reside permanently with him, is deemed to be a resident upon his arrival, discharge or release, as the case may be, in Québec.

4. Notwithstanding section 5, a resident, as well as his spouse and any unmarried child under eighteen years of age who reside permanently with him, shall, unless he elects domicile outside Québec, retain the status of resident:

- (a) if this resident stays outside Québec as a student registered in a teaching establishment and pursuing a study programme therein;
- (b) if this resident stays outside Québec as a fulltime unpaid trainee in a university, an institution affiliated with a university, a research institute or a governmental or international body;
- (c) if this resident is a civil servant in the service of the government of Québec or Canada and assigned outside Québec;
- (d) if, while his spouse and children remain in Québec or while he keeps a dwelling therein, this

resident stays outside Québec for less than twelve consecutive months for the purpose of seeking or accepting temporary employment or executing a contract in another province or country, provided he returns to Québec at least once a year or notifies the *Régie* that he is unable to comply with this requirement; or

- (e) if this resident is in the service of a non-profit organization having its head office in Canada and works abroad within the framework of an international aid or cooperation programme recognized by the Minister of Social Affairs.

5. Subject to section 4, should any of the following conditions be met, a resident shall no longer be deemed a resident:

- (a) when he leaves Québec to elect domicile in another province or another country, with effect upon his departure;
- (b) when he maintains a residence outside Québec, unless he proves that he lives and is customarily in Québec for at least 183 days of the year;
- (c) when he resides outside Québec for more than twelve months, with effect from the last day of the twelfth month following the date of his departure from Québec; or
- (d) when he has elected domicile outside Québec before the expiration of a twelve-month period after the date of his departure from Québec.

6. The following persons are not considered to be residents:

- (a) a student from a country other than Canada;
- (b) a student of another province, unless he has elected domicile in Québec;
- (c) a foreign national in the service of a government other than that of Canada or Québec or in the service of a body under the jurisdiction of a

government other than that of Canada or Québec and recognized by the Minister of Social Affairs, unless such national works in Québec and has made with the Minister of Social Affairs an agreement authorized by the Lieutenant-Governor in Council under section 18e of the Québec Health Insurance Board Act (1969, chapter 53); and

(d) a corporation that has its head office outside Québec.

7. A child born in or outside Québec shall be deemed to be a resident if his mother is a resident.

8. A foreign national, as well as his spouse and all unmarried children under eighteen years of age who reside permanently with such foreign national, shall be considered residents if they are staying in Québec under an exchange programme entered into by a foreign government and that of Québec, following an agreement between the Minister of Social Affairs and the Minister of Intergovernmental Affairs.

Division III

TERMS USED IN SUBSECTION *b* OF THE FIRST PARAGRAPH OF SECTION 17 OF THE ACT

9. For the purposes of subsection *b* of the first paragraph of section 17 of the Act, the following words and expressions mean:

(a) "snowmobile": a self-propelled motor vehicle weighing not more than 1000 pounds built primarily for travel on snow or ice, having a steering ski or runner and driven by an endless track in contact with the ground; the word "snowmobile" includes the racing snowmobile built or modified to be used exclusively on a racetrack;

(b) "farm trailer": a vehicle that is not motorized, equipped with a space for loading, whether or not the loads are carried independently when drawn

by a vehicle, used principally for the transportation of farm products or materials required for their production and belonging to an individual or company that is the owner or lessee of a farm and whose principal occupation is farming or that is a member of an association certified under the Farm Producers Act (1972, chapter 37);

(c) "drawn-machinery": a vehicle that is not motorized, equipped with a space for loading, whether or not the loads are carried independently when drawn by a vehicle and:

(i) that is used to carry equipment or machinery which is a permanent part thereof and is used to dispose of the said loads; or

(ii) that is used exclusively to carry equipment which is a permanent part thereof;

(d) "farm tractor": a tractor that is equipped with tires and generally used for farming purposes, whether or not it may operate under permit on public highways, belonging to an individual or company that is the owner or lessee of a farm and whose principal occupation is farming or that is a member of an association certified under the Farm Producers Act (1972, chapter 37);

(e) "self-propelled machinery": an automobile that is:

(i) equipped with a space for loading and used to carry equipment or machinery which is a permanent part thereof, and which is used to dispose of the said loads; or

(ii) other than a service vehicle, is self-propelled, has no space for loads, and designed basically to perform work independently and equipped for such purpose with machinery that is a permanent part thereof;

(f) "vehicle intended for use off a public highway": an automobile used exclusively on private land or roads and not authorized to operate on public

highways, including those automobiles used exclusively within the limits of harbour installations, airports and railway stations, but not including public vehicles within the meaning of the Highway Code (R.S. 1964, chapter 231).

Division IV

COMING INTO FORCE

10. This Regulation shall come into force on 1 March 1978.

102-o

O.C. 375-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
(AUTOMOBILE INSURANCE ACT)
(1977, c. 68)

Reimbursement of amounts payable

Present: The Lieutenant-Governor in Council.

CONCERNING the reimbursement of amounts payable.

WHEREAS under subsection *n* of section 195 of the Automobile Insurance Act (1977, chapter 68), the *Régie de l'assurance automobile* may determine by regulation the cases giving a right to the reimbursement of the amounts fixed under Title V and fix the terms and conditions of computing or the exact amount of the sums that may be reimbursed at the time of such reimbursement;

WHEREAS at its meeting of 16 February 1978, the *Régie* made a regulation concerning the reimbursement of amounts payable;

WHEREAS it is expedient, pursuant to section 200 of the Act, that this Regulation be approved by the Government and published in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*;

THAT the regulation entitled: "Regulation concerning the reimbursement of amounts payable", a copy of which is annexed hereto, be approved.

GUY COULOMBE,
Clerk of the Executive Council.

Regulation concerning the reimbursement of amounts payable

Automobile Insurance Act
(1977, c. 68, s. 195, subsec. *n*)

Division I**DEFINITIONS**

1. In this Regulation, unless the context indicates otherwise, the following words and expressions mean:

- (a) "fiscal year": the fiscal year of the *Régie*;
- (b) "contribution":
 - (i) in the case of the holder of a driving permit, the sums payable for the issue of driving permits as fixed pursuant to Title V of the Act;
 - (ii) in the case of a registered automobile owner, the sums payable for the registration of such automobile as fixed pursuant to Title V of the Act;
- (c) "Act": the Automobile Insurance Act (1977, chapter 68);
- (d) "Regulation 3": Regulation 3 (1977) respecting registration made under Order in Council 4117-77 dated 30 November 1977.

Division II

DRIVING PERMITS

2. The holder of a driving permit, class 1, 2, 3, 4 or 5 within the meaning of Regulation 4 respecting driving permits, made under Order in Council 3127-72 dated 25 October 1972 is entitled to a reimbursement of part of the contribution paid:

- (a) when voluntarily returning his driving permit to the Director for cancellation; or
- (b) when his permit is cancelled by the Director;

provided that at least six months remain before the end of the last fiscal year for which the contribution was fixed.

The holder of a driving permit, class 6, 7 or 8, or of a permit issued on a temporary basis within the meaning of Regulation 4 is not entitled to such reimbursement.

3. The reimbursement shall be computed by taking into account every complete six-month period not elapsed between the cancellation date and the end of the last fiscal year for which the contribution was fixed.

4. If a driver's permit contemplated in the first paragraph of section 2 was issued before 1 March 1978 and has not been renewed twice thereafter, the reimbursement shall be computed by subtracting the contribution payable for the time between 1 March 1978 and the end of the period during which the driver's permit was cancelled, from the contribution paid by the holder since the 1 March 1978.

5. In the case of a driver's permit issued on or after 1 March 1978 and which has not been renewed twice thereafter, the reimbursement shall be computed by subtracting the contribution payable for the time between the date of issue of the driving permit and the end of the period during which the permit is cancelled, from the contribution paid by the holder since the driving permit was issued.

6. In the case of a driver's permit that has been renewed at least two times since 1 March 1978, the reimbursement shall be computed by subtracting the contribution payable for the time between 1 March of the fiscal year of the last renewal and the end of the period during which the permit is cancelled from the contribution paid by the holder at the last renewal.

7. The reimbursement shall be computed by using the contributions payable during the periods for which the holder was required to pay such contributions.

8. The reimbursement shall be made to the holder by cheque for an amount equal to the reimbursement computed in accordance with sections 2 to 7, minus the amount of any sum owed by the holder in respect of a contribution.

Division III

REGISTRATION

9. The registration certificate holder is entitled to the reimbursement of part of the contribution he paid, when he voluntarily returns to a registration issuing office of the *Bureau des véhicules automobiles* for cancellation, the registration marker and the registration certificate of the automobile for which he is requesting a reimbursement.

10. The reimbursement of a contribution shall be equal to the part of the contribution which corresponds to the number of complete months not elapsed between the date of cancellation and the expiry date of the registration.

11. The reimbursement shall be made to the holder by credit note which he may either use when paying a future registration, or return to the Director for a cash refund.

If, when a credit note is used, unused credit remains, such amount shall be reimbursed by a cheque to the owner.

12. Notwithstanding section 9, contributions paid to obtain the registration markers contemplated in sections 3.98 and 3.101 of Regulation 3 may not be reimbursed.

13. Notwithstanding section 9, no contributions paid upon the issue of the following registration certificates may be reimbursed:

- (a) a registration certificate issued for a contribution of \$10 or less;
- (b) a monthly supplementary certificate issued in accordance with section 3.63 of Regulation 3.

14. In the case of registration of a newly acquired automobile or that of an automobile that had been put up, and where the period of registration validity has already begun, the contribution payable shall be computed in proportion to the number of months not elapsed plus one, between the date of issue and the date of expiry of registration, based on the annual fee payable for such class of automobile.

15. Where automobile registration is requested, and during the same month a credit note was issued or an automobile was exchanged and the contribution payable for the automobile for which registration is requested is higher than that payable for the exchanged automobile or that for which a credit note was issued,

the contribution payable shall be computed in proportion to the number of complete months not elapsed plus one, between the date of issue and the date of expiry of the registration requested.

When the contribution payable is equal to or less than this contribution, the contribution payable shall be computed in proportion to the number of complete months not yet elapsed between the date of issue and that of expiry of the requested registration.

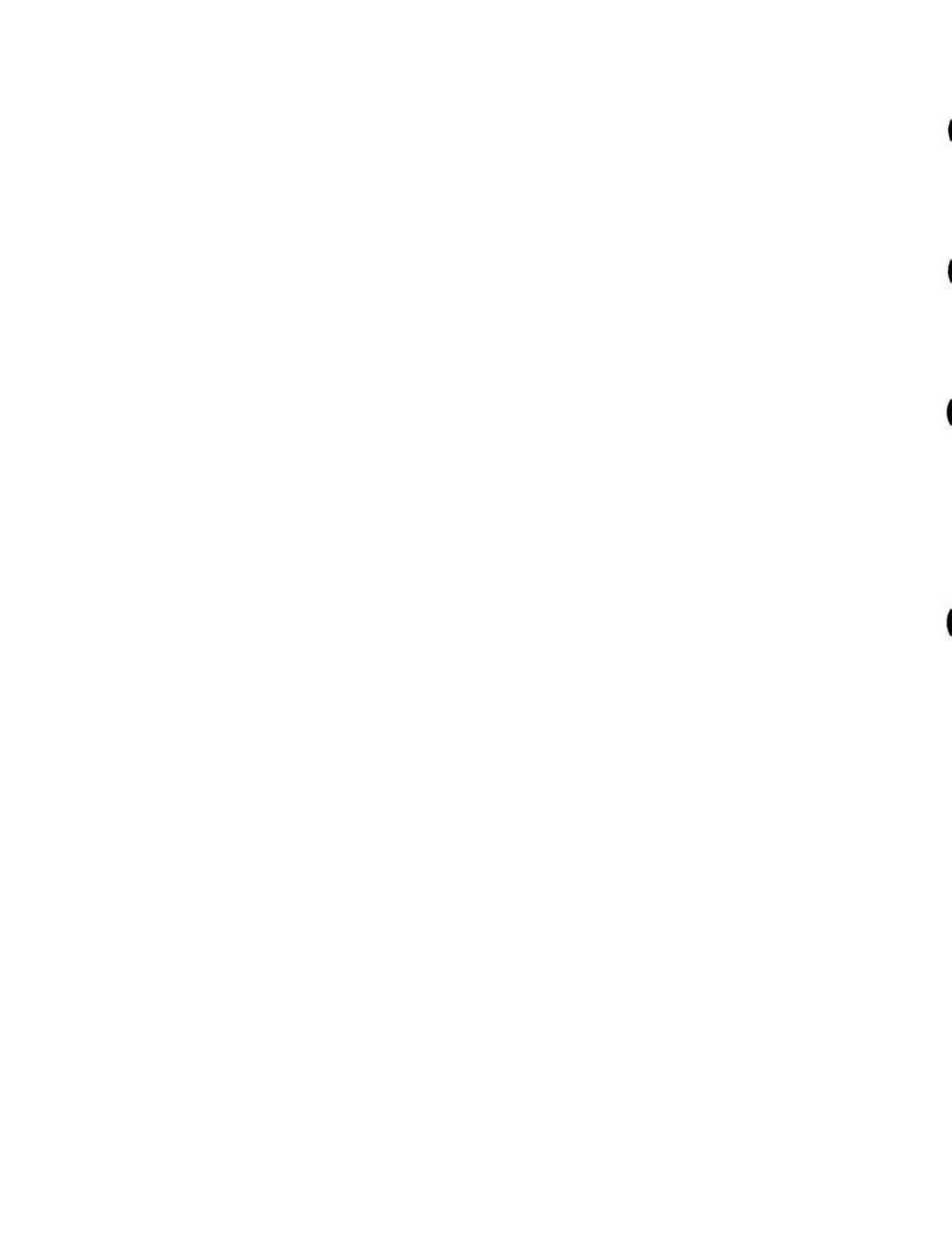
16. When an automobile registration is requested and during the same month a credit note was issued and an automobile exchanged, the credit note must not be taken into account for the purposes of the application of section 15.

17. When an automobile registration is requested and during the same month several credit notes have been issued and no automobile has been exchanged, only the credit note, issued for the contribution which is the highest, may be taken into account for the purposes of the application of section 15.

Division IV

COMING INTO FORCE

18. This Regulation shall come into force on 1 March 1978.



O.C. 376-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
(AUTOMOBILE INSURANCE ACT)
(1977, c. 68)

Insurance fee exigible for monthly supplementary certificates or temporary registration certificates for the year beginning 1 March 1978.

Present: The Lieutenant-Governor in Council.

CONCERNING the fee exigible for insurance upon issue of monthly supplementary certificates or temporary registration certificates for the year beginning 1 March 1978.

WHEREAS under section 151 of the Automobile Insurance Act (1977, chapter 68), the *Régie* shall fix each year, after actuarial valuation and with the approval of the Government, the sums exigible for the issue of driver's permits and automobile registration certificates for the purposes of financing of the *Régie* and of the *Fonds d'indemnisation*;

WHEREAS the actuarial valuation has been made for the year beginning 1 March 1978;

WHEREAS the *Régie de l'assurance automobile* has fixed a tariff structure approved under Order in Council 4509-77 dated 22 December 1977;

WHEREAS it is expedient to set a tariff policy concerning the fee exigible for insurance upon issue of monthly supplementary certificates or temporary registration certificates for the year beginning 1 March 1978;

WHEREAS the *Régie de l'assurance automobile du Québec* has established a tariff policy respecting the fee payable for insurance upon issue of a monthly supplementary certificate or a temporary registration certificate for the year beginning 1 March 1978;

WHEREAS it is expedient that the said tariff policy be approved by the Government and published in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*;

THAT the tariff policy concerning the fee payable for insurance upon issue of monthly supplementary certificates or temporary registration certificates for the year beginning 1 March 1978, a copy of which is annexed hereto, be approved.

GUY COULOMBE,
Clerk of the Executive Council.

Tariff policy concerning the amount exigible for insurance upon issue of monthly supplementary certificates or temporary registration certificates for the year beginning 1 March 1978

1. A fee of \$0.25/1 000 pounds per month over and above the weight mentioned on the certificate is payable by the owner of an automobile registered according to its total loaded weight where the owner is issued, at the beginning of or during the year, a monthly supplementary certificate within the meaning of Regulation 3 (1977) respecting registration made under Order in Council 4117-77 dated 30 November 1977, for the purpose of transporting loads heavier than those prescribed on the basic certificate. Such fee shall be computed in proportion to the total of months

for which use of the monthly supplementary certificate is anticipated, the total rounded off to the nearest dollar. The monthly supplementary certificate is transferable.

No fee is required if the total loaded weight entered on the basic registration certificate, on the prior monthly supplementary certificate and on the new monthly supplementary certificate requested, is equal to or less than 10 000 pounds.

No fee is required on an excess of 70 000 pounds where the *total loaded weight* entered on the basic certificate, on the prior monthly supplementary certificate exceeds such weight.

Moreover, no additional fee is required where the total loaded weight entered on the basic certificate and on the prior monthly supplementary certificate is equal to or greater than 70 000 pounds.

The prior monthly supplementary certificate taken into consideration shall be that certificate which is valid for the entire period of application of the monthly supplementary certificate requested.

A minimum fee of \$1 is required for any request for which a fee must be paid.

2. A fee of \$4 is required for every automobile where a certificate for a single trip within the meaning of Regulation 3 (1977) respecting registration made under Order in Council 4117-77 dated 30 November 1977 is requested, authorizing a person to travel from the Québec border to another place within Québec and return to such border, or to cross Québec territory in order to enter another province or another country, for a maximum of 10 consecutive days.

3. A fee of \$2 is required for every automobile when, within the meaning of Regulation 3 (1977) respecting registration made under Order in Council 4117-77 dated 30 November 1977, a temporary registration certificate is requested for an automobile used solely on a private terrain or road and not intended for travel on public highways, in order that it may operate on all Québec roads for the purpose of being driven to a garage for repairs or to another place of operation.

4. A fee of \$2 is required for every automobile when, within the meaning of Regulation 3 (1977)

respecting registration made under Order in Council 4117-77 dated 30 November 1977, a temporary registration certificate is requested for an automobile used solely in terminals, ports and airports, in order that it may operate on all Québec roads for the purpose of being driven to another airport, terminal or port or to a garage for repairs.

5. A fee of \$2 is required for every automobile when, within the meaning of Regulation 3 (1977) respecting registration made under Order in Council 4117-77 dated 30 November 1977, a temporary registration certificate is requested for the following categories of automobiles:

- (a) every large private trailer;
- (b) every automobile acquired in Québec by a non-resident, for the purpose of returning to his place of residence;
- (c) every automobile possessed in Québec in order that it may be repaired, altered, weighed, checked or inspected, prior to registration;
- (d) every automobile repossessed by a finance company that is the owner thereof under a conditional title;
- (e) every automobile sold by a duly licensed dealer or by a manufacturer in order to effect its delivery;
- (f) every damaged or obsolescent automobile for the purpose of delivering it to a scrap dealer;
- (g) every non-registered automobile recently acquired outside Québec by a non-resident, for the purpose of driving it to a place within Québec where it will be duly registered, or in order to cross Québec territory for the purpose of driving it to another province or another country;
- (h) every automobile of a net weight less than 5 500 pounds delivered within or outside of Québec by a company whose principal activities consist of delivering automobiles to the acquirers thereof;

- (i) every automobile loaned by a dealer or manufacturer for a brief period of time for the purpose of participating in a parade or a popular event authorized by the competent authority for such matters. In the latter case, the permit may be issued for a period of more than four (4) days but not more than ten (10) days.
- 6.** The insurance fee is never reimbursable.

102-o



O.C. 377-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
(AUTOMOBILE INSURANCE ACT)
(1977, c. 68)

Exemptions — Liability insurance contract

Present: The Lieutenant-Governor in Council.

CONCERNING exemptions from the obligation to hold a liability insurance contract.

WHEREAS under section 84 of the Automobile Insurance Act (1977, chapter 68), the owner of any automobile operating in Québec must have a liability insurance contract guaranteeing compensation for property damage caused by such automobile;

WHEREAS under subsection *c* of section 196 of the said Act, the Government may, by regulation, exempt owners of the categories of automobiles it indicates from the obligation of section 84, in whole or in part and on the conditions it determines;

WHEREAS it is expedient, effective from 1 March 1978, that such Regulation be made and published in the *Gazette officielle du Québec*;

WHEREAS it is expedient to revoke the Regulation made under Order in Council 4510-77 dated 22 December 1977.

IT IS ORDERED, therefore, upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*;

THAT the Regulation entitled: "Regulation concerning exemptions from the obligation to hold a liability insurance contract", a copy of which is annexed hereto, be approved.

GUY COULOMBE,
Clerk of the Executive Council.

Regulation respecting exemptions from the obligation to hold a liability insurance contract

Automobile Insurance Act
(1977, c. 68, s. 196, subsec. *c*)

- 1.** The owners of the categories of automobiles indicated in this section are exempt from the obligation prescribed in section 84 of the Automobile Insurance Act to hold a liability insurance contract guaranteeing compensation for property damage caused by their automobile:
- (a) automobiles of the Government of Canada, its departments and agencies;
 - (b) automobiles mentioned in subsection *b* of the first paragraph of section 17 of the Automobile Insurance Act, as defined in the Regulation respecting certain definitions, approved under Order in Council 374-78 dated 16 February 1978;
 - (c) objects that are not essentially automobiles, but are temporarily converted into automobiles by the addition of detachable or auxiliary axles;
 - (d) mopeds within the meaning of the Highway Code (R.S., 1964, chapter 231);
 - (e) self-propelled automobiles other than snowmobiles, built to operate mainly on snow or ice, whether or not they are equipped with steering skis or runners, and driven by an endless track in contact with the ground ("snowvehicles");

- (f) bicycles or motorcycles with a cylinder capacity of less than 50 cc;
- (g) vehicles without a motor but equipped with a device for loading, whether or not the loads are carried independently when drawn by a vehicle ("trailers" and "semi-trailers"), including trailers permanently installed as living quarters ("house trailers" and "tent trailers");
- (h) automobiles whose use is restricted under sections 3.52 to 3.55 of Regulation 3 (1977) respecting registration made under Order in Council 4117-77 dated 30 November 1977; or
- (i) automobiles for which, under subsections *b* and *c* of section 3.82 and under section 3.83 of Regulation 3 (1977) respecting registration, made under Order in Council 4117-77 dated 30 November 1977, there is issued, in conformity with the Highway Code (R.S., 1964, chapter 231), a temporary registration certificate for the validity period of such certificate.
- 2.** The Regulation respecting the exemptions from the obligation to hold certain certificates, made under Order in Council 4510-77 dated 22 December 1977, is revoked.
- 3.** This Regulation shall come into force on 1 March 1978.

O.C. 378-78, 16 February 1978

LOI SUR L'ASSURANCE AUTOMOBILE
(AUTOMOBILE INSURANCE ACT)
(1977, c. 68)

Certificate of financial responsibility

Present: The Lieutenant-Governor in Council.

CONCERNING the certificate of financial responsibility.

WHEREAS subsection *a* of section 196 of the Automobile Insurance Act (1977, chapter 68), enables the Government to determine by regulation the terms and conditions necessary for the application of sections 102, 104 and 105 of the Act with regard to proofs and certificates of financial responsibility;

WHEREAS subsection *e* of that section enables the Government to determine by regulation the qualifications required of a person applying for a certificate of financial responsibility;

WHEREAS subsection *f* of that section enables the Government to determine by regulation the amount of proof of financial responsibility contemplated in sections 102 and 104;

WHEREAS it is expedient that a regulation concerning the certificate of financial responsibility be made by the Government;

WHEREAS it is expedient, under section 200 of the Act, that this Regulation be published in the *Gazette officielle du Québec*.

IT IS ORDERED, therefore, upon the recommendation of *le ministre des Consommateurs, Coopératives et Institutions financières*;

THAT the Regulation entitled "Regulation concerning the certificate of financial responsibility", a copy of which is annexed hereto, be approved.

GUY COULOMBE,
Clerk of the Executive Council.

Regulation concerning the certificate of financial responsibility

Automobile Insurance Act
(1977, c. 68, ss. 102, 104, 105
and 196 subsec. *e* and *f*)

Division I**DEFINITIONS**

1. In this Regulation, unless otherwise indicated by the context,
- (a) "Act": means the Automobile Insurance Act (1977, chapter 68).

Division II**APPLICATION FOR CERTIFICATE OF FINANCIAL RESPONSIBILITY**

2. The application for a certificate of financial responsibility must be submitted by the applicant on the application form for a certificate of financial responsibility in schedule A, contain all the information required thereon, be accompanied by the stipulated documents and be transmitted to the *Fonds d'indemnisation*.

The *Fonds d'indemnisation* may require any additional information and document which may be helpful in its evaluation. Also, the applicant must agree to allow the *Fonds d'indemnisation* to audit his books and financial statements at any time.

- 3.** The applicant must prove that he has set up a process enabling prompt and efficient handling of any claim made following an accident.
- 4.** The applicant must produce proof of financial responsibility in accordance with the criteria mentioned in Divisions III to V.

Division III

SURETY BOND

5. If the applicant provides a bond of a corporation authorized to become a judicial surety, such bond must be valid for the duration of the registration period and may not be cancelled without written notice to the *Fonds d'indemnisation*. Cancellation shall take effect thirty days following receipt of such notice.

A bond must guarantee the payment of any final judgment rendered against the applicant following an accident occurring during the registration period up to \$50 000. per accident, plus the interest and judicial costs which shall not be computed in respect of an amount greater than such sum, as well as the faithful and complete carrying out of the obligations imposed upon the applicant under the Act.

The surety must be held responsible jointly and severally with the applicant.

The beneficiary of the bond must be the Minister of Finance.

Division IV

DEPOSITS

6. If the applicant makes a deposit in cash or in bonds issued or guaranteed by Québec, the amount of the deposit must correspond to the following minima:

1 automobile: \$50 000;

2 to 15: \$50 000 plus \$10 000 per automobile beginning with the 1st;

16 to 75: \$200 000 plus \$2 500 per automobile beginning with the 16th;

76 and more: \$350 000 plus \$500 per automobile beginning with the 76th.

Deposits in cash must be made by certified cheque payable to the Minister of Finance.

Bonds must be made payable to the bearer and their market value only shall be recognized.

7. The deposit is transmitted by the *Fonds d'indemnisation* to the Minister of Finance who keeps it in trust for such time as the holder possesses a certificate of financial responsibility, plus two years. If, following an accident which occurred while the certificate of financial responsibility was in effect, an action taken against the holder has not received a final judgment prior to the expiry of such additional period, the Minister of Finance shall keep the deposit in trust until a final judgment has been rendered.

8. The deposit must be used only to satisfy a final judgment rendered against a holder, following an accident which occurred while he was the holder of a certificate of financial responsibility, and this to amount of \$50 000 including interest and costs.

9. The deposit must be kept, at all times, at the amount fixed in accordance with this Division. If it is reduced, the certificate shall be withdrawn.

Division V

INSURANCE FUND

10. A corporation which produces a certificate attesting that it maintains, in trust, an adequate separate insurance fund, must have been incorporated three-years before the application.

11. The amount that must be contained in the separate insurance fund of the corporation shall be determined in accordance with:

- (a) the corporation's history of accidents over the three-year period preceding the application, including the number of accidents and the paid, pending and expected claims;
- (b) the number of automobile owned by the corporation; and,
- (c) the nature of the corporation's operation.

However, at start of the registration period for which the certificate of financial responsibility is issued, the amount making up the separate insurance fund must not be less than \$200 000.

12. The separate insurance fund must be made up only of cash or bonds issued or guaranteed by the government of Québec, Canada or another province, and only the market value of such bonds shall be recognized.

The amounts paid into this fund shall be used only to pay a claim arising from, an accident which occurred while the applicant was the holder of a certificate of financial responsibility under this Division.

13. A holder who maintains a separate insurance fund must maintain it in Canada in a chartered bank, savings and credit union or trust company, or in another manner accepted by the *Fonds d'indemnisation*.

A holder must keep separate accounts showing in detail the operation of its account in trust. The holder must deposit in the separate insurance fund only the sums provided for that purpose, and must only disburse the latter in accordance with the conditions of the trust fund contract.

14. The separate insurance fund must be maintained throughout the duration of the registration period.

However, if the holder does not renew, in the manner prescribed in this Division, its certificate of financial responsibility upon its expiry, the fund must be maintained for two additional years. However, if, an action taken against the holder following an accident which occurred while the certificate of financial

responsibility was in effect, has not received final judgment prior to the expiry of such additional period the fund must be maintained until final judgment has been rendered.

15. Every three months, beginning with the date on which it obtained its certificate of financial responsibility, the holder of a certificate of financial responsibility must transmit to the *Fonds d'indemnisation* a detailed account of his trust operations.

Division VI

OBLIGATIONS OF HOLDERS OF CERTIFICATES OF FINANCIAL RESPONSIBILITY

16. The holder of a certificate of financial responsibility must provide the *Fonds d'indemnisation* with a monthly report on the changes in his or its fleet of automobiles and on the nature of his or its operations.

17. The holder must inform the *Fonds d'indemnisation* of any change of address within ten days of such change.

If the holder is a corporation which does not have its head office in Québec, it must designate a representative in Québec authorized to receive any notice, document, communication or notification made under this Regulation.

18. Within thirty days of an accident involving an automobile owned by it or him, the holder of a certificate of financial responsibility must provide the *Fonds d'indemnisation* with a written report containing the following information:

- (a) the date of the accident;
- (b) a description of the accident;
- (c) the name and address of the owner of the damaged property;

- (d) if the accident occurred outside Québec, names and addresses of the victims and description of the bodily injuries sustained by them;
- (e) an estimate of the claims arising from the accident; and,
- (f) the amount already paid, if applicable.

19. The *Fonds d'indemnisation* must be informed of any action taken against a holder following an accident within ten days of the service of the action. The holder shall inform the *Fonds d'indemnisation* thereof by sending a true copy of the action to its head office.

20. If the *Fonds d'indemnisation* is informed that an action has been taken against a holder that has provided proof of financial responsibility by making a deposit in accordance with the terms and conditions of Division IV, it may determine an additional proof of financial responsibility, equal to the amount claimed in the conclusions of the action, plus costs and interest, to be used to pay the amount claimed. However, the amount of the additional proof must not exceed \$50 000.

The holder must take up the deposit within the period permitted and in the manner prescribed in Division IV. If the holder does not make up such deposit, the *Fonds d'indemnisation* shall withdraw the certificate of financial responsibility.

21. When the *Fonds d'indemnisation* receives proof of a final judgment or of a transaction terminating the action, the *Fonds* must give effect thereto out of the amount of the additional proof of financial responsibility provided by the holder under section 20 and remit the surplus, if applicable, to the holder.

If the amount of the additional proof of financial responsibility is not sufficient to satisfy the judgment, the *Fonds d'indemnisation* must ensure that the balance is paid out of the initial deposit provided by the holder under Division IV.

However, the total amount disbursed by the *Fonds d'indemnisation* to comply with a judgment may not exceed \$50 000 including costs and interest.

22. When the *Fonds d'indemnisation* concludes that the amount of the separate insurance fund provided by a holder under Division V might be insufficient to cover claims, it may require that an additional sum be deposited in trust.

If a holder does not comply within the period of time permitted, the *Fonds d'indemnisation* shall withdraw the certificate of financial responsibility.

Notwithstanding the foregoing, the holder may be exempt from providing such additional sum by providing a bond or deposit in the manner prescribed in Divisions III and IV.

23. The *Fonds d'indemnisation* may withdraw a certificate of financial responsibility if the holder no longer has the required qualifications, or if the amount of the proof of financial responsibility is deemed insufficient.

24. The Director must be informed by the *Fonds d'indemnisation* each time that the latter withdraws a certificate of financial responsibility.

Division VII

COMING INTO FORCE

25. This Regulation shall come into force on 1 March 1978.

SCHEDULE A

Fonds d'indemnisation

APPLICATION FOR A CERTIFICATE OF FINANCIAL RESPONSIBILITY

The undersigned, hereafter called the applicant, hereby makes application to become a holder of a certificate of financial responsibility.

It is understood that if the *Fonds d'indemnisation* decides to issue a certificate of financial responsibility, it may annul such certificate at any time, if the applicant no longer meets the required qualifications or if the amount of the proof of financial responsibility becomes insufficient.

A certificate of financial responsibility is requested for the period beginning on the..... day of..... and ending on the..... day of

1. Name of applicant:
2. Address of his principal residence in Québec:
 In the case of a corporation, the address of its head office if in Québec

 If there is no head office in Québec, the name and address of the person designated by the corporation to represent it for the purposes of the Automobile Insurance Act:

3. Type of business (if applicable):
4. Do you hold a certificate of financial responsibility outside Québec?
 Location:..... Number:
5. Do you, at the present time, hold a certificate of financial responsibility in Québec?
 YES NO
 If so, when did you receive it?
6. Have you already had a certificate of financial responsibility refused or annulled in Québec or elsewhere?
 YES NO
 If so, give details

7. Have you established procedures for the reception and investigation of claims?

YES NO

If so, give details:

.....

.....

8. This application is accompanied by:

- (i) a surety bond
- (ii) a deposit by certified cheque
- (iii) a deposit bond
- (iv) a certificate attesting to the existence, in trust,
of a separate insurance fund

9. The information requested below must be given for each automobile for which the applicant requests a certificate of financial responsibility (if necessary, continue on separate page and attach to this application).

Year of manufacture	Make	Model	Serial number	Weight

Note: Answer questions 10 to 13 if the applicant is a corporation producing a certificate attesting that it has, in trust, an adequate separate insurance fund.

10. Give the following information for the automobiles of which you were the owner and which have been involved in accidents in Québec in the *three-year period preceding this application*.

(A) Insurance

If applicable, the name of your insurance company and the policy number

	19	19	19
Total number of automobiles in operation in Québec	\$	\$	\$
Total number of claims			
Number of claims settled by payment and amount paid out	\$	\$	\$
Number of claims settled without payment			
Number of claims pending and the amount of reserves			

(B) Accidents

Total number of automobiles in operation in Québec

Total number of claims

Number of claims settled by payment and amount paid out

Number of claims settled without payment

Number of claims pending and the amount of reserves

11. Has the applicant previously been declared bankrupt, made a voluntary assignment of his property to his creditors or made a bankruptcy proposal? YES NO

If so, state: date ;
 name of trustee ;
 address of trustee ;
 date of discharge ;

12. Has one of the applicant's directors or officers made a declaration of bankruptcy, an assignment of his property or a bankruptcy proposal? YES NO

If so, give the same information as in question 11:

.....

13. Enclose the following documents:

(A) Financial statements for the three years preceding this application:

- (i) the balance sheet
 (ii) the statement of revenues and expenditures
 (iii) a continuity of the capital or surplus account
 (iv) the notes to the financial statements
 (v) report of an auditor entitled to practice public accounting in Québec, giving his opinion with regard to the financial statements and stating whether or not the financial statements comply with generally recognized accounting practices;

(B) Certificate of good standing issued by the Companies Branch of the Department of Consumer Affairs, Cooperatives and Financial Institutions;
 where applicable, the equivalent, issued in accordance with the law in effect where the corporation was incorporated;

(C) One copy of the document incorporating the applicant;

(D) A list of the names, addresses and occupations of the applicant's directors or officers.

The applicant agrees to permit the *Fonds d'indemnisation* to audit its books and financial statements at any time.

I, , the applicant, or the
 authorized signatory of the corporation, in my capacity as
 declare that the information given in this application and in every document annexed hereto is true and complete.
 Dated at this day of
 19.....

Signature

Any person making a false declaration commits a serious offence.

Proclamation

Canada
Province of HUGUES LAPOINTE
Québec
[L.S.]

ÉLISABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these letters come or whom they may concern,

GREETING.

Proclamation

WHEREAS the Automobile Insurance Act (Bill 67, 1977) was assented to on 22 December 1977;

WHEREAS section 245 of the said Act stipulates that it shall come into force on the day of its sanction, except section 241 which shall come into force on 9 January 1978 and certain sections which shall come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by such proclamation, which shall come into force on any later date to be fixed by proclamation of the Government;

WHEREAS it is expedient that paragraphs 4 and 19 of section 1, sections 225 to 233 as well as sections 235, 238, 243 and 244 of the said Act come into force on 5 January 1978 and the other sections not yet in force pursuant to section 245 of the Act and to this text come into force on any later date to be fixed by proclamation of the Government;

THEREFORE, with the advice and consent of Our *Conseil exécutif*, expressed in Order 20-78 dated 5 January 1978, We have ordered and do hereby order,

upon the recommendation of the Minister of Consumer Affairs, Cooperatives and Financial Institutions:

THAT 5 January 1978 be fixed as the date of coming into force of paragraphs 4 and 19 of section 1, sections 225 to 233 and sections 235, 238, 243 and 244 of the Act, and that the other sections not yet in force pursuant to section 245 of the Act and to this text come into force on any later date to be fixed by proclamation of the Government;

ALL OUR LOYAL SUBJECTS and all others whom these letters may concern must take notice hereof and act accordingly.

IN WITNESS WHEREOF, We have had these letters made patent and the Great Seal of Our Province of Québec affixed to them;

WITNESS: Our Right Trusty and Well-beloved the Honourable HUGUES LAPOINTE, P.C., Q.C., Lieutenant-Governor of Our Province of Québec.

Given in Our Parliament Buildings, in Our City of Québec, in Our Province of Québec, this fifth day of January in the year of Our Lord one thousand nine hundred and seventy-eight and in the twenty-sixth year of Our Reign.

By command,

RENÉ LANGEVIN,
Assistant Deputy Attorney General.

Libro: 504

Folio: 130

103-o

Canada
 Province of Québec
 [L.S.]

HUGUES LAPOINTE

ÉLISABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these letters come or whom they may concern,

GREETING.

Proclamation

WHEREAS the Automobile Insurance Act (Bill 67, 1977) was assented to on 22 December 1977;

WHEREAS section 245 of the said Act stipulates that it shall come into force on the day of its sanction, except section 241 which shall come into force on 9 January 1978 and certain sections which shall come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by such proclamation, which shall come into force on any later date to be fixed by proclamation of the Government;

WHEREAS it is expedient that paragraphs 2, 8 and 27 of section 1, sections 156 to 176 and section 215 come into force on 11 January 1978 and the other sections not yet in force pursuant to section 245 of the Act and to this text come into force on any later date to be fixed by proclamation of the Government;

THEREFORE, with the advice and consent of Our *Conseil exécutif*, expressed in Order 54-78 dated 11 January 1978, We have ordered and do hereby order, upon the recommendation of the Minister of Consumer Affairs, Cooperatives and Financial Institutions:

THAT 11 January 1978 be fixed as the date of coming into force of paragraphs 2, 8 and 27 of section 1, sections 156 to 176 and section 215 of the Automobile Insurance Act, and that the other sections not yet in force pursuant to section 245 of the Act and to this text

come into force on any later date to be fixed by proclamation of the Government;

ALL OUR LOYAL SUBJECTS and all others whom these letters may concern must take notice hereof and act accordingly.

IN WITNESS WHEREOF, We have had these letters made patent and the Great Seal of Our Province of Québec affixed to them;

WITNESS: Our Right Trusty and Well-beloved the Honourable HUGUES LAPOINTE, P.C., Q.C., Lieutenant-Governor of Our Province of Québec.

Given in Our Parliament Buildings, in Our City of Québec, in Our Province of Québec, this eleventh day of January in the year of Our Lord one thousand nine hundred and seventy-eight and in the twenty-sixth year of Our Reign.

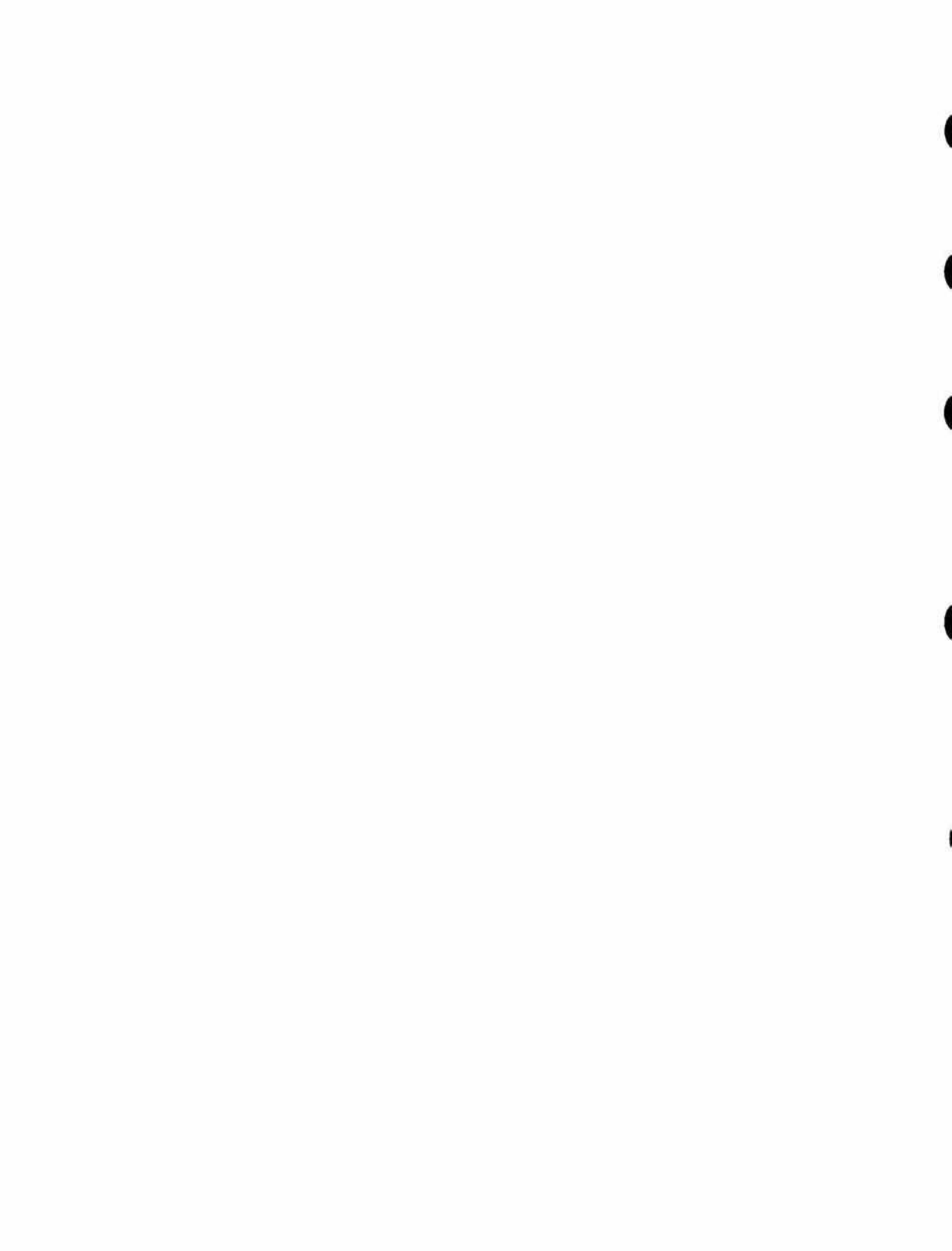
By command,

RENÉ LANGEVIN,
Assistant Deputy Attorney General.

Libro: 504

Folio: 131

103-o



Canada
Province of HUGUES LAPOINTE
Québec
[L.S.]

ÉLISABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her Other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith.

To all to whom these letters come or whom they may concern,

GREETING.

Proclamation

WHEREAS the Act to amend the Labour Code and the Labour and Manpower Department Act (Bill 45, 1977) was assented to on 22 December 1977;

WHEREAS, in accordance with the provisions of section 74, the said Act shall come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by such proclamation, which shall come into force, in whole or in part, on any later date to be fixed by proclamation of the Government;

WHEREAS it is expedient that the said Act come into force on 1 February 1978, except sections 7, 8, 11, 16, 17, 23, 24, 25, 26, 32 and 63 and sections 19*b* and 19*c* of the Labour Code enacted by section 9 of the said Act and section 38 of the Labour Code enacted by section 28 of the said Act;

WHEREAS it is expedient that sections 7, 8, 11, 16, 17, 23, 24, 25, 26, 32 and 63 and sections 19*b* and 19*c* of the Labour Code enacted by section 9 of the said Act and section 38 of the Labour Code enacted by section 28 of the said Act come into force on 1 April 1978;

THEREFORE, with the advice and consent of Our *Conseil exécutif*, expressed in Order 92-78 dated 11 January 1978, We have ordered and do hereby order,

upon the recommendation of the Minister of Labour and Manpower:

THAT 1 February 1978 be fixed as the date of coming into force of the Act to amend the Labour Code and the Labour and Manpower Department Act, except sections 7, 8, 11, 16, 17, 23, 24, 25, 26, 32 and 63 and sections 19*b* and 19*c* of the Labour Code enacted by section 9 of the said Act and section 38 of the Labour Code enacted by section 28 of the said Act;

THAT 1 April 1978 be fixed as the date of coming into force of sections 7, 8, 11, 16, 17, 23, 24, 25, 26, 32 and 63, and sections 19*b* and 19*c* of the Labour Code enacted by section 9 of the said Act and section 38 of the Labour Code enacted by section 28 of the said Act.

ALL OUR LOYAL SUBJECTS and all others whom these letters may concern must take notice hereof and act accordingly.

IN WITNESS WHEREOF, We have had these letters made patent and the Great Seal of Our Province of Québec affixed to them;

WITNESS: Our Right Trusty and Well-beloved the Honourable HUGUES LAPOINTE, P.C., Q.C., Lieutenant-Governor of Our Province of Québec.

Given in Our Parliament Buildings, in Our City of Québec, in Our Province of Québec, this eleventh day of January in the year of Our Lord one thousand nine hundred and seventy-eight and in the twenty-sixth year of Our Reign.

By command,

RENÉ LANGEVIN,
Assistant Deputy Attorney General.

Libro: 504
Folio: 132

103-o

INDEX	Statutory Instruments (Regulations)	Abbreviations: A — Abrogated N — New M — Modified	
		Page	Comments
Regulations — Statutes			
	Automobile Insurance Act - Certain definitions (1977, c. 68)	1669	N
	Automobile Insurance Act - Certain lump sum indemnities (1977, c. 68)	1631	N
	Automobile Insurance Act - Certificate of financial responsibility (1977, c. 68)	1683	N
	Automobile Insurance Act - Coming into force of certain sections on 5 January 1978 (1977, c. 68)	1691	Proclamation
	Automobile Insurance Act - Coming into force of certain sections on 11 January 1978 (1977, c. 68)	1693	Proclamation
	Automobile Insurance Act - Indemnities	1619	N
	Automobile Insurance Act - Liability insurance contract - Exemptions (1977, c. 68)	1681	N
	Automobile Insurance Act - Monthly supplementary certificates or tempo- rary registration certificates - Fee exigible - 1978 (1977, c. 68)	1677	N
	Automobile Insurance Act - Reimbursement (1977, c. 68)	1673	N
	Automobile Insurance Act - Rules of proof and procedure (1977, c. 68)	1663	N
	Labour and Manpower Department Act, amended - Coming into force of certain sections on 1 February and 1 April 1978 (1977, c. 41)	1695	Proclamation
	Labour Code, amended - Coming into force of certain sections on 1 Februa- ry and 1 April 1978 (1977, c. 41)	1695	Proclamation



TABLE OF CONTENTS

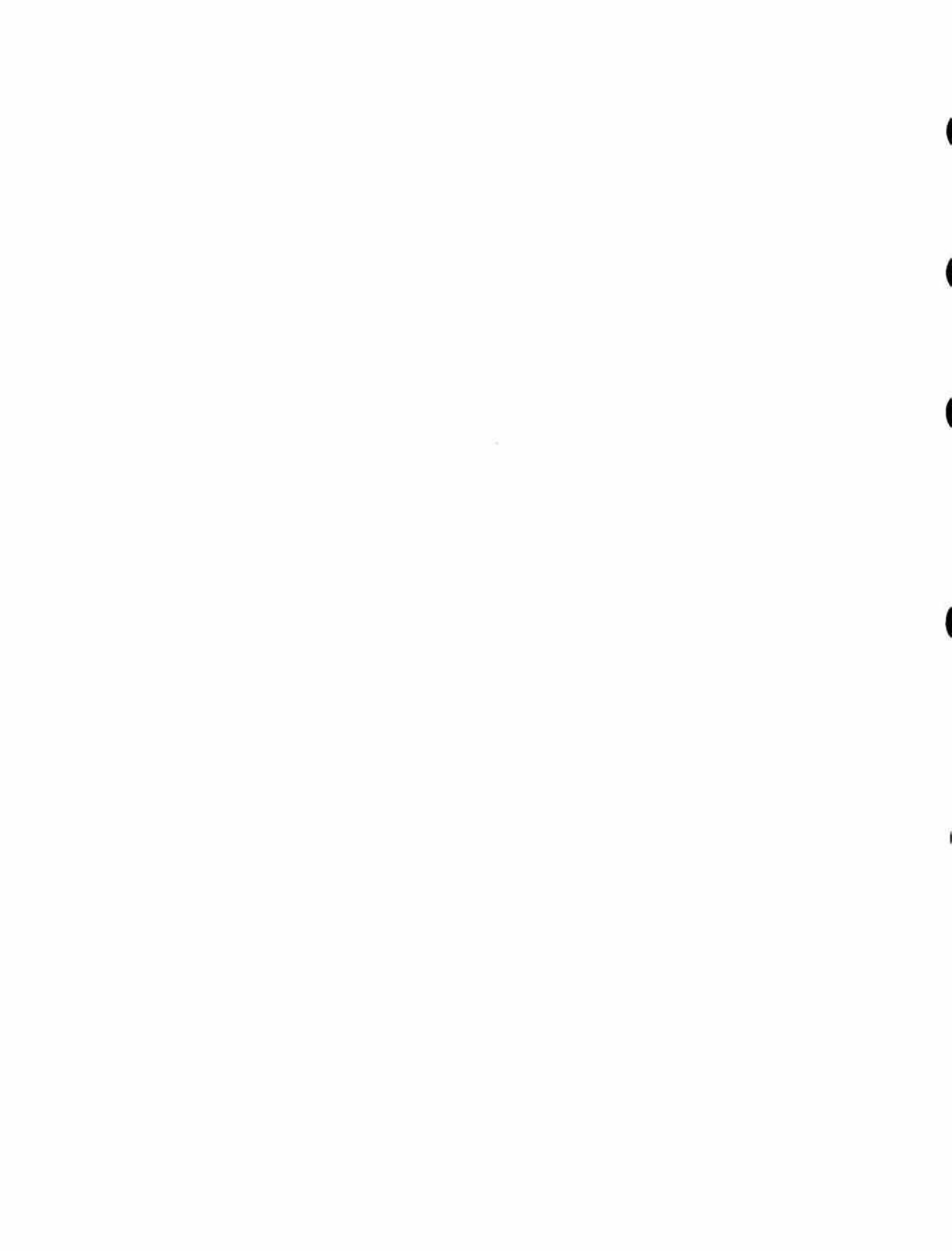
Page

ORDERS IN COUNCIL

371-78	Automobile insurance - Indemnities.....	1619
372-78	Automobile insurance - Certain lump sum indemnities	1631
373-78	Automobile insurance - Rules of proof and procedure.....	1663
374-78	Automobile insurance - Certain definitions.....	1669
375-78	Automobile insurance - Reimbursement.....	1673
376-78	Automobile insurance - Monthly supplementary certificates or temporary registration certificates - Fee exigible - 1978.....	1677
377-78	Automobile insurance - Liability insurance contract - Exemptions	1681
378-78	Automobile insurance - Certificate of financial responsibility	1683

PROCLAMATIONS

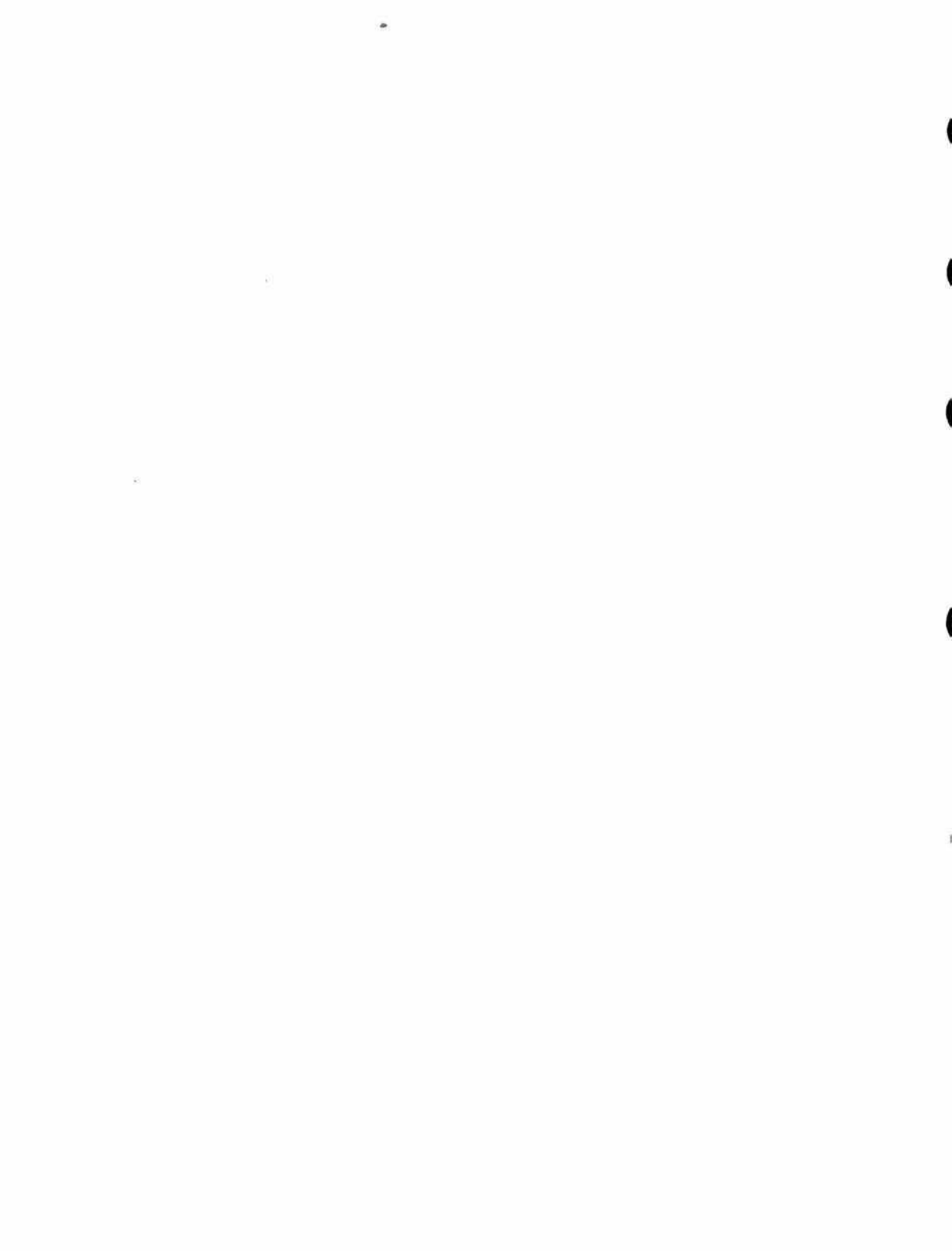
Automobile Insurance Act - Coming into force of certain sections on 5 January 1978	1691
Automobile Insurance Act - Coming into force of certain sections on 11 January 1978	1693
Labour and Manpower Department Act, amended - Coming into force of certain sections on 1 February and 1 April 1978.....	1695
Labour Code, amended - Coming into force of certain sections on 1 February and 1 April 1978	1695



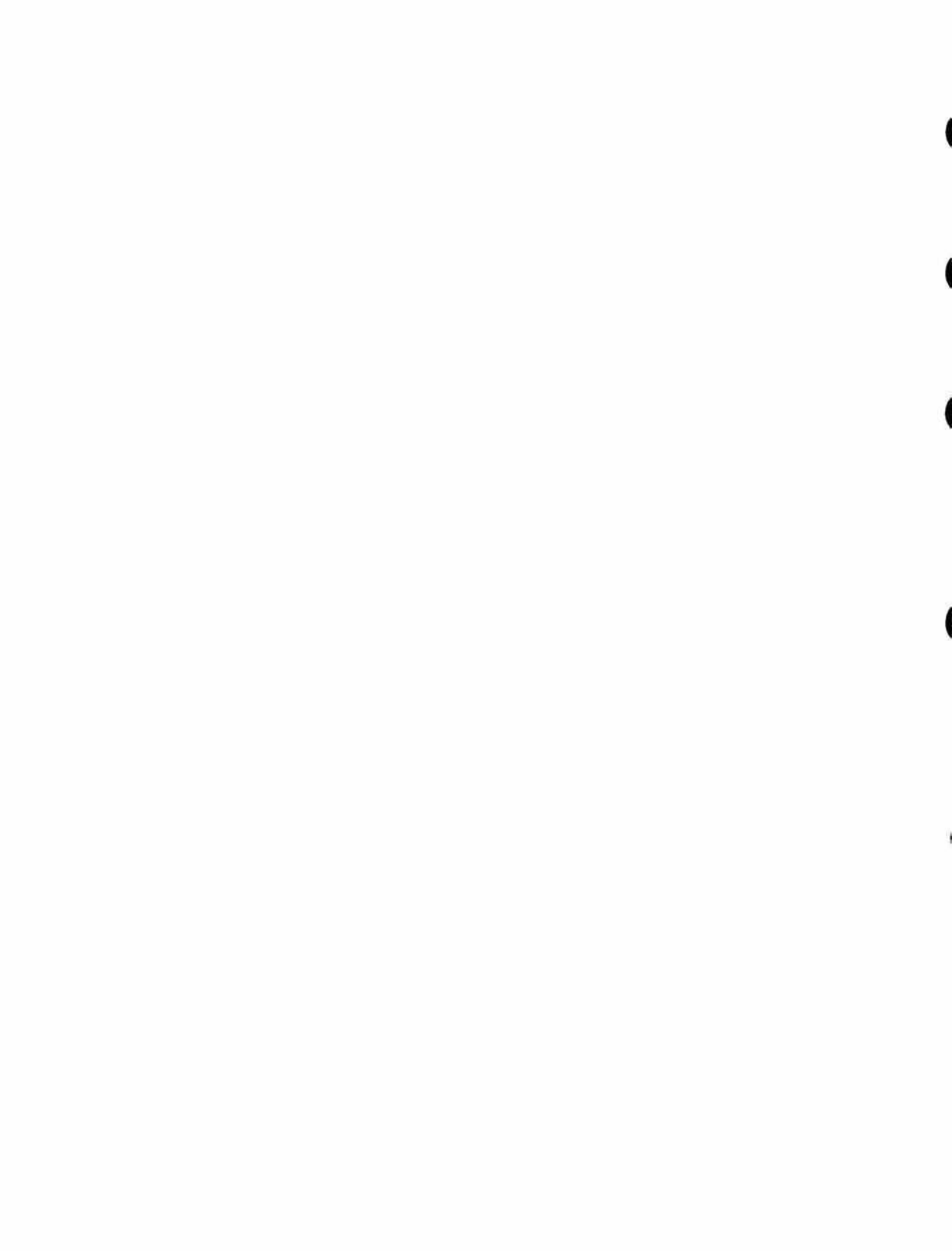












nouveautés

LANGAGE ET LANGUE

Deuxième rencontre des traducteurs et terminologues du Québec: Compte-rendu:
Château Montebello 28, 29 et 30 novembre 1976

par Claire Chamberland

Min. Conseil exécutif, Régie de la langue française
Québec, 1977, 38 f., 28 cm
ISBN 0-7754-2764-0
EOQ 3360, broché \$ 1.00

Les implications linguistiques de l'intervention juridique de l'État dans le domaine de la langue:
Actes du colloque international de sociolinguistique:
Lac Delage, (Québec) du 3 au 6 octobre 1976

Min. Conseil exécutif,
Office de la langue française
Québec, 1978, 205 p., 28 cm
ISBN 0-7754-3020-X
EOQ 3363, broché \$ 2.50

Les relations entre la langue anglaise et la langue française: Actes du colloque international de terminologie: Conseil international de la langue française: Paris, Mai 1975

par Monique Héroux

Min. Conseil exécutif,
Office de la langue française
Québec, 1978, 185 p., 28 cm
ISBN 0-7754-3019-6
EOQ 3361, broché \$ 3.00

Recueil des textes législatifs sur l'emploi des langues: Chapitre no 5: Belgique: Édition provisoire.

par Marie-Claire Mattot, ed.

Min. Conseil exécutif,
Office de la langue française
Québec, 1977, 168 p., 28 cm
ISBN 0-7754-2927-9
EOQ 3357, broché \$ 3.00

Recueil des textes législatifs sur l'emploi des langues: Chapitre no 6: La Suisse: Édition provisoire

par Marie-Claire Mattot, ed.

Min. Conseil exécutif,
Régie de la langue française
Québec, 1977, 71 p., 27 cm
ISBN 0-7754-2779-9
EOQ 3359, broché \$ 1.50

Recueil des textes législatifs sur l'emploi des langues: Chapitre no 7: Communautés européennes: Chapitre no 8: Conseil de l'Europe: Édition provisoire

par Marie-Claire Mattot, ed.

Min. Conseil exécutif,
Office de la langue française
Québec, 1977, 31-19 p., 28 cm
ISBN 0-7754-2928-7
EOQ 3358, broché \$ 1.00

COMMERCE

Les chalutiers et les cordiers au Québec 1976

Min. Industrie et Commerce,
Bureau de la statistique du Québec
Québec, 1978, XIV-89 p., tabl., 27 cm
ISBN 0-7754-3075-7
EOQ 3351, broché \$ 2.00

**Les pêches maritimes:
Pour une stratégie quinquennale:**
Les conférences socio-économiques

Min. Conseil exécutif, Secrétariat des conférences socio-économiques
Québec, 1978, 62 p., tabl., 24 cm
ISBN 0-7754-3049-8
EOQ 3341, broché \$ 2.00

JUSTICE ET LÉGISLATION

Loi de l'aide juridique: 1972: c. 14, sanctionnée le 8 juillet 1972, modifiée par 1975, c. 15 = *Legal Aid Act: 1972, c. 14, Assented to 8th July 1972, Amended by 1972, c. 15*

Min. Justice
Québec, mars 1978, 30 p., 24 cm
ISBN 0-7754-2717-9
EOQ 3348, broché \$ 1.15

Rédaction et interprétation des lois

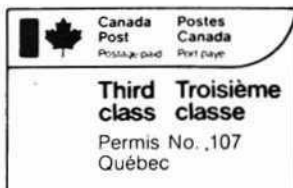
par Louis-Philippe Pigeon

Min. Communications, Éditeur officiel du Québec
Québec, 1978, 2e éd., 70 p., 22 cm
— (Études juridiques)
ISBN 0-7754-2998-8
EOQ 3335, broché \$ 3.00



**L'ÉDITEUR OFFICIEL
DU QUÉBEC**

1283, BOUL. CHAREST OUEST
QUÉBEC G1N 2C9



Où se procurer les publications vendues par le Gouvernement du Québec

Commandes postales

L'Éditeur officiel du Québec
1283, boul. Charest ouest
Québec
G1N 2C9

Librairies de l'Éditeur officiel du Québec

Québec

Place Sainte-Foy
Tél.: 643-8035

Cité parlementaire

Centre administratif «G»
Rez-de-chaussée
Tél.: 643-3895

Montréal

Complexe Desjardins
150, rue Sainte-Catherine ouest
Tél.: 873-6101

Hull

662, boul. Saint-Joseph
Tél.: 770-0111

Trois-Rivières

418, rue des Forges
Tél.: 375-4811

Librairies dépositaires

Amos

Librairie Querbes
241, 1ère Avenue ouest
Tél.: 732-5201

Chicoutimi

Librairie Régionale Inc.
461, rue Racine est
Tél.: 549-1767

Joliette

Librairie René Martin Inc.
598, Saint-Viateur
Tél.: 759-2622

Sherbrooke

Librairie Dussault
Carrefour de l'Estrie
Tél.: 569-9957

Librairie de la cité universitaire

Cité universitaire
Sherbrooke
Tél.: 569-9461

Îles-de-la-Madeleine

Papeterie A.M. Hubert Inc.
C.P. 818 Cap aux Meules
Tél.: 986-2900

Valleyfield

Librairie Boyer
10, rue Nicholson
Tél.: 373-6211

Rimouski

EBEQ
150, Ave. de la Cathédrale
Tél.: 723-8521

Toronto (Ontario)

Librairie Garneau Ltée
1253, Bay Street
Tél.: 923-4678

Ottawa (Ontario)

Librairie Dussault
321, rue Dalousie
Tél.: 236-2331

St-Hyacinthe

Comptoir du Livre Inc.
548 ave Mondor
Tél.: 774-4488

Saint-Boniface (Winnipeg)

Librairie Landry
180 boul. Provencher
Tél.: 233-3407

Drummondville

Librairie du Centre Catholique Inc.
254 Brock
Tél.: 478-0880

Rouyn

Service Scolaire
150, Perreault est
Tél.: 764-5166

Gaspé

Bellavance Inc.
Place Jacques Cartier
Tél.: 368-5777