

# Gazette officielle du Québec

(English Edition)

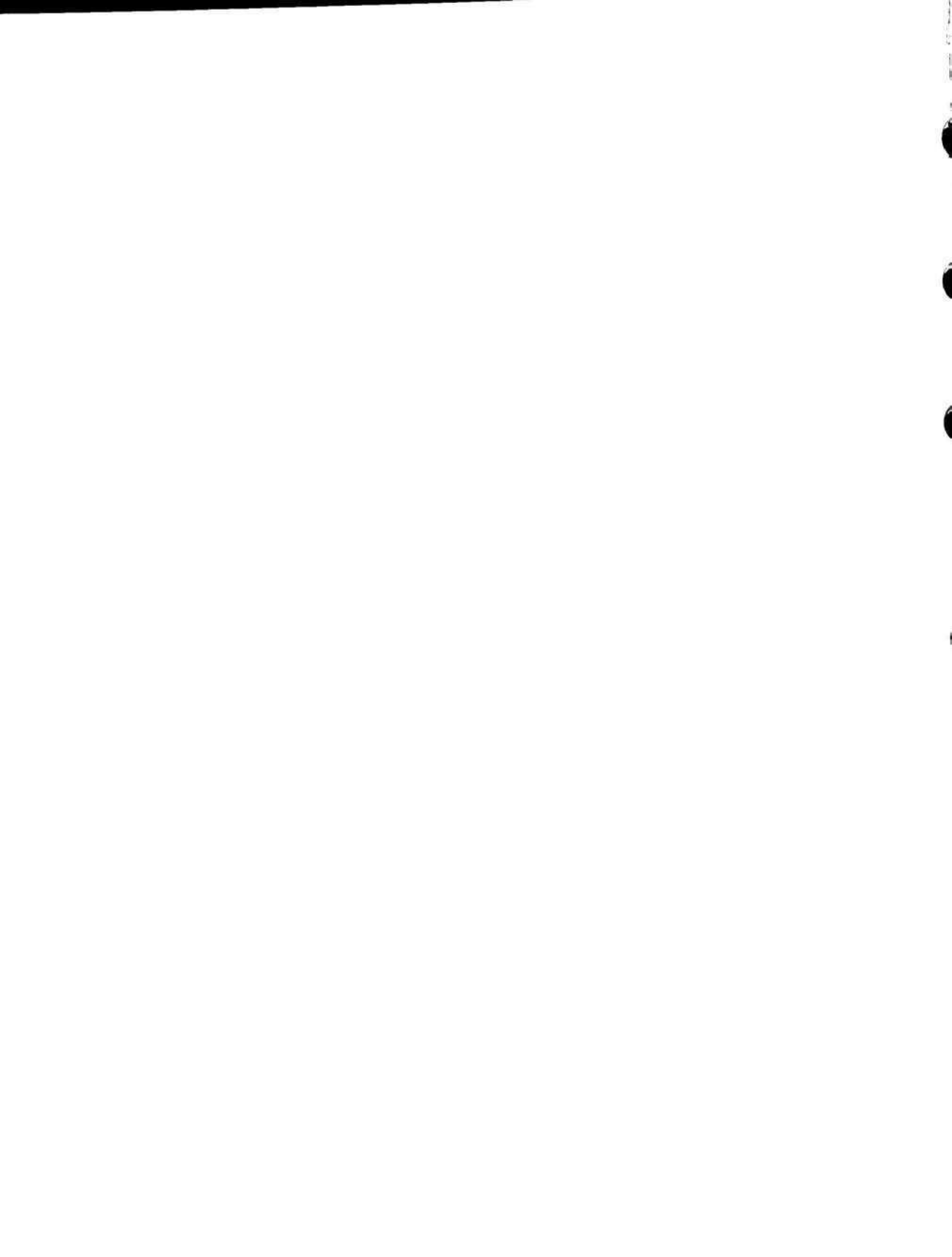
Part 2

Laws and  
Regulations

Volume 116

20 June 1984  
No. 26

Québec 



# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 116  
20 June 1984  
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The *Gazette officielle du Québec* (Laws and Regulations) is published under the authority of the Legislature Act (R.S.Q., c. L-1) and the Regulation respecting the *Gazette officielle du Québec* (O.C. 3333-81 dated 2 December 1981 amended by O.C. 2856-82 dated 8 December 1982).

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2° proclamations of Acts;

3° regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;

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6° rules of practice made by judicial courts and quasi-judicial tribunals;

7° drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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The English version contains the English text of the documents described in paragraphs 1, 2, 3, 5, 6 and 7 of section 1.

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### 4. Publication rates

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## Orders in Council

Gouvernement du Québec

### O.C. 1321-84, 6 June 1984

Hospital Insurance Act  
(R.S.Q., c. A-28)

#### Regulation

##### — Amendment

Regulation respecting the application of the Hospital Insurance Act (Amendment) Regulation

WHEREAS under section 8 of the Hospital Insurance Act (R.S.Q., c. A-28) the Government may make regulations in order to carry out this Act and to determine, especially, insured services to be provided to residents of Québec;

WHEREAS the Regulation respecting the Hospital Insurance Act (R.R.Q., 1981, c. A-28, r. 1) was made;

WHEREAS it is expedient to further amend this regulation in order to determine insured services to be provided to residents of Québec;

IT IS ORDERED, therefore, upon the recommendation of the ministre des Affaires sociales:

THAT the Hospital Insurance Act (Amendment) Regulation attached to this Order in Council, be made;

THAT the Regulation be published in the *Gazette officielle du Québec*.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

### Hospital Insurance Act (Amendment) Regulation

Hospital Insurance Act  
(R.S.Q., c. A-28)

1. The Regulation respecting the application of the Hospital Insurance Act (R.R.Q., 1981, c. A-28, r. 1), as amended by the regulations made by Orders in Council 1036-82 dated 28 April 1982 (Suppl., p. 80), 1180-82 dated 19 May 1982 (Suppl., p. 81), 1490-82

dated 23 June 1982 (Suppl., p. 82), 1314-83 dated 22 June 1983 and 1523-83 dated 2 August 1983, is further amended by substituting the following for the first paragraph of section 3:

“3. Insured services include the following services when required from a medical or dental point of view:”

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

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Gouvernement du Québec

## O.C. 1330-84, 6 June 1984

An Act to promote forest credit by private institutions (1983, c. 16)

### Forest Credit — Private Institutions

#### Forest Credit (Private Institutions) Regulation

WHEREAS under section 51 of the Act to promote forest credit by private institutions (1983, c. 16), assented to on 22 June 1983, the Government may make regulations for the purposes of the Act;

WHEREAS it is expedient to make regulations for the application of the Act;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Energy and Resources:

THAT the Forest Credit (Private Institutions) Regulation attached hereto be made;

THAT the Regulation be published in the *Gazette officielle du Québec*.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

### Forest Credit (Private Institutions) Regulation

An Act to promote forest credit by private institutions (1983, c. 16, s. 51)

#### DIVISION I INTERPRETATION

1. For the purposes of sections 6, 7 and 14 of the Act to promote forest credit by private institutions (1983, c. 16), unless the context indicates otherwise:

“forest improvement”: means the purchase or application of pesticides or fertilizers, the pruning of trees and branches, the delimitation of the land boundaries and surveying;

“forest management”: means replanting and other silvicultural work for the development of the forest; this expression also means drainage for the sole purpose of developing the forest and soil-preparation work for seeding or planting;

“protection of the forest against deteriorative agents”: means the purchase of equipment for fighting forest

fires and controlling insects and diseases, the development of water points and installation of firebreaks and spraying.

“Purchase, installation, repair or improvement of material or equipment for a maple sugary”: means the purchase, installation, repair or improvement of evaporator, buckets, spouts, tanks, portable borers, bucket washers, tubing, tubing washers, vacuum pumps with or without transfer pump, dumping units, sap separators or any other material or equipment for the operation of a maple sugary or for the processing by the borrower of the products of a maple sugary he operates;

“Purchase of forest seeds and plants”: means the purchase of forest seeds and plants to be used to establish a forest or a plantation intended for the production of Christmas trees (achat de semences et de plants forestiers);

“Purchase or repair of forest machinery, equipment or implements”: means the purchase or repair of tools, implements, appliances equipment and machines of a kind not usually attached to land or buildings and which are to be used chiefly in the forest of which the borrower is owner or lessee, or on public lands in respect of which the borrower is the permit holder or the manager, and the purchase or repair of vehicles used for the development of the said forest or land, including skidders of all kinds, but excluding automobiles and trucks. Without restricting the generality of the foregoing, these expressions include inter alia tractors on steel tracks not exceeding 50 kilowatts, trailers, wheeled tractors or tractors with rubber tracks of any power, hauling winches, self-propelled loaders, planters, plows, harrows and rippers of all kinds, engines, bench saws, chain saws, mulching-machines, chippers, portable barkers, Christmas-tree packers, spreaders, sprayers and mowers.

“to process wood otherwise than on a small scale industrial basis”: means that a natural person engages either personally or through a corporation over which he has control or in which he holds the majority in number and value of voting shares issued by the corporation, either through a cooperative in which he holds the majority of shares, or through a partnership in which he has a majority interest, in the processing, during a single year of more than 1 500 solid cubic metres, or the equivalent, of timber intended for peeling, sawing or the production of pulp and paper;

**2.** For the purposes of this Regulation:

"chartered bank": means a bank incorporated under an Act of the Parliament of Canada and to which the Bank Act (S.C., 1980-81, c. 40) applies;

"Act": means the Act to promote forest credit by private institutions (1983, c. 16);

"Office": means the Office du crédit agricole du Québec;

"six-month period": means a six-month period beginning on 1 June or 1 December.

**DIVISION II**

**DESIGNATED INSTITUTIONS**

**3.** The following institutions may grant a loan under the Act:

(1) The Fiducie du Québec, a corporation incorporated under the Trust Companies Act (R.S.Q., c. C-41);

(2) The Crédit industriel Desjardins Inc., a corporation incorporated under the Companies Act (R.S.Q., c. C-38);

(3) Assurance-vie Desjardins, a corporation incorporated under the Act to Incorporate Desjardins Mutual Life Assurance Company (S.C. 1959, c. 60);

(4) Les Coopérants, Société Mutuelle d'Assurance-Vie, resulting from the merger of the corporations Les Artisans, Société coopérative d'assurance-vie and Les Coopérants, Compagnie mutuelle d'assurance-vie made under section 90 of the Canadian and British Insurance Companies Act (R.S.C., 1970, c. I-15);

(5) Société d'hypothèque Banque Nationale, corporation incorporated by letters patent issued under the Loan Companies Act (R.S.C., c. L-12);

(6) The Trust Général du Canada, corporation incorporated under the Act to Amalgamate the General Trust of Canada and the Administration and Trust Company (S.Q., c. 1970, c. 80); and

(7) any Société d'entraide économique governed by the Act respecting the Sociétés d'entraide économique (R.S.Q., c. S-25.1).

**DIVISION III**

**GENERAL BASIS FOR APPRAISING FORESTS AND MOVEABLES OFFERED AS SECURITY**

**4.** The general basis for appraising forests for the purposes of the Act shall depend on the marketing data for the region concerned on the date of appraisal and on

the volume and value of the standing timber in the forest offered as security and of the buildings therein. The correlation between the volume and value of standing timber and the value of the said buildings and that resulting from a comparative study of the said marketing data shall be used by the Office to establish the value of the forest offered as security.

If the loan is to be used, entirely or in part, for the construction of forest roads or access roads to the forest, for reforestation or any other improvement of a permanent nature designed to increase the value of the forest, the added value thereby acquired shall be included in the valuation.

**5.** The general basis for appraising moveables offered as security for a loan shall depend on the marketing data for the region in question.

**DIVISION IV**  
**CERTIFICATE**

**6.** For the purposes of section 2 of the Act, the certificate specified therein must:

(1) give the name of the applicant, his company name, the address of his domicile, of his head office, or main place of business, and the number of his file at the Office;

(2) specify the maximum amount of the loan that the applicant is permitted to obtain under the Act, the term of the loan and the type of security required;

(3) note the purposes, method of payment and terms of the loan, a description of the property that is security for the loan and, where applicable, any other accessory or secondary conditions to which the loan is subject; and

(4) bear the signature of 2 persons duly authorized by the Office, the date and the place of issue and the official seal of the Office.

The following conditions apply to the certificate mentioned in the first paragraph:

(1) the approved loan must be contracted before expiry of the time indicated by the Office on the certificate or of any extension approved by the Office;

(2) the certificate shall be subject to modification or cancellation by the Office, if it was obtained through misrepresentation by the applicant, or if a significant change in his financial situation or in the status of the security offered occurred before all the parties signed the deed for the loan approved under the terms of the certificate; such modification or cancellation has no effect on the lender, unless the latter has been notified

in writing by the Office before execution of the deed; and

(3) the certificate may not be transferred and must be returned to the lender.

#### **DIVISION V**

#### **LEASE OF A LESSEE OR OF THE OCCUPANT OF A FOREST**

**7.** The lease of a lessee of a forest or the emphyteutic lease of the occupant of a forest must be evidenced by a notarial deed or by a deed under private seal, which must be registered.

The term of any lease covered by the first paragraph or, where applicable, the unelapsed term of such a lease must be at least equal to that of the loan, but in the case of the lease of a forest lessee that contains an optional renewal in favour of the lessee, the period of renewal provided in that clause is also taken into account, provided the lessee pledges in writing to avail himself of the option, and to comply with the time limit in the lease, all the procedures or terms required to exercise the option and to register, before expiry of the initial time limit of the lease or the renewed time limit, as the case may be, a declaration containing those facts.

#### **DIVISION VI**

#### **BASE FOR AMORTIZATION AND METHODS OF REIMBURSEMENT**

**8.** Subject to section 10, the amortization of the principal of a loan used to establish the number of payments required to repay the loan in full shall be based on the amount of the first payment computed in the manner prescribed by section 9 and on a progression factor, which is used to compute the amount of all the subsequent payments, so that the total number of payments of principal is equal to the number of months or of six-month periods, as applicable, included in the duration of the repayment of the loan.

The factor mentioned in the first paragraph is  $\frac{1}{2}$  % for monthly instalments and 3 % for semi-annual instalments.

**9.** For the purposes of sections 8 and 10, the expression "duration of the repayment of the loan" means the period of time beginning on the first day of the month following that during which the loan was contracted, if it is payable in monthly instalments, or the first day of the six-month period following that during which the loan was contracted, if it is payable in semi-annual instalments, and ending on the date of expiry of the term of the loan.

**10.** For the purposes of section 8, the amount of the first payment is obtained by multiplying the amount of the loan by a progression factor of  $\frac{1}{2}$  % or 3 %, as applicable, prescribed in the section and by dividing the product of that multiplication by 1,005 or 1,03, as applicable, raised to the power corresponding to the number of months or six-month periods, as applicable, of the term of repayment of the loan and then reduced by 1.

**11.** To make it possible to apply the progression factor prescribed by section 8, the amount of the first payment, computed in accordance with the method prescribed by section 10, may be adjusted so that by rounding the subsequent payments to the nearest cent, no balance will remain after the last payment.

**12.** The reimbursement of the principal of any loan shall be made in consecutive monthly or semi-annual instalments, the first of which is payable on the date prescribed by section 13 and the last on a date not later than 30 years after the date on which it was contracted or, in the case of a loan secured principally or collaterally by a pledge under article 1979a of the Civil Code, on a date not later than fifteen years after the date on which it was contracted.

**13.** In the case of a loan whose principal is repayable in monthly or semi-annual instalments, the first payment is due:

(1) on the first day of the second month following that during which the loan was contracted, if it is payable in monthly instalments;

(2) six months after the due date of the first payment of the interest prescribed by paragraph 2 of section 14, if the loan is payable in semi-annual instalments.

**14.** The payment of the interest of a loan which must include only the interest accrued on any portion of the loan actually paid, is due at either of the following times:

(1) on the first day of the month immediately following the month during which the deed was signed, in the case of monthly instalments; or

(2) on the first day of the six-month period immediately following that during which the deed was signed and thereafter on the due date of each payment of principal and in addition to it, in the case of semi-annual instalments.

#### **DIVISION VII**

#### **RATE OF INTEREST**

**15.** The annual rate of interest of a loan may not exceed, at the time the loan is made, the prime rate

plus ½ % per annum and shall be adjusted, while it is outstanding, at the times and in the manner prescribed by sections 16 and 17.

For the purposes of this Regulation, the "prime rate" means the rate that is in force and applied on the day preceding the first day of each month by the majority of the following institutions: the chartered banks doing business in Québec and the Caisse centrale Desjardins du Québec.

For the purposes of this section, a chartered bank is deemed to be doing business in Québec when it has one or more branches in Québec.

**16.** Whenever, on the first day of a month, while the loan is outstanding, the prime rate, as defined in section 15, is different from that which was deemed to be the prime rate during the preceding month, the annual rate of interest payable on the balance of the loan is automatically adjusted, beginning from the first day, to the prime rate then existing as defined in that section, plus ½ % per annum.

**17.** Notwithstanding section 16, if the rate fixed by the terms of the deed of loan is less than the maximum rate of interest prescribed by section 15, the difference between such maximum rate and the annual rate if interest initially fixed by the terms of the deed of loan shall be included in any subsequent rate adjustment prescribed by section 16.

#### DIVISION VIII LOAN SECURITY

**18.** Instead of a security prescribed by sections 17 and 18 of the Act, any other security or bond determined by the Office may guarantee the repayment of a loan the amount of which does not exceed 25 000 \$, provided that the total or partial amount of such loan which must serve for any purchase or work covered by section 14 of the Act does not exceed 90 % of the value, determined by the Office, of the goods to be purchased or 90 % of the cost of work to be done.

In order to determine the amount of 25 000 \$ mentioned in the first paragraph, the Office shall take into account:

(1) the unpaid portion owed to the borrower on any loan he obtained or assumed payment of and for the repayment of which no immoveable or moveable security prescribed by sections 17 and 18 of the Act were required;

(2) of his share of the unpaid portion of any loan he obtained jointly, with any other person, or of which he assumed payment in the same manner, and for the

repayment of which no immoveable or moveable security prescribed by sections 17 and 18 of the Act was required.

#### DIVISION IX LIFE INSURANCE

**19.** Any natural person at least 18 and less than 45 years of age who obtains a loan secured by hypothec whose amount is 75 % or more of the value, as established by the Office, of the forest offered as security, or a loan secured by pledge of forest property, shall, if the Office so requires, transfer the benefits of a life insurance policy to the lender or participate in the group life insurance scheme for which persons who have obtained a loan under the Farm Credit Act (R.S.Q., c. C-75), or the Act to promote long term farm credit by private institutions (R.S.Q., c. C-75.1) are eligible, or for an amount equal to the first 50 000 \$ of the loan calculated in the manner prescribed by section 22 for the duration of the loan, but not later than the day preceding the seventieth birthday of the person, in order to secure, in the event of the said person's death, payment of the said amount or an amount equal to the actual balance owing on the principal of the loan, whichever is less.

**20.** Where a loan contemplated by section 19 is obtained by an association or group described in section 3 of the Act, the person at least 18 and less than 45 years of age that the Office designates and who is a member of such association or group, must transfer to the lender the benefits of a life insurance policy or participate in the scheme contemplated by section 19 for an amount equal to the first 50 000 \$ of the loan, calculated in the manner prescribed by section 22 and for the duration of the loan, but not later than the day preceding the seventieth birthday of the person, in order to secure, in the event of his death, payment of the said amount or an amount equivalent to the actual balance owing on the principal of the loan, whichever is less.

Notwithstanding the first paragraph, when more than one person at least 18 and less than 45 years of age are part of an association or group referred to in section 3 of the Act that obtained a loan under section 19, the Office decides whether the insurance is required for one or more of those persons and, where the insurance is required for more than one of them, the maximum amount of 50 000 \$ referred to in that paragraph shall be split between the persons designated by the Office in the proportions it shall determine.

**21.** When a loan is obtained, and during its term, the amount of compulsory life insurance contemplated by

section 19 and 20 shall apply first to the loan secured by pledge of forest property and then to the loan secured by hypothec.

Where a loan secured by hypothec contemplated by section 18 is obtained by a borrower at the same time as a loan secured by pledge of forest property for which the amount, calculated in the manner prescribed by section 22, is less than 50 000 \$, the part of the required amount of insurance that exceeds the amount of the loan secured by pledge of forest property must be applied to the first 50 000 \$ of the loan secured by hypothec.

**22.** For the purposes of establishing the first 50 000 \$ of the loan referred to in sections 19, 20 and 21, the Office shall calculate, based on the data available to it, as if it were part of the loan, the total amount of the actual balance or the part of the actual balance on the principal of the loans granted as of 1 August 1978, under the Act, the Farm Credit Act, the Act to promote long term farm credit by private institutions and the Forestry Credit Act (R.S.Q., c. C-78), for which payment is secured in the event of death of the person or persons described in sections 19 and 20 under the said scheme in accordance with sections 19 and 21 of this Regulation, of section 13 of the Regulation respecting the application of the Farm Credit Act (R.R.Q., 1981, c. 75, r. 1) or section 29 of the Regulation respecting the Act to promote long term farm credit by private institutions (R.R.Q., 1981, c. 75.1, r. 2) or section 23 of the Regulation respecting the application of the Forestry Credit Act (R.R.Q., 1981, c. C-78, r. 1).

**23.** Where the Office so prescribes in the terms of a loan it approves or grants to a natural person at least 18 and less than 45 years of age, the borrower shall, in regard to that loan or the part of the loan to which sections 19 to 21 do not apply, transfer to the lender, in addition to the amount required under the said sections, where applicable, the benefits of a life insurance policy, or participate in a group life insurance scheme contemplated by section 19 for an amount equal to that of the loan or the part of the loan not subject to sections 19 to 21, or for a lesser amount which, in each case, shall be determined by the Office and must be maintained for the duration prescribed by the latter, but not longer than the duration of the loan or later than the date preceding that of the seventieth birthday of the person, in order to guarantee payment in the event of that person's death.

**24.** Every natural person at least 45 and less than 70 years of age who obtains a loan shall, if the Office so prescribes in the terms of the loan, transfer to the lender the benefits of a life insurance policy or partici-

pate in the scheme contemplated by section 19 for an amount determined by the Office and for the duration prescribed by it, but no longer than the term of the loan or later than the date preceding the seventieth birthday of the person, in order to guarantee payment of the loan in the case of that person's death.

**25.** Where a loan is obtained by an association or group described in section 3 of the Act and if prescribed by the Office in the terms of the loan, sections 23 and 24 shall apply *mutatis mutandis* to all or part of the loan to which sections 19 to 21 do not apply. In that case, the Office shall designate the person who must maintain a life insurance policy in accordance with section 23 or 24 and shall determine the amount of the insurance for each person if insurance is required for several persons.

#### DIVISION X PROGRAM OF FINANCIAL OPERATIONS

**26.** Where the amount of the loan is 100 000 \$ or more, the loan must be accompanied by the program of financial operations prescribed by section 26 of the Act, including a written undertaking by the borrower to follow it at his own expense for the term of the loan, but not exceeding 15 years.

**27.** In order to establish the amount of 100 000 \$ prescribed by section 26, the Office shall take into account:

(1) the outstanding balance owed by the borrower on any loan he obtained or of which he assumed payment;

(2) his share of the outstanding balance on any loan he obtained jointly with any other person or of which he assumed payment in the same manner.

#### DIVISION XI MANAGEMENT PLAN

**28.** For the purposes of paragraph 2 of section 31 of the Act, a forest for which a loan is granted, or which serves as a security for a loan, is not subject to the management plan prescribed by section 30 of the Act, where such loan is obtained for one or more purposes mentioned in subparagraphs 4, 8, and 9 of the first paragraph of section 14 of the Act and its amount, taking into account the outstanding balance of any previous loan granted for one or more of these purposes, does not exceed 10 000 \$.

## DIVISION XII CONTRIBUTION TO PAYMENT OF INTEREST

**29.** Under the first paragraph of section 38 of the Act, the Office shall contribute to the payment of an amount of interest equal to interest at 5 % *per annum* on the entire amount of a loan not exceeding 200 000 \$ or, if it exceeds that amount, on the first 200 000 \$, provided that the borrower continues to meet the conditions required to be entitled under the Act.

In every case covered by the first paragraph, the contribution mentioned there shall be calculated taking into account the normal amortization of the loan in regard to the amount to which the contribution applies.

The contribution mentioned in the first paragraph does not apply in regard to interest on any amount of arrears of principal or of interest or charges and incidentals due on the loan, beginning from the date when the lender and the borrower agree on new terms for repayment of the loan in accordance with section 27 of the Act, and for which the new terms are agreed.

For the purposes of determining the maximum of 200 000 \$ set in the first paragraph to which the contribution there mentioned applies, the Office shall take into account at the date on which a loan is made:

(1) the balance due from the borrower on that date or his share of the balance due at that date on any loan that he obtained or of which he undertook payment under the Forestry Credit Act, either individually, or jointly with another person, and to which applies the rate of interest set in the first paragraph of section 6 of the Act or, the repayment of interest prescribed by the first paragraph of section 16 of the Act;

(2) the balance due from the borrower on that date or his share of the balance due on that date on the whole or part of any loan that he obtained or of which he undertook payment under the Forestry Credit Act, either individually, or jointly with any other person, to which applies the reduction in rate of interest mentioned in the third paragraph of section 6 of the Act or, the contribution to payment of the interest mentioned in the second paragraph of section 16 of the Act;

(3) the balance due from the borrower on that date or his share of the balance due at that date on the whole or part of any other loan that he obtained or of which he undertook payment under the Act, either individually, or jointly with any other person, to which applies the contribution mentioned in the first paragraph or the reduction in the rate of interest mentioned in section 35.

Where a person, association or group covered by section 3 of the Act undertakes, with permission of the lender and the Office, payment of the balance of a loan, the first and fourth paragraphs shall apply to determine, on the date of the deed under which the payment is assumed or under which the permission is granted, that amount of the part or whole of the balance to which the contribution mentioned in the first paragraph already applies, such contribution shall continue to apply.

Where two loans, the repayment of one of them being secured by a hypothec covered by section 17 of the Act and the repayment of the other being secured in the manner mentioned in section 18 of this Regulation or by a pledge covered by section 18 of the Act, are made on the same day or the payment of the balance of those loans is undertaken under the same deed or under two deeds signed on the same day, the Office shall, for the purpose of establishing in accordance with the fourth and fifth paragraphs, the maximum of 200 000 \$ prescribed by the first paragraph to which the contribution mentioned in that paragraph applies, take into account first the amount of the loan whose repayment is secured by such hypothec as if that loan had been obtained prior to the other loan.

Whenever a payment made in advance is credited as repayment of part of the principal of a loan not yet due, the Office shall, for the purpose of determining the portion of the balance of the loan in regard to which the contribution to the payment of interest prescribed by the first paragraph remains payable, consider that repayment as having been first made on the portion of the loan to which the contribution does not apply, and then upon that to which it does apply.

**30.** Subject to sections 31 and 34, the contribution to the payment of interest prescribed by section 29 shall be paid by the Office to the borrower, by a cheque to the joint order of the lender and the borrower, at the following times:

(1) from the first day of the six-month period immediately following that during which the loan was made: for the interest determined under this Regulation and under the deed of loan, accrued to such date on the amount paid on the loan before the last month of the six-month period during which the deed was signed, provided the Office has received, before the beginning of such month, any statement prescribed by section 47;

(2) from the first day of each subsequent six-month period: for the interest determined under this Regulation and under the deed of loan and due on such first day and, where applicable, for the whole or a part of the interest due before and for which such contribution has

not been paid, provided that the Office has obtained at least one month before, figures showing that there were at that time no arrears of principal or interest on the loan, or costs and incidental expenses exceeding 150 \$.

Where, on any of the dates of payment prescribed by subparagraph 2 of the first paragraph, the total amount of arrears on capital or interests and of costs and incidental expenses due on the loan referred to in that paragraph, according to the figures obtained by the Office, exceeds 150 \$, the payment of the contribution to the payment of interest, for the interest due on the loan on that date and, where applicable, for the interest previously due and for which such contribution has not been paid, shall be deferred and shall be made by the Office only during the month following that during which it obtains figures showing there are no arrears of capital or interest on the loan, or any costs and incidental expenses exceeding 150 \$.

**31.** For the purposes of protecting the debt resulting from a loan for which it pays, under this Division, a contribution to the payment of interest, or for protecting the securities held by the lender for the repayment of the loan, and unless the Office authorizes the borrower to use the amount of such contribution to pay for any other debt of the borrower, indicated by the Office, the borrower shall pay, and the lender may not authorize him to do otherwise, first to the lender, from the amount of such contribution paid by the Office, any payment in interest or capital due on such loan or any amount due on such loan as arrears of interest or capital, costs or incidental expenses, according to the order determined in paragraphs 1 and 2 of section 42.

**32.** Where, in conformity with section 31 of the Act, the forest for which a loan is granted or which serves as security for a loan must be subject to a management prescribed by section 29 and applicable to such loan shall be paid as provided in section 30, under the following terms:

(1) the borrower must have agreed, in the deed of loan, to forward to the Office, for the duration of the loan, not later than 30 April of each year, except for the year during which the deed was signed, a solemn declaration to the effect that he followed the prescriptions of the management plan for the period ended on 31 March of such year;

(2) the borrower must not have failed to follow the management plan;

(3) the borrower must have forwarded to the Office the solemn declaration prescribed by paragraph 1.

**33.** Where a borrower who was granted a loan under section 32 does not forward to the Office within the

time period prescribed by paragraph 1 of that section the declaration prescribed by the section, the payment of each instalment of the contribution to the payment of interest prescribed by section 29 which normally should be made on that loan on the dates prescribed by section 30, shall be deferred.

Subject to the third paragraph, any payment prescribed by the first paragraph that was deferred, shall be made to the borrower only on the condition that he forwards to the Office, within 5 years following expiry of the time limit prescribed by paragraph 1 of section 32, a solemn declaration showing that, during the year prescribed by section 32 for which he failed to forward within the time period prescribed by that paragraph the declaration prescribed by that section, and, where applicable, for any following year, he followed the management plan prescribed by that section, or that he failed to follow it for reasons beyond his control.

Any payment made under the second paragraph shall be made within 180 days following the date of reception by the Office of the declaration referred to in that paragraph, but if the Office is aware of any arrears of principal, interest, costs or incidental expenses on the loan in excess of 150 \$, such payment shall be made only during the month in which the Office obtains figures showing that such amount was paid to the lender or reduced to 150 \$ or less.

**34.** Subject to the second paragraph and notwithstanding sections 30 and 31, each time the payment of a contribution to the payment of the interest on a loan prescribed by section 29 is deferred, the Office shall pay directly to the lender, by a cheque to his order, to the credit of the borrower and in a reduction of any amount due from him on the loan or on any other loan granted by the same lender, the whole of such payment thus deferred or, where applicable, a portion of such amount, in either of the following cases:

(1) where the borrower sells all or part of the property used as a repayment security for the loan towards which the payment of the contribution to interest was deferred, and the product of such sale is not enough to repay completely the balance of such loan;

(2) where new repayment conditions are established under section 27 of the Act for the loan for which the payment of the contribution to the payment of interest was deferred;

(3) where the sums received by the lender or by the Office as agent of the lender upon sale of the security for a loan for which the payment of the contribution to the payment of interest was deferred, or following an action taken against the borrower or against any surety, claiming the total repayment of such loan, are not enough to repay such loan completely.

The fact that a borrower owes, on a loan for which the payment referred to in the first paragraph was deferred, a total amount in arrears of capital or costs or incidental expenses exceeding 150 \$ shall not prevent use of all or part of the amount of such payment in the manner prescribed by that paragraph, but such use shall not be permitted if the borrower has not met the conditions prescribed by section 32 or in the second paragraph of section 33.

### DIVISION XIII REDUCTION OF THE RATE OF INTEREST

**35.** Where a loan is granted by the Office, it shall, under the second paragraph of section 38 of the Act, it shall reduce the rate of interest by a percentage equal to 5 % *per annum* on the whole amount of the loan not exceeding 200 000 \$ or, if it exceeds that amount, on the first 200 000 \$, provided that the borrower continues to meet the conditions required to be entitled under the Act.

In both cases mentioned in the first paragraph, the reduction in rates of interest there mentioned shall be calculated by taking into account the normal amortization of the loan in application of the amount in regard to which the reduction applies.

The reduction in the rate of interest prescribed by the first paragraph does not apply in regard to interest on any amount of arrears of principal or of interest or charges and incidentals due on the loan, beginning from the date when the Office and the borrower agree on new terms of repayment of the loan in accordance with section 27 of the Act, and for which the new terms were agreed.

The fourth paragraph of section 29 shall apply, *mutatis mutandis*, to determine, on the date on which a loan is granted by the Office, the maximum amount of 200 000 \$ prescribed by the first paragraph to which the reduction in the rate of interest there prescribed applies.

The fifth, sixth and seventh paragraphs of section 29 shall apply *mutatis mutandis*, to any loan granted by the Office.

**36.** Subject to section 40, the reduction in the rate of interest prescribed by section 35 shall apply from the date of sending to the borrower by the Office of a notice of claim for payment of a semi-annual or monthly instalment, where applicable, of principal and interest, provided there is then on the loan no arrears of principal or interest or costs or incidental expenses exceeding 150 \$.

**37.** Where, at the time of the sending to the borrower of a notice mentioned in section 36, there are on the loan arrears of principal or interest and costs and incidental expenses whose total amount exceeds 150 \$, the Office shall defer the reduction in the rate of interest prescribed by section 35 for the payment of interest claimed in the notice and for any payment of interest previously due and for which such reduction has not been granted.

**38.** Where, under section 37, the reduction of the rate of interest is deferred for one or more instalments and that, following the sending of the notice mentioned in section 36, the borrower pays all or part of the arrears of principal or interest and fees and costs and incidental expenses due on the loan so that their total amount does not exceed 150 \$, the Office shall pay him, in the month following that during which such payment was made, an amount equivalent to the reduction in the rate of interest from which such borrower would have benefited if the amount had not been deferred, or the office agrees that the payment may be reduced by an equivalent amount, provided that the amount he receives from the borrower is sufficient to pay for:

(1) any amount exceeding 150 \$ of arrears in principal or interest and costs and incidental expenses on the loan;

(2) the payment referred to in the notice mentioned in section 36 less an amount equivalent to the reduction in the rate of interest applicable to such payment.

**39.** Where, under section 31 of the Act, the forest for which a loan is granted by the Office or which serves as a security for a loan granted by the Office is subject to a management plan, section 32 shall apply, *mutatis mutandis*, in order for the reduction in the rate of interest prescribed by section 35 to be granted for such loan.

**40.** Where the borrower does not forward to the Office the declaration prescribed by paragraph 1 of section 32 in accordance with the promise made in the deed of loan under section 39, the reduction in the rate of interest prescribed by section 35 which would normally be granted for such loan at the times of payment prescribed by section 36, shall be deferred.

Subject to the third paragraph, where the reduction in the rate of interest prescribed by section 35 is deferred under the first paragraph, the Office shall pay to the borrower the amount of any reduction in interest thus deferred, on the condition that the borrower forwards to him, within 5 years after the expiry date of the time period prescribed by paragraph 1 of section 32, a

solemn declaration showing that, during the year mentioned in section 32 for which he failed to forward within the time period prescribed by that paragraph the declaration prescribed by that section and, where applicable, during any subsequent year, he followed the management plan prescribed by that section, or that he could not follow it for reasons beyond his control.

Any payment made by the Office under the second paragraph shall be made within 180 days following the date on which the Office received the declaration prescribed by the second paragraph, except that, if at that time there are arrears of principal or interest or costs and incidental expenses on the loan in excess of 150 \$, such payment shall be made only during the month in which such amount is reimbursed to the Office or is reduced to 150 \$ or less.

**41.** Subject to the second paragraph and notwithstanding sections 36 to 38, whenever the reduction in the rate of interest for a loan under section 35 is deferred, the Office shall pay, to reduce any amount due by the borrower and payable on that loan or on any other loan granted by the Office, part or all of an amount equivalent to the amount the borrower would have been paid as a reduction in the rate of interest if such reduction had not been deferred, in either of the following cases:

(1) where the borrower sells all or part of the property constituting a guarantee for the repayment of a loan for which the reduction in the rate of interest was deferred, and the product of such sale is not enough to repay completely the balance of such loan;

(2) where new conditions for repayment are agreed upon under section 27 of the Act, for the loan on which the reduction in the rate of interest was deferred;

(3) where the amount received by the Office following the sale of the security for a loan for which the reduction in the rate of interest prescribed by section 35 was deferred, or following an action taken against the borrower or against any surety for the complete repayment of such loan, is not enough to repay the loan completely.

The fact that a borrower owes on the loan towards which the reduction in the rate of interest prescribed by the first paragraph was deferred a total amount of arrears of principal or interest and costs and incidental expenses exceeding 150 \$, shall not prevent the use, in the manner prescribed by that paragraph, of all or part of the amount of such reduction, but it may not be used in that manner if the borrower did not meet, where applicable, the other conditions prescribed by sections 32 and 39 or by the second paragraph of section 40.

#### **DIVISION XIV** **ASSIGNMENT OF PAYMENTS**

**42.** Any payment made following a deed of loan must be assigned in the following manner:

- (1) to legal fees;
- (2) to the amounts receivable on the debt or to the oldest claim in the following order:
  - (a) arrears of taxes;
  - (b) premiums or assessments for fire insurance;
  - (c) life insurance premiums;
  - (d) interest accrued on any amount prescribed by subparagraph *e*;
  - (e) expenses paid by the lender to protect his claim or his security;
  - (f) interest accrued on any arrears;
  - (g) interest due on the loan;
  - (h) capital due;
- (3) the capital not yet due on the loan.

#### **DIVISION XV** **RELEASE OF OR CHANGE IN MOVEABLE SECURITY**

**43.** Where a loan is secured by a pledge on a forest, the release prescribed by section 47 of the Act may be granted by the lender, without the consent of the Office, on a property constituting a moveable security for that loan if the borrower is not in default in his obligations under the terms of the deed of loan, provided that, in the opinion of the lender, it is urgent for the borrower to sell such property or to replace it, and provided the borrower's selling of such property and the lender's granting a release, do not reduce the borrower's ability to repay and do no endanger the security for the loan.

When a lender grants a release under the first paragraph on a property mentioned in that paragraph, he shall provide a description of it to the Office.

#### **DIVISION XVI** **SUBMISSION OF REPORTS, DOCUMENTS AND INFORMATION**

**44.** Any applicant who applies to the Office for the issuance of a certificate for obtaining a loan shall provide the Office with:

(1) the documents showing that he is eligible for a loan, that he has the moral and financial capacity to repay the loan he plans to obtain, that his project is compatible with forestry and the harvesting, development or rational use of the forest for which the loan is requested;

(2) documents which make it possible to verify the accuracy of the date provided in the application, to inspect and assess the property offered as a security, to examine the titles of ownership, to revise the report on the examination of titles concerning the immovables offered as security and to verify the expenses which may be attached to the moveable property offered as security.

**45.** The borrower shall provide the Office with a duplicate or copy, duly registered, or the deed of loan, of the deed under which he assumed payment of a loan, of the document attesting the undertaking prescribed by section 26 and, where applicable, any document which he must provide under that undertaking.

**46.** Where property securing a loan is destroyed or damaged, the borrower shall immediately notify the lender and the Office.

**47.** When a loan is made by a lender other than the Office, the lender must provide the Office with a payment slip on which are mentioned:

(1) the file number of the borrower registered on the certificate mentioned in section 2 of the Act;

(2) the date of the deed of loan;

(3) the rate of interest of the loan and the method of adjustment mentioned in the deed;

(4) the amount paid on the loan;

(5) the date of payment.

In the case of a loan where successive payments are made, the first paragraph applies to the first payment and, subject to section 48, the lender shall send to the Office at the time of each subsequent payment a slip giving its amount and date.

**48.** Where, according to the terms of payment of a loan or of part of a loan, the borrower must provide, prior to the payment of part or all of the loan, accounts, bills, or other vouchers for expenses incurred for the purposes for which the loan is granted, he shall send them to the Office together with a summary list of the names of his creditors, the amount owing to each, and the type of work performed related to each account, bill or other voucher.

**49.** For the duration of the repayment period of the loan granted by a lender other than the Office, the lender shall send to the Office, twice a year, immediately after the due date of an instalment of interest or capital on 1 June or 1 December of each year, a statement of the loan giving the amount due on the capital and, where applicable, any amount of capital, interest, costs and incidental expenses due and unpaid.

**50.** A lender other than the Office must notify the latter upon occurrence of any of the following:

(1) when, in respect of an amount of arrears owing on a loan, the principal of a loan, interest, costs, or incidental expenses indicated in the statement mentioned in section 49 and exceeding 150 \$, a sufficient payment has been made to the borrower to meet the arrears or to reduce them to an amount that does not exceed 150 \$;

(2) when payment is made in anticipation on the principal of a loan, by indicating the amount and the date of the payment;

(3) when compensation is paid by an insurer and remitted to the lender for the account of a borrower respecting damage caused to the property securing a loan as moveable or immovable security by indicating the amount of that compensation;

(4) when the lender gives his permission for the voluntary alienation of a pledged property or hypothecated immovable securing a loan or the partial or total release of a security or part or all of a property securing a loan as moveable or immovable security;

(5) when in respect of a hypothecated immovable securing a loan, a notice is given to the lender by the registrar in accordance with article 2161e of the Civil Code, a copy of the notice must then accompany the notice of the lender to the Office; and

(6) when, for one of the reasons prescribed by section 28 of the Act, the lender may, in accordance with the said section, declare the borrower no longer entitled to benefit from the terms granted, cancel the loan and claim repayment.

**51.** This Regulation comes into force on 30 June 1984.

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Gouvernement du Québec

## O.C. 1343-84, 6 June 1984

An Act respecting commercial establishments business hours  
(R.S.Q., c. H-2)

### Old Québec — Tourist area

#### "Old Québec" Tourist Area Regulation

WHEREAS under section 5 of the Act respecting commercial establishments business hours (R.S.Q., c. H-2), the Government may, by regulation and for the purposes of the Act, declare certain territories to be tourist areas, thereby exempting commercial establishments located therein from the application of the Act;

WHEREAS it is expedient to declare the territory of the city of Québec known as "Old Québec" a tourist area for the period from 1 May 1984 to 15 October 1984;

WHEREAS it is expedient to replace the Regulation declaring the territory of the city of Québec known under the name of "Old Québec" a tourist area for the period from 1 June 1983 to 15 October 1983, made by Order in Council 1151-83 dated 1 June 1983;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Industry, Commerce and Tourism:

THAT the "Old Québec" Tourist Area Regulation, attached hereto, be made.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

### "Old Québec" Tourist Area Regulation

An Act respecting commercial establishments business hours  
(R.S.Q., c. H-2)

1. The territory of the City of Québec known as "Old Québec" bounded by the fortification walls, to the north by Louise Basin, to the east and to the south by the St. Lawrence River is declared a tourist area for the period from 1 May 1984 to 15 October 1984.

2. This Regulation applies to retail commercial establishments located in the territory identified in section 1.

3. This Regulation replaces the Regulation declaring the territory of the city of Québec known under the name of "Old Québec" a tourist area for the period from 1 June 1983 to 15 October 1983, made by Order in Council 1151-83 dated 1 June 1983.

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

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Gouvernement du Québec

## O.C. 1347-84, 6 June 1984

Social Aid Act  
(R.S.Q., c. A-16)

### Regulation — Amendments

#### Social Aid (Amendment) Regulation

WHEREAS under section 31 of the Social Aid Act (R.S.Q., c. A-16) the Government made the "Regulation respecting social aid" (R.R.Q., 1981, c. A-16, r. 1);

WHEREAS it is expedient to amend the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Manpower and Income Security:

THAT the Social Aid (Amendment) Regulation, attached hereto, be made.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

### Social Aid (Amendment) Regulation

Social Aid Act  
(R.S.Q., c. A-16, s. 3)

1. The Regulation respecting social aid (R.R.Q., 1981, c. A-16, r. 1) amended by the Regulations made by Orders in Council 3446-81 dated 9 December 1981 (Suppl., p. 49), 3573-81 dated 22 December 1981 (Suppl., p. 51), 658-82 dated 17 March 1982 (Suppl., p. 52), 1686-82 dated 7 July 1982 (Suppl., p. 53), 1734-82 dated 13 July 1982 (Suppl., p. 54), 1904-82 dated 18 August 1982, 1999-82 dated 2 September 1982, 3077-82 dated 21 December 1982, 432-83 dated 9 March 1983, 2652-83 dated 14 December 1983, by Order in Council 203-84 dated 25 January 1984 and by Order in Council 872-84 dated 5 April 1984 is further amended by substituting the following for subparagraph *k* of section 1:

"(k) "value": the market value of property and specifically:

i. in the case of a residence: the value of the house and the land on which it stands as listed on the real estate assessment roll by the municipality, multiplied by the comparative assessment unit of the roll, subject to the provisions of the Act respecting municipal taxation (R.S.Q., c. F-2.1);

ii. in the case of a farm: the value of the land and buildings as listed on the real estate assessment roll by

the municipality, multiplied by the comparative assessment unit of the roll, subject to the provisions of the Act respecting municipal taxation, as well as the value of livestock and farm implements;

iii. in the case of self-employment: the value of moveable and immoveable property other than liquid assets used in carrying on such work;"

2. The following is substituted for the second paragraph of section 10 of the Regulation:

"However, it may also be granted for the month in which the application was made; in this case, ordinary needs are determined in proportion to the number of days left in the month on the date of application, in relation to the number of days in that month.

The total liquid assets of the household as of the date of the application, and income received or expected during the month of the application, without considering the period for which they are due, are deducted from previously determined needs.

Cheques in circulation on the day of the application are not deducted from the liquid assets of the household, except cheques to pay for housing, electricity and heating, cashable during the month in which the application is made."

3. Section 29 of the Regulation is amended:

(1) by substituting the following for subparagraph *b* of the first paragraph:

"(b) twice the monthly amount prescribed in subparagraph *a* for a family without dependent children, where both consorts are able-bodied and under 30 years of age."

(2) by inserting the following after the first paragraph:

"In the case of a family without children receiving uninterrupted aid following an application made before 1 July 1984, subparagraph *b* of the first paragraph does not apply if the said family had a child who died before 1 July 1984."

4. Section 32 of the Regulation is amended by substituting the following for paragraph *c*:

"(c) qualification for employment or development of the ability of recipients to hold a job (ss. 35 to 35.0.7):"

5. Section 33 of the Regulation is amended by substituting the following for the first paragraph:

"33. The aid shall meet the needs specified in Schedule B to protect health. It shall also meet, pursuant to the said Schedule, the cost of the funeral of an adult or of a dependent child except in the case of an unclaimed body within the meaning of section 57 of the Public Health Protection Act (R.S.Q., c. P-35)."

6. The Regulation is amended by adding the following after section 35.0.6:

"35.0.7 The aid shall also meet the cost required by a person attending a vocational training course that makes this person eligible for an allowance under the National Vocational Training Program Act (S.C., 1980-81-82-83, c. 109).

This cost is equal to the amount of the allowance paid, as reduced under subparagraph *f* of section 40.

For recipients covered by section 29, the cost is equal to the same amount less the difference between ordinary needs under section 23 and the amount prescribed in section 29.

However it shall not exceed:

i. for a family, 40 \$ plus 5 \$ per dependent child, plus 50 \$ in the case of a family including only one adult;

ii. for a single person, 25 \$;

The maximum provided in the fourth paragraph shall not apply to the month in which courses begin if aid for ordinary needs has been granted for at least 3 consecutive months without this paragraph having been applied during the six preceding months."

7. Section 36 of the Regulation is amended:

(1) by substituting the following for subparagraph *b* of the first paragraph:

"(b) prior authorization is given to meet it, except in case of emergency. In such a case, the request shall be made no later than 30 days after the need has been incurred of as soon as possible where the applicant shows that he or she could not have made the said request within that period;"

(2) by substituting the following for the third and fourth paragraphs:

"The cost of travel by taxi is paid, subject to subparagraph *e* of Schedule B, only if it is shown to be necessary by a medical certificate or if there is no more economical means of transportation available.

The cost of travel by ambulance is paid, subject to subparagraph *e* of Schedule B, only if it is shown to be necessary by a medical certificate or if it is authorized by the centrale de coordination of the Conseil de la

santé et des services sociaux of metropolitan Montréal."

8. Section 40 of the Regulation is amended by adding the following after subparagraph *f* of the first paragraph:

"In the case of allowances paid under the National Vocational Training Program Act (S.C., 1980-81-82-83, c. 109), the amount is reduced to the nearest 10 \$."

9. Section 42 of the Regulation is amended by substituting the following for what precedes subparagraph *a*:

"Income from work includes employment income, net commissions, net income from self-employment, from which is subtracted:"

10. The fifth paragraph of section 43 of the Regulation is revoked.

11. The following is substituted for the first paragraph of section 45 of the Regulation:

"45. Income from providing room or board as well as income derived from child care shall be considered in a proportion of 40 % with a minimum, in the case of room or board income, of 60 \$ for one person and of 30 \$ for each additional person in the same family."

12. Section 46 of the Regulation is amended by substituting "50 000 \$" for "40 000 \$" in subparagraph *b* of the first paragraph.

13. Paragraph *i* of section 47 of the Regulation is replaced by the following:

"(i) amounts received under the programs adopted subject to Division IX of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8)."

14. Schedule B to the Regulation is amended:

(1) by adding the following after clause *ii* of subparagraph *d*:

"iii. the cost of purchase, fitting, replacement or repair of visual aids determined by the Regulation respecting the application of the Health Insurance Act, lent to a visually handicapped person in accordance with the terms and conditions prescribed in this Regulation; the cost of such aids is reimbursed by the Régie de l'assurance-maladie to an establishment recognized for that purpose under the Health Insurance Act."

(2) by substituting "0,135 \$" for "0,065 \$" in section *e*.

15. This Regulation comes into force on 1 July 1984.

Gouvernement du Québec

## O.C. 1353-84, 6 June 1984

An Act respecting the Agence québécoise de valorisation industrielle de la recherche (1983, c. 42)

### Authorizations

Agence québécoise de valorisation industrielle de la recherche (Authorizations) Regulation

WHEREAS, pursuant to section 20 of the Act respecting the Agence québécoise de valorisation industrielle de la recherche (1983, c. 42), the Agence is required, in such cases and on such conditions as the Government may determine by regulation, to obtain the authorization of the Government or of the Minister, as the regulation may determine, to provide financial support;

WHEREAS it is expedient to make a regulation to that effect;

IT IS ORDERED, therefore, on the recommendation of the Minister for Science and Technology:

THAT the Agence québécoise de valorisation industrielle de la recherche (Authorizations) Regulation, attached hereto, be made.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

## Agence québécoise de valorisation industrielle de la recherche (Authorizations) Regulation

An Act respecting the Agence québécoise de valorisation industrielle de la recherche (1983, c. 42, s. 20)

1. The Agence shall obtain the authorization of the Government before providing financial support in the following cases:

(1) where the financial support is in excess of 1 000 000 \$;

(2) where it takes up a greater than 49 % interest in a limited liability partnership;

(3) where the financial support to be committed binds the Agence beyond total uncommitted authorized credits.

2. The Agence shall obtain the authorization of the Minister before providing financial support in the following cases:

(1) where the financial support is in grant form and exceeds 50 000 \$;

(2) where the financial support exceeds 300 000 \$.

3. This Regulation shall come into force on the tenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

**O.C. 1357-84, 6 June 1984**

Roads Act  
(R.S.Q., c. V-8)

**Tolls for the Use of Autoroutes  
— Amendment**

Tolls for the Use of Autoroutes (Amendment) Regulation

WHEREAS under section 105 of the Roads Act (R.S.Q., c. V-8), the Government may, by regulation, fix the tolls for the use of an automobile, according to the categories of vehicles that it determines or according to the number of persons carried per vehicle, and exempt from the payment of tolls a category of vehicles, certain vehicles of a category, or vehicles carrying such number of persons as it may fix.

WHEREAS the Regulation respecting tolls for the use of autoroutes was made by the Government by Order in Council 397-83 dated 9 March 1983 and amended by Orders in Council 381-84 dated 15 February 1984 and 436-84 dated 22 February 1984;

WHEREAS at the 16 May 1984 meeting of the Council of Ministers was decided to remove autoroute tolls;

WHEREAS for reasons of highway safety, the tolls may only be removed gradually as the facilities are dismantled;

WHEREAS under section 2 of the Regulation respecting tolls for the use of autoroutes, a preferential toll of 0,35 \$ applies from Monday to Friday on workdays only from 6:30 a.m. to 8:30 a.m. and from 4:30 p.m. to 6:30 p.m. at certain tollgates;

WHEREAS it is expedient to reduce the preferential toll to 0,25 \$ to apply at all tollgates until such time as tolls have been removed from all autoroutes;

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

THAT the Tolls for the Use of Autoroutes (Amendment) Regulation be made.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

**Tolls for the Use of Autoroutes  
(Amendment) Regulation**

Roads Act  
(R.S.Q., c. V-8, s. 105)

1. The Regulation respecting tolls for the use of autoroutes, made by Order in Council 397-83 dated 9 March 1983 and amended by Orders in Council 381-84 dated 15 February 1984 and 436-84 dated 22 February 1984, is further amended by substituting the following for section 2:

"2. Notwithstanding paragraph 1 of section 1, the toll for a 2-axle vehicle without double wheels is fixed at 0,25 \$ at each tollgate from Monday to Friday on workdays only, from 6:30 a.m. to 8:30 a.m. and from 4:30 p.m. to 6:30 p.m. "

2. This Regulation comes into force on 24 June 1984.

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Gouvernement du Québec

## O.C. 1359-84, 6 June 1984

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2)

### Garage employees

— Arthabaska, Thetford-Mines, *et al.*

### — Amendments

CONCERNING the Decree amending the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions

WHEREAS, pursuant to section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend a decree upon the recommendation of the Minister of Labour;

WHEREAS the contracting parties to the collective labour agreement rendered obligatory under the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions (R.R.Q., 1981, c. D-2, r. 42), amended by Order in Council 1106-82 of 5 May 1982 (Suppl., p. 454) have petitioned the Minister to submit to the Government for consideration and decision the following amendments to the Decree;

WHEREAS this petition was published in the *Gazette officielle du Québec* of 25 January 1984;

WHEREAS the objections set forth have been considered in pursuance of the Act;

WHEREAS there is reason to approve this petition as amended and to adopt for this purpose the attached Decree;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Decree amending the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions, attached hereto, be adopted.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

## Decree amending the Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2, s. 8)

1. The Decree respecting garage employees in the Arthabaska, Thetford-Mines, Granby and Sherbrooke regions (R.R.Q., 1981, c. D-2, r. 42), amended by Order in Council 1106-82 of 5 May 1982 (Suppl., p. 454), is further amended with respect to the list of contracting parties of the second part by abrogating the following party:

“Le Syndicat des employés de garages du comté de Wolfe;”

2. Section 1.01 of this Decree is amended:

1° by replacing subparagraph *ii* of paragraph *j* by the following:

*ii.* washing, waxing, cleaning, lubricating or driving motor vehicles;”

2° by adding after paragraph *o*, the following:

(*p*) “truck”: vehicle of a capacity of 8 600 kilograms or more;

(*q*) “establishment”: place where a motor vehicle is altered, repaired or dismantled or another place where work is performed on a motor vehicle or on one of the parts thereof. This word shall also designate a place where a professional employer and his employees or an artisan alter, repair or dismantle a motor vehicle at another place than the professional employer's or artisan's establishment;

(*r*) “remoulded tire specialist”: employee whose main work shall consist of remoulding tires, totally or partly.”

3. Section 2.02 of this Decree is replaced by the following:

“2.02 Territorial jurisdiction: This Decree applies to the municipalities listed in Schedule 1.”

4. Sections 3.04 and 3.05 of this Decree are replaced by the following:

**3.04 Serviceman and pump attendant:** The standard workweek shall consist of 44 hours scheduled over 5 days. The employee shall be entitled to 2 days' rest per week. The hours of the standard workday may not be scheduled over a period of more than 12 consecutive hours.

An employee shall receive a 10 % increase in his usual rate for each regular hour performed between 18 h and 7 h.

**3.05 Tire specialist and remoulded tire specialist:** The standard workweek shall be 44 hours scheduled over 5 days. An employee shall be entitled to 2 consecutive days' rest per week.

The hours of the standard workday of the first shift shall be scheduled between 7 h and 21 h and those of the second shift shall be scheduled between 21 h and 7 h.

An employee of the second shift and the employee who works on Sundays shall receive a 10 % increase in their usual rate."

5. Section 6.03 of this Decree is amended by replacing paragraph 2 by the following:

"(2) Subject to paragraph 1 of section 6.01, when a general holiday with pay falls on a Saturday or Sunday, the celebration of this holiday may be postponed within the 3 weeks preceding or following this date provided there is a prior written agreement between the employees and the employer. A copy of this agreement shall be forwarded to the parity committee before the date of the holiday concerned.

(3) Despite paragraph *b* of section 10.03, the temporary employee who is usually scheduled to work on a day falling on a general holiday with pay, shall be entitled to a pay equal to his usual wage for one working day."

6. The following 7.09 and 7.10 are added after section 7.08 of this Decree:

**7.09** An employee shall have the right to know the date of his annual vacation at least 4 weeks in advance.

**7.10** The employer shall not replace the holiday mentioned in sections 7.02 to 7.04 by a monetary compensation.

The employee, who on 1 May, has 5 years of continuous service for the same employer, may request to have his third week of vacation replaced by a monetary compensation if the establishment closes its

doors for 2 weeks on the occasion of the annual vacation".

7. Section 8.01 of this Decree is amended by replacing paragraph *b* by the following:

"(b) for the birth of his child, one working day's leave."

8. The following section 8.03 is added after section 8.02 of this Decree:

**8.03** An employee may be absent from work for one day, without a loss in wages, on his wedding day.

An employee may be absent from work, without a loss in wages, on the wedding day of one of his children.

An employee may also be absent from work for 2 days on the occasion of the birth or adoption of a child. For the birth of a child, the first day is the one mentioned in paragraph *b* of section 8.01, without prejudice to the application of section 8.02. In any other cases, the leave of absence shall be without pay."

9. Section 9.01 of this Decree is replaced by the following:

**9.01** Employees shall receive at least the following hourly rates for each category provided below:

As of  
20 June 1984

1. Journeyman:

A	10,00 \$
B	9,65
C	9,40

Apprentice:

4 <sup>th</sup> year	7,25
3 <sup>rd</sup> year	6,75
2 <sup>nd</sup> year	6,25
1 <sup>st</sup> year	6,00

2. Parts Clerk:

A	8,25
B	7,80
C	7,00

Apprentice:

4 <sup>th</sup> year	6,25
3 <sup>rd</sup> year	6,00
2 <sup>nd</sup> year	5,75
1 <sup>st</sup> year	5,25

	As of 20 June 1984
3. Serviceman:	
4 <sup>th</sup> grade	6,75 \$
3 <sup>rd</sup> grade	6,25
2 <sup>nd</sup> grade	5,75
1 <sup>st</sup> grade	5,00
4. Messenger:	5,00
5. Pump attendant:	4,50
6. Dismantler:	
6 <sup>th</sup> grade	9,40
5 <sup>th</sup> grade	8,70
4 <sup>th</sup> grade	7,40
3 <sup>rd</sup> grade	6,85
2 <sup>nd</sup> grade	5,90
1 <sup>st</sup> grade	5,50
7. Receiver/Shipper:	
4 <sup>th</sup> grade	6,70
3 <sup>rd</sup> grade	6,30
2 <sup>nd</sup> grade	6,00
1 <sup>st</sup> grade	5,25
8. Tire specialist and remoulded tire specialist:	
5 <sup>th</sup> grade	7,30
4 <sup>th</sup> grade	6,80
3 <sup>rd</sup> grade	6,50
2 <sup>nd</sup> grade	6,40
1 <sup>st</sup> grade	5,00 ."

**10.** Section 9.03 of this Decree is amended by abrogating the second paragraph.

**11.** Section 10.03 of this Decree is amended by replacing paragraph *b* by the following:

"(b) sections 3.06, 7.01, 7.02, 7.03, 7.06, 7.07, 9.01, 9.02, 9.03, 9.04, 9.05 and 10.02."

**12.** Section 12.01 of this Decree is replaced by the following:

"**12.01** The employee who works exclusively as a saddler, wheelright, blacksmith, brake specialist, suspension specialist, differential specialist, chassis or frame specialist, muffler specialist, polishing specialist, parts or accessories assembler, bumper repairer, battery specialist or glazier shall be entitled, depending on the length of his service, to the hourly rate established in section 9.01 for the apprentice or journeyman, as the case may be, and to any working conditions provided for the latter."

**13.** Section 13.01 of this Decree is replaced by the following:

"**13.01** The Decree shall remain in force until 30 September 1984. It is then automatically renewed from year to year thereafter, unless one of the contracting parties is opposed and gives a written notice to the Minister of Labour and to any other contracting party during August of 1984 or of any subsequent year."

**14.** The following Schedule is added at the end of this Decree:

#### "SCHEDULE 1

(s. 2.02)

#### ADMINISTRATIVE REGION 03 — QUÉBEC

##### Subregion 03 — Québec

Lyster.

##### Subregion 05 — Chaudière

Beaulac, Bernierville, Black-Lake, Courcelles, paroisse de Disraeli, village de Disraeli, Garthby, Gayhurst-Partie-Sud-Est, Halifax-Sud, village d'Inverness, canton d'Inverness, Ireland, Lac-Drolet, La Guadeloupe, Lambton, Leeds, Risborough et Partie de Marlow, Rivière-Blanche, Robertsonville, Sacré-Coeur-de-Jésus, Sacré-Coeur-de-Marie-Partie-Sud, Sainte-Anne-du-Lac, Saint-Antoine-de-Pontbriand, Sainte-Clothilde, Saint-Évariste-de-Forsyth, Saint-Fortunat, Saint-Jacques-de-Leeds, Saint-Jacques-le-Majeur-de-Wolfestown, Saint-Jean-de-Brébeuf, Saint-Joseph-de-Coleraine, Saint-Julien, Saint-Ludger, Saints-Martyrs-Canadiens, Saint-Méthode-de-Frontenac, Saint-Pierre-de-Broughton, Sainte-Praxède, Saint-Robert-Bellarmin, Saint-Sébastien, Thetford-Mines, Thetford-Partie-Sud.

#### ADMINISTRATIVE REGION 04 — TROIS-RIVIÈRES

##### Subregion 01 — Bois-Francs

Arthabaska, Chester-Est, Chester-Nord, Chester-Ouest, Chesterville, Daveluyville, Halifax-Nord, Laurierville, Maddington, Norbertville, Notre-Dame-de-Lourdes, Plessisville, paroisse de Plessisville, Princeville, paroisse de Princeville, Saint-Albert-de-Warwick, Sainte-Anne-du-Sault, paroisse de Sainte-Clothilde-de-Horton, village de Sainte-Clothilde-de-Horton, Saint-Christophe-d'Arthabaska, Saint-Pierre-Baptiste, Saint-Rémi-de-Tingwick, Saint-Rosaire, Sainte-Séraphine, Sainte-Sophie, Saint-Valère, Sainte-Victoire-d'Arthabaska, Tingwick, Victoriaville, Warwick, canton de Warwick.

**Subregion 03 — Mauricie**

Villeroiy.

**ADMINISTRATIVE REGION 05 — ESTRIE**

Asbestos, Ascot, Ascot-Corner, Audet, Ayer's-Cliff, Barford, Barnston, Barnston-Ouest, Beebe-Plain, Bishopton, Brompton, Brompton-Gore, Bromptonville, Bury, Chartierville, Cleveland, Clifton-Partie-Est, Coaticook, Compton, Compton-Station, Cookshire, Danville, Deauville, Ditton, Dixville, Dudswell, East-Angus, Eaton, Fleurimont, Fontainebleau, Frontenac, Ham-Nord, Hampden, Hatley, village de Hatley, Hatley-Partie-Ouest, Hereford, Kingsbury, Lac-Mégantic, La Patrie, Lennoxville, Lingwick, Magog, canton de Magog, Marbleton, Marston, Martinville, village de Melbourne, canton de Melbourne, Milan, Nantes, Newport, North-Hatley, Notre-Dame-de-Lourdes-de-Ham, Notre-Dame-des-Bois, Ogden, Omerville, Orford, Piopolis, Richmond, Rock-Forest, Rock-Island, Sawyerville, Scotstown, Sherbrooke, Shipton, Stanstead, Stanstead-Est, Stanstead-Plain, Stoke, Stormway, Stratford, Saint-Adrien, canton de Saint-Adrien, Saint-Augustin-de-Woburn, Saint-Camille, Sainte-Catherine-de-Hatley, Sainte-Cécile-de-Whitton, Saint-Claude, Saint-Denis-de-Brompton, Sainte-Edwidge-de-Clifton, Saint-Élie-d'Orford, Saint-François-Xavier-de-Brompton, village de Saint-Georges-de-Windsor, canton de Saint-Georges-de-Windsor, Saint-Gérard, Saint-Grégoire-de-Greenlay, village de Saint-Herménégilde, Saint-Herménégilde, Saint-Isidore-d'Auckland, Saint-Joseph-de-Ham-Sud, Saint-Malo, Saint-Mathieu-de-Dixville, Saint-Romain, Saint-Venant-de-Hereford, Trois-Lacs, Val-Racine, Waterville, canton de Weedon, village de Weedon-Centre, Wetsbury, Windsor, canton de Windsor, Wotton, Wottonville.

**ADMINISTRATIVE REGION 06 — MONTRÉAL****Subregion 01 — Granby**

Adamsville, Ange-Gardien, Béthanie, Bolton-Est, Bolton-Ouest, Brigham, Bromont, Cowansville, Dunham, Eastman, East-Farnham, Farnham, Granby, canton de Granby, Lac-Brome, Lawrenceville, Maricourt, Potton, Racine, Rainville, Roxton, Roxton-Falls, Shefford, village de Stukely-Sud, Stukely-Sud, Saint-Alphonse, Saint-Ange-Gardien, Sainte-Anne-de-Larochelle, Saint-Benoît-du-Lac, Sainte-Cécile-de-Milton, Saint-Césaire, paroisse de Saint-Césaire, Saint-Étienne-de-Bolton, Saint-Joachim-de-Shefford, Saint-Paul-d'Abbotsford, village de Sainte-Pudentienne, paroisse de Sainte-Pudentienne, Saint-Valérien-de-Milton, canton de Valcourt, Valcourt, Warden, Waterloo.

**Subregion 04 — Saint-Hyacinthe**

Paroisse de Saint-Damase, ville de Saint-Damase, Saint-Dominique, paroisse de Saint-Pie, village de Saint-Pie.”

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

2659

## Draft Regulation

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### Draft Regulation

Professional Code  
(R.S.Q., c. C-26)

Notarial Act  
(R.S.Q., c. N-2)

#### Honorary notaries

The Chairman of the Office des professions du Québec hereby gives notice in accordance with section 95 of the Professional Code (R.S.Q., c. C-26) that the Bureau of the Chambre des notaires du Québec made, pursuant to paragraph 9 of section 93 of the Notarial Act (R.S.Q., c. N-2), the Honorary Notaries Regulation, a copy of which is attached hereto.

The said Regulation will be submitted to the Government for approval upon the expiry of no less than 30 days following publication of this notice. Any person wishing to comment on the Regulation is asked to send his comments in writing to the Chairman of the Office des professions du Québec, 930, chemin Sainte-Foy, 7<sup>th</sup> floor, Québec, G1S 2L4, before the end of the 30 day period. Those comments may be sent by the Office to the persons, departments or agencies concerned.

ANDRÉ DESGAGNÉ,  
*Chairman of the Office  
des professions du Québec*

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#### Honorary Notaries Regulation

Notarial Act  
(R.S.Q., c. N-2, s. 93, par. 9)

1. The Bureau of the Chambre des notaires du Québec may, on written request to its secretary, confer the title of honorary notary on any person who:

- (1) has been on the roll for at least 15 years;
- (2) is no longer on the roll and has disposed on his records;
- (3) has never been subject to a disciplinary measure other than the one specified in subparagraph *a* of the first paragraph of section 156 of the Professional Code (R.S.Q., c. C-26);

(4) has paid all the sums for which he is liable towards the Chamber.

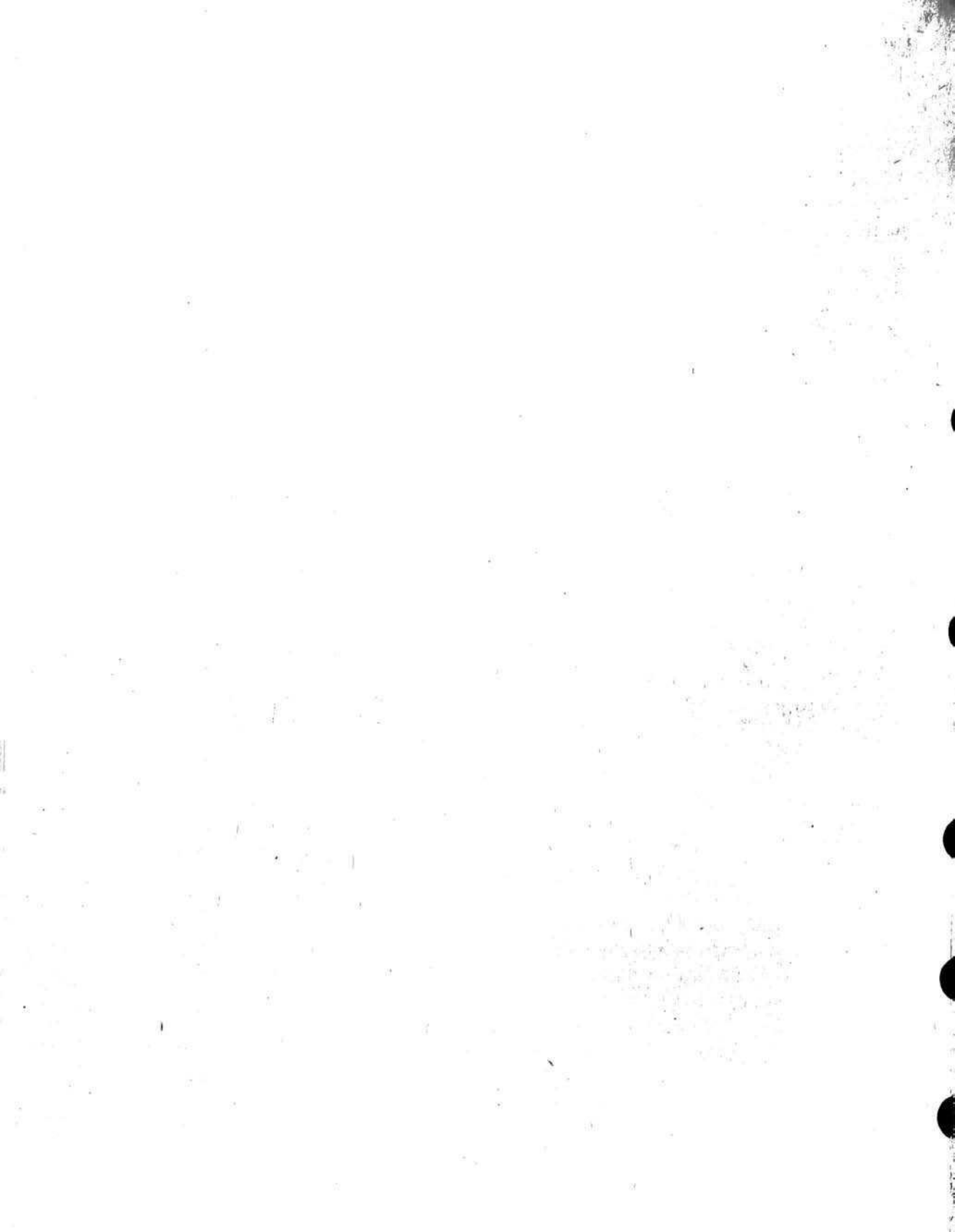
2. An honorary notary may:

- (1) participate in the activities of the Chamber; and
- (2) attend the general meeting, without the right to vote.

3. The Bureau shall withdraw the title of honorary notary from anyone who is re-entered on the roll or whose behavior towards the profession has been unworthy.

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

2651



## Notice

### Notice of adoption

Professional Code  
(R.S.Q., c. C-26)

The Minister responsible for the application of the laws respecting the professions, Mr. Yves Bérubé, hereby gives notice in accordance of section 186 of this Code that the Regulation fixing the standards for the issue and holding of permits to practice radiology was made on May 16 1984 under Order in Council 1139-84.

Therefore, this Regulation, a copy of which is annexed hereto, shall come into force on the day of publication of a notice in the *Gazette officielle du Québec* that it has been approved by the government.

ANDRÉ DESGAGNÉ,  
*Chairman of the Office  
des professions du Québec*

Gouvernement du Québec

### O.C. 1139-84, 16 May 1984

Professional Code  
(R.S.Q., c. C-26)

#### Chiropractors — Radiology Permits — Standards for Issue and Holding

Chiropractors' Radiology Permits (Standards for Issue and Holding) Regulation

WHEREAS under section 185 of the Professional Code (R.S.Q., c. C-26), no professional other than a physician, veterinary surgeon or dentist may practise radiology on animate beings without holding a permit provided for in section 186 of the said Code;

WHEREAS, under section 186 of the said Code, the Office des professions shall fix the standards for the issue and holding of permits to practise radiology;

WHEREAS, under section 187 of the said Code, a professional who wishes to obtain a permit provided for in section 186 shall apply for it to the Bureau of the

Corporation of which he is a member; and the Bureau of this Corporation shall issue the permit, in keeping with the standards of the Office, if the professional fulfils the conditions prescribed by these standards;

WHEREAS the Office, by resolution, adopted the Chiropractors' Radiology Permits (Standards for Issue and Holding) Regulation;

WHEREAS it is expedient to approve the said Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation concerning the professions:

THAT the Regulation attached hereto, entitled "Chiropractors' Radiology Permits (Standards for Issue and Holding) Regulation", be approved.

LOUIS BERNARD,  
*Clerk of the Conseil exécutif*

### Chiropractors' Radiology Permits (Standards for Issue and Holding) Regulation

Professional Code  
(R.S.Q., c. C-26, s. 186)

#### DIVISION I RADIOLOGY PERMITS COMMITTEE

1. The radiology permits committee shall consist of three members, including a person in charge, appointed by the Bureau of the Ordre des chiropraticiens du Québec. These members shall be chosen from among the chiropractors who are entered on the roll of the Order for at least three years and hold a radiology permit issued under this Regulation. They shall take office upon this appointment and remain in office until their death, resignation, replacement or striking off the roll.

2. The committee shall hold its sittings on the dates and at the times and places determined by the person in

charge of the committee. Two members constitute a quorum.

**3.** The duties of the committee are:

(1) to study applications for permits and to recommend that the Bureau issue a permit where a candidate meets the conditions prescribed in this Regulation;

(2) to carry out inspections of all chiropractors to ensure that they meet the conditions for the holding of permits;

(3) to recommend to the Bureau the renewal, non-renewal, suspension or revocation of the permit of each chiropractor holding such a permit; and

(4) to make recommendations to the Bureau respecting the content of the examination in radiology that chiropractors may be required to take.

**DIVISION II**  
**ISSUE OF PERMITS**

**4.** The Bureau shall issue a permit to a chiropractor who fulfils the following conditions:

(1) has filed his application in writing with the secretary of the Order in accordance with the Form in Schedule 1; and

(2) has followed a four-year course of study in chiropractic including a minimum of:

- (a) 55 hours in radiation protection;
- (b) 120 hours in radiological technique;
- (c) 125 hours in diagnostic radiology.

**5.** The Bureau shall also issue a permit to a chiropractor who has passed the examination in radiology of the Order without complying with section 4.

**6.** The Bureau shall determine the date, time and place of the annual examination in radiology.

**7.** At least 60 days before the date set for the examination, the secretary shall notify each candidate who has filed an application for a permit in accordance with the Form in Schedule 1 and who, to obtain a permit, must take the examination in radiology of the Order, of the date and place of the examination.

**8.** At least 30 days before the date set for the examination, a candidate shall send the following documents to the secretary:

(1) a copy, duly completed, of the Registration Form in Schedule 2;

(2) his academic record;

(3) 4 copies of a recent photograph measuring 5 square centimetres and authenticated under his signature as being his own;

(4) a certified extract of his act of birth or other proof of his date and place of birth; and

(5) the sum of 50 \$ for the examination registration fee.

**9.** The examination must cover the following subjects:

- (1) radiation protection;
- (2) radiological techniques; and
- (3) diagnostic radiology.

**10.** The examination must comprise a written part, an oral part and a practical part.

**11.** The Bureau shall send a copy of the examination to the Office des professions du Québec.

**12.** The Office may appoint one or more invigilators for the examination.

**13.** The examination is evaluated as follows:

- (1) the letter "A" means "excellent";
- (2) the letter "B" means "good";
- (3) the letter "C" means "satisfactory";
- (4) the letter "D" means "unsatisfactory".

**14.** Where a candidate obtains a mark of "C" or more, he passes the examination.

**15.** A candidate is excluded for the examination who:

- (1) makes use of or tries to make use of unauthorized books, documents, notes or other material;
- (2) plagiarizes, attempts to plagiarize, or helps another candidate to plagiarize; or
- (3) prevents the examination from proceeding normally.

**16.** A candidate may not have access to the room where the examination takes place after another candidate has already handed in his paper and left the room.

**17.** Candidate's anonymity must be ensured when the written part of the examination is being corrected.

**18.** When the correction or evaluation has been completed, the person in charge shall draw up the list of candidates who passed the examination and that of those who failed. A report must then be signed by the committee members and immediately sent to the Bureau.

**19.** Within 30 days after the committee has written its report, the Bureau shall inform each candidate of his mark.

**20.** Where a candidate obtains the mark of "D", he may, within 30 days after receiving notice of his failure, request the Bureau to review the evaluation and correction of his examination. The Bureau, after consultation with the committee, may change the mark given to the candidate.

**21.** A candidate who fails the examination may take a supplemental at a latter examination session. If he fails at that second session, he may take another supplemental at a third session only after a period of additional theoretical or practical training of a maximum duration of one year, the program of which has been prepared by the committee and approved by the Bureau.

The candidate's knowledge and deficiencies notes at the examination must be taken into account when the program is being prepared.

**22.** The examination papers must be destroyed 6 months after the date of the examination.

### DIVISION III CONDITIONS FOR PERMITS

**23.** The secretary shall send a permit in accordance with the Form in Schedule 3 to each candidate who meets the requirements of section 4.

**24.** A permit issued by the Bureau must include the authorization for its holder to practise radiology.

**25.** The committee shall enter the name of the permit holder and his permit number in a register which it shall keep up to date by entering information about the holder as the committee receives such information.

The committee shall keep the register at the corporate seat of the Order.

Upon request, the secretary shall disclose whether a person is entered in the register and whether the permit he holds is still valid.

**26.** Inspections must be carried out in respect of every holder concerning his permit.

**27.** The committee shall organize inspection programs in respect of permits.

**28.** The committee shall draw up and keep up to date a file on every permit holder; that file shall contain a summary of the holder's qualifications and experience in radiology as well as all the documents pertaining to the inspections carried out in his respect under this Regulation.

**29.** A permit holder is entitled to consult the file relating to his permit and to obtain a copy thereof.

**30.** At least 10 days before the date fixed for the inspection of a chiropractor in respect of his permit, the committee shall send to that chiropractor, by registered mail, a notice in accordance with the Form in Schedule 4.

**31.** A chiropractor who cannot receive an investigator on the prescribed date shall, upon receipt of his notice, advise the committee thereof and decide on a new date with the committee.

**32.** Notwithstanding section 30, where sending a notice could compromise the purposes of the inspection, the committee may authorize the investigator to proceed without a notice.

**33.** An investigator shall, where required to do so, produce a certificate attesting his authority signed by the person in charge of the committee.

**34.** A chiropractor in respect of whom an inspection is carried out shall be present at that inspection.

**35.** An inspection may cover:

(1) the chiropractor's radiology equipment, subject to sections 143 to 198 of the Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P.-35, r. 1);

(2) the chiropractor's competence in radiology; and

(3) the manner in which he practises radiology.

**36.** An investigator shall draw up an inspection report and send it to the committee for study within 15 days after his inspection.

**37.** After studying the investigator's report, the committee shall send to the Bureau, within 30 days after receiving the inspection report, one of the following recommendations concerning the chiropractor in respect of whom the inspection was carried out:

(1) that his permit remain valid;

(2) that the chiropractor be required to change all or part of his radiology installations under penalty of withdrawal or non-withdrawal of his permit, if the installations are not adapted to the practice of chiropractic;

(3) that the chiropractor be required to serve a period of refresher training in radiology under penalty of withdrawal or non-renewal of his permit; or

(4) that the chiropractor's permit be suspended or revoked.

**38.** The recommendations of the committee are adopted by a majority vote of its members.

**39.** The committee may be assisted by experts who take part in the deliberations but who are not entitled to vote.

**40.** Each committee member and expert shall take the oath or make the solemn affirmation of discretion prescribed in Schedule II of the Professional Code.

**41.** A committee member shall immediately inform the other members of any risk of collusion or partiality within the committee of which he is aware.

**42.** A committee member who is related to a candidate by blood or marriage up to the degree of first cousin inclusively may not participate in a recommendation concerning the candidate.

**43.** The office of the committee is situated at the corporate seat of the Order. All the committee reports and other documents are kept at that office.

**44.** Where the Bureau receives one of the recommendations covered in paragraphs 2, 3 and 4 of section 7, it shall permit the chiropractor concerned to be heard and to present a full and complete defence.

**45.** For that purpose, the Bureau shall summon the chiropractor and send him, by registered mail, 15 days before the date set for the hearing, the following information and documents:

(1) a notice specifying the date and time of the hearing;

(2) a statement of the facts and reasons for summoning him before the Bureau; and

(3) a copy of the investigator's report concerning him.

**46.** The chiropractor or witness summoned before the Bureau may be assisted by an advocate.

**47.** The Bureau shall administer the oath of the chiropractor and of the witnesses through a commissioner for oaths.

**48.** The Bureau may proceed by default if the chiropractor does not appear on the date and at the time set.

**49.** The depositions are recorded at the request of the chiropractor or the Bureau.

**50.** The Bureau and the chiropractor shall pay their own expenses except for recording expenses which are shared equally between them.

**51.** Notwithstanding the preceding section, where the Bureau requests that the depositions be recorded, it shall assume all the expenses thereof.

**52.** Within 30 days of the hearing, the Bureau shall notify the chiropractor of its decision whether or not to act upon the committee's recommendations.

**53.** The Bureau shall send a copy of any decision it takes to act upon a committee recommendation covered in paragraphs 2, 3 and 4 of section 37.

**54.** A chiropractor who holds a permit may not practise radiology where he ceases to be entered on the roll of the Order until he is re-entered on the roll.

**55.** This Regulation comes into force on the day of publication in the *Gazette officielle du Québec* of a notice that it has been approved by the Government. However, it is deemed to be in effect from 11 April 1984 and remains in force for one year commencing on 11 April 1984.

**SCHEDULE I**

(s. 4)

**APPLICATION FOR A RADIOLOGY PERMIT**

I ..... the undersigned,

residing at.....

hereby declare that:

1. I am entered on the roll of the Ordre des chiropraticiens du Québec;

2. My consulting-room is situated at:.....

.....

3. I am enclosing with this application the documents required by this Regulation.

I request the Bureau to issue me a permit under the Professional Code (R.S.Q., c. C-26).

**SCHEDULE 3**

(s. 23)

**RADIOLOGY PERMIT**

Permit no.:.....

Permit holder:.....

Address:.....

Under the Professional Code (R.S.Q., c. C-26), this document certifies that the holder of this permit is authorized to practise radiology.

Ordre des chiropraticiens du Québec

\_\_\_\_\_  
Date Secretary's signature

**SCHEDULE 4**

(s. 30)

**ORDRE DES CHIROPRACTIENS DU QUÉBEC**

**RADIOLOGY PERMITS COMMITTEE**

**Notice of inspection**

Notice is given that, under the "Radiology Permits (Standards for Issue and Holding) Regulation", an investigator from our committee will carry out an inspection in respect of your permit

on ..... 19.... at.... o'clock.

The investigator will call on you at .....

Signed at....., this..... 19....

The Radiology Permits Committee

Per: \_\_\_\_\_  
Secretary of the Committee

2651

\_\_\_\_\_  
Date Applicant's signature

**SCHEDULE 2**

(s. 8)

**REGISTRATION FOR THE EXAMINATION**

I ..... the undersigned,  
residing at.....  
hereby declare that:

1. I am entered on the roll of the Ordre des chiropraticiens du Québec;
2. My consulting-room is situated at.....
3. I wish to register for the examination in radiology that will take place on.....
4. I am enclosing with my registration the following documents:
  - my academic record;
  - 4 copies of a photograph;
  - a certified copy of my act of birth

or.....; and

— the sum of ..... \$ for the examination registration fee.

\_\_\_\_\_  
Date Applicant's signature



## Proclamation

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[L.S.]  
Gouvernement  
du Québec

J. GILLES LAMONTAGNE

### Proclamation

COMING INTO FORCE of the Act to promote forest credit by private institutions (1983, c. 16)

THE GOUVERNEMENT DU QUÉBEC PROCLAIMS THAT:

The Act to promote forest credit by private institutions comes into force on 30 June 1984.

#### BACKGROUND:

This proclamation is in pursuance of a recommendation by the Minister of Energy and Resources adopted on 6 June 1984 by Order in Council 1329-84 of the Gouvernement du Québec.

The Act to promote forest credit by private institutions was assented to on 22 June 1983.

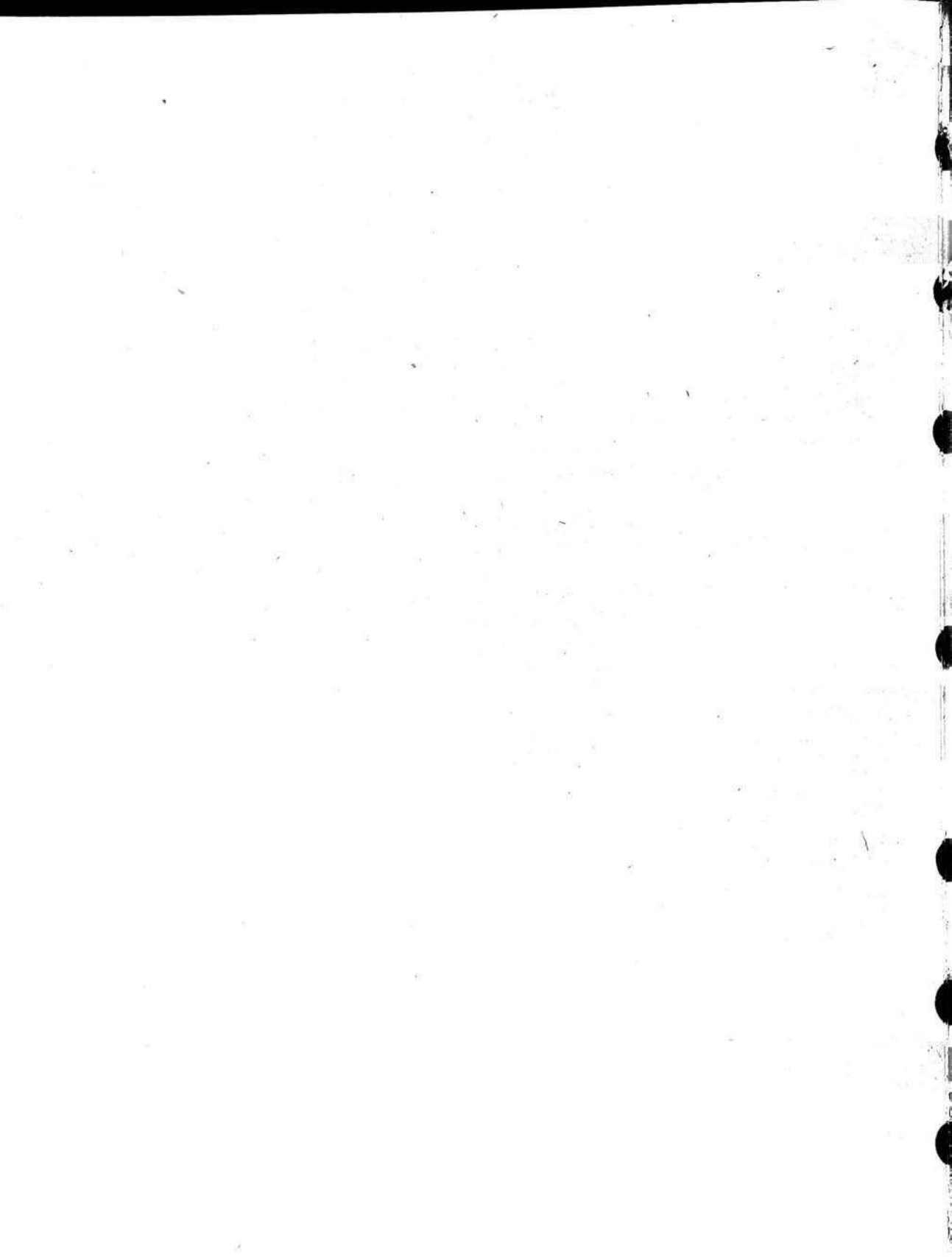
Under section 72 of the Act, it comes into force on the date fixed by proclamation of the Government, with the exception of the provisions excluded from the proclamation, which will come into force on any later date that may be fixed by proclamation of the Government.

Québec, 6 June 1984

DANIEL JACOBY,  
*Deputy Attorney-General*

Libro: 507  
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Abbreviations: A: Abrogated, N: New, M: Modified

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