

1981

Gazette officielle du Québec

(English Edition)

Part 2
Laws and Regulations

Volume 113
15 April 1981
No. 15



Éditeur officiel
Québec

LAWS AND REGULATIONS

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LAWS AND REGULATIONS

Order(s) in Council

O.C. 551-81, 25 February 1981

EDUCATION ACT
(R.S.Q., c. I-14)

AN ACT RESPECTING THE CONSEIL
SUPÉRIEUR DE L'ÉDUCATION
(R.S.Q., c. C-60)

Basis of elementary school and preschool organization

CONCERNING the Regulation respecting the basis of elementary school and preschool organization.

WHEREAS "Regulation No. 2 of the Minister of Education relating to the examinations and tests by the Minister of Education for kindergarten classes and for the elementary and secondary levels" was approved by Order in Council 349 dated 3 March 1966 and amended by Order in Council 2297-72 dated 2 August 1972;

WHEREAS "Regulation No. 6 of the Minister of Education respecting the teaching of French to certain pupils of the elementary and secondary levels" was approved by Order in Council 155 dated 13 January 1971;

WHEREAS "Regulation No. 7 of the Minister of Education with respect to the general framework for the organization of kindergarten and of elementary and secondary education" was approved by Order in Council 1497 dated 27 April 1971 and amended by Orders in Council 1344-72 dated 16 May 1972, 2159-76 dated 23 June 1976 and 1463-77 dated 4 May 1977;

WHEREAS it is advisable to replace these three Regulations with regard to the elementary level and preschool education by the "Regulation respecting the basis of elementary school and preschool organization";

WHEREAS the "Regulation respecting the basis of elementary school and preschool organization" was submitted to the Conseil supérieur de l'éducation for examination in accordance with section 30 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60);

WHEREAS the said Conseil gave its opinion to the Minister respecting the "Regulation respecting the basis of elementary school and preschool organization" on 30 September 1980, in accordance with subparagraph *a* of section 9 of the said Act.

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

THAT the "Regulation respecting the basis of elementary school and preschool organization" be approved and made.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation respecting the basis of elementary school and preschool organization

An Act respecting the Conseil supérieur de l'éducation
(R.S.Q., c. C-60, s. 30)

Education Act
(R.S.Q., c. I-14, s. 16, subpars. 1 and 7)

Division I

DEFINITIONS

1. Definitions

In this Regulation, unless the context indicates otherwise, the following terms mean:

“school report”: a form used to record and transmit the results of learning activities and including a report on the effort put forth by the pupil;

“school board”: any corporation of school commissioners or trustees entirely or partially governed by the Education Act;

“school”: an institutional entity under the jurisdiction of a principal, or other director where there is no principal, intended to provide education in an organized manner to pupils, an activity involving the participation of pupils, teachers, other staff members and parents;

“preschool education”: educational and motivational activities preceding compulsory school attendance with a view to enabling a child to integrate gradually into a social milieu beyond his family and immediate neighbourhood; “preschool” corresponds to the terms “pre-elementary” and “kindergarten” in the Act;

“school education”: instruction provided by educational services for the individual and social development of pupils;

“pupil with learning disabilities”: any pupil suffering from a mental, sensory or physical deficiency, social maladjustment, learning problems or several of these handicaps;

“teaching”: activities conducted by the teaching staff for pupils with a view to contributing to the attainment of school education objectives as defined in the curricula;

“evaluation”: the process of gathering, analyzing and interpreting data related to:

- meeting the objectives proposed in the curricula;
- the general development of the pupil; and
- the relevance and quality of the curricula,

for the purpose of making better-informed educational and administrative decisions;

“textbook”: any printed material for pupils, possibly including audio-visual materials or other teaching aids, covering all or certain important elements of a curriculum for one or more years of study;

“teaching material”: any object, material, volume or work (written, audio-visual or other) useful to the application of all or certain elements of a curriculum or educational and motivational activities program;

“subject”: a branch of learning outlined in a curriculum and constituting an area for theoretical or practical study;

“economically disadvantaged area”: an area identified as economically disadvantaged according to the following criteria: poverty, the area, and the population density, as specified in “L’École s’adapte à son milieu, Énoncé de politique sur l’école en milieu économiquement faible” (MEQ 1980, p. 28);

“Minister”: the Minister of Education;

“elementary level”: the school years between preschool and the secondary level, that seek to provide the pupil with the basic learning necessary for his intellectual development, for comprehending his experience and for his social integration;

“parents”: the father, mother and, where there is no father or mother, the guardian of a child;

“programme”: a structural set of learning objectives and concepts or of activities related to teaching, pupil personnel services and auxiliary services for pupils; the preschool programme contains a structured set of developmental objectives;

“auxiliary services for pupils”: activities conducted by the school staff for pupils with a view to contributing to the attainment of the objectives of school education, particularly with regard to individual and social development;

“education services”: a structured set of educational and motivational activities or teaching activities, pupil personnel services and auxiliary services for pupils, for the purposes of preschool or school education;

“pupil personnel services”: activities conducted by the school staff with a view to contributing to the attainment of the objectives of school education, particularly by supporting the individual progress of each pupil at school.

Division II**EDUCATION SERVICES****Subdivision 1****Preschool Education****2. General admission and enrolment**

Every child who is 5 years of age before 1 October of the current school year and whose parents have made an application for admission and enrolment, is admitted for preschool education.

3. Special admission and enrolment

A school board that, in accordance with the conditions determined by the Minister, organizes preschool education for 4-year old pupils

— with learning disabilities, or

— from economically disadvantaged areas,

may admit only children who are 4 years of age before 1 October of the current school year, and whose parents have made an application for admission and enrolment.

4. Quality of the language of instruction used in educational and motivational activities

The school board must take the necessary steps to ensure that the quality of the language of instruction, both written and spoken, used in educational and motivational activities is the concern of every teacher and every other preschool education worker.

5. Educational and motivational activities programme

The educational and motivational activities programme is prescribed or approved by the Minister.

The educational and motivational activities programme includes the compulsory developmental objectives and any other objectives adapted by the school board to the needs of its school population according to the priorities of the area.

In addition to the prescribed educational and motivational activities programme prescribed by the Minister, the school board may design programmes to meet its own particular needs, provided these programmes are approved by the Minister and, where applicable, by the Catholic or Protestant committee of the Conseil supérieur de l'éducation. Unless otherwise indicated, such approval is valid only for the school board involved.

6. Teaching material

Appropriate teaching material is provided to teachers and pupils by the school board.

7. Pupil evaluation

The extent to which a pupil meets the developmental objectives in the educational and motivational activities programme is evaluated as prescribed by the school board.

8. Informing of parents

At the beginning of the school year, the parents must receive a summary of the educational and motivational activities programme, the general regulations of the school and the name of their child's classroom teacher.

The school board must ensure that the parents of each pupil receive a written evaluation of their child's development at least 5 times a year, the first arriving in October at the latest. At least 4 of these evaluations are school reports made in accordance with the rules prescribed by the Minister.

Information is provided to parents of pupils with learning or general development difficulties at least once a month.

9. Evaluation of the educational and motivational activities programme

The school board takes part in evaluating the educational and motivational activities programme to enable the Minister to make informed decisions concerning its continuation or modification.

10. Pupil personnel services

Pupil personnel services are available to each pupil.

The school board designs pupil personnel service programmes related to education, within the limits of the objectives defined by the Minister.

Other pupil personnel service programmes are designed jointly by the school board and the competent Departments or agencies, within the limits of the objectives defined jointly by these Departments or agencies and the ministère de l'Éducation.

Such programmes propose preschool education objectives and activities supervised by the school staff. The purpose of these programmes is to aid the pupil in his individual progress at school:

- (a) as a support and complement to educational and motivational activities and auxiliary services for pupils;
- (b) as an aid in solving problems faced by the pupil in his individual progress at school, through analysis of the situation and action to alleviate difficulties and improve conditions influencing his development.

11. Auxiliary services for pupils

Auxiliary service programmes for pupils, designed by the school board within the limits of the objectives defined by the Minister, are available to each pupil.

These programmes include preschool objectives and activities supervised by the school staff. Their purpose is to support the pupil's individual and social development by ensuring:

- (a) the continuity of his general training;
- (b) his moral and physical well-being;
- (c) stimulation of his feeling of acceptance in his group, his initiative, and his creativity.

12. Special education services for pupils with learning disabilities

Following consultation with the parents, special education services are provided to pupils requiring rehabilitation.

Integration of pupils with learning disabilities into regular educational and motivational activities, pupil

personnel services and auxiliary services for pupils should be encouraged, in accordance with school board policy on the matter, wherever such a measure is possible, of benefit to the pupil and apt to facilitate his education and social integration.

13. Special education services for pupils from economically disadvantaged areas

For pupils from economically disadvantaged areas, special educational action must be taken in order to humanize the school, to adapt it to the needs and culture of the area.

14. Education services for receiving certain pupils

In schools where all teaching and administrative activities take place in French, the school board, in accordance with the terms and conditions determined by the Minister, organizes introductory classes or takes special measures to receive pupils who are:

- (a) not eligible for schooling in English, or
- (b) not covered by section 85 of the Charter of the French language,

and who have been in Québec for more than 3 years.

15. Special education services for pupils requiring remedial French

In schools where all teaching and administrative activities take place in French, special measures for providing remedial French to pupils ineligible for introductory classes and enrolled for instruction in French for the first time, and who, in their parents' opinion, lack adequate facility in French, are organized in accordance with the terms and conditions determined by the Minister.

16. Special education services for Inuit and Amerindians pupils

The languages of educational and motivational activities for Inuit and Amerindians in Québec are prescribed in sections 87 and 88 of the Charter of the French language (R.S.Q., chapter C-11), in sections 577 and 660 of the Education Act (R.S.Q., chapter I-14), and in section 786 of the Education Act (R.S.Q., 1964, chapter 235) decreed under section 145 of Chapter 25 of the Statutes of Québec of 1979.

Subdivision 2

The Elementary Level

17. Quality of the language of instruction

The school board must take the necessary steps to ensure that the quality of the written and spoken language of instruction is the concern of every teacher, whatever the subject taught, and of all other school education workers.

18. Curricula

Curricula are prescribed or approved by the Minister.

Curricula include compulsory objectives and conceptual content, as well as any other objectives and conceptual content the school board adapts to the needs of its school population according to the priorities of the area.

In addition to the curricula prescribed by the Minister, the school board may design curricula to meet its own particular needs, provided they are approved by the Minister or, where applicable, the Catholic or Protestant committee of the Conseil supérieur de l'éducation. Unless otherwise indicated, such approval is valid only for the school board involved.

19. Textbooks

Where the list of approved teaching material indicates one or more textbooks for a particular programme, the pupil must have the required textbook(s) at his personal disposal to cover the programme.

20. Teaching material

Appropriate teaching material is provided to teachers and pupils by the school board.

21. Supplementary reading and reference books

Supplementary reading and reference books must be available for the pupil.

22. Pupil evaluation

The extent to which a pupil meets the learning objectives in the curricula, and certain aspects of his general development are evaluated as prescribed by the school board and the Minister, within the framework of their respective responsibilities.

The measurement instruments used to support the evaluation must be varied and able to measure the pupil's learning and development and any difficulties he might have, so that he receives the proper aid.

23. Informing of parents

At the beginning of the school year the parents must receive a calendar of school activities, the general regulations, the name of their child's classroom teacher and those of any other persons teaching him.

At least twice a year, in September and January, the parents must receive a summary of the curricula, and evaluation scheduling and criteria.

The school board must ensure that the parents of each pupil receive a written evaluation of his school achievement and behaviour, at least 5 times a year, the first arriving in October at the latest. At least 4 of these evaluations are school reports made in accordance with the rules prescribed by the Minister.

Information is provided to parents of pupils with learning or general development difficulties at least once a month.

24. Keeping of course results

The pupil's course results are kept in a place that ensures their safety and confidentiality, until the day when the person concerned would reach 75 years of age.

Only the following may consult such results:

- the pupil;
- the parents of a pupil who is a minor;
- the administration, professional staff or any teachers in charge of the school education of the pupil concerned, as well as senior staff and

professional staff on the school board directly involved with the pupil's education and general development;

- the Minister or his representative.

Upon request by the parents of a pupil who is a minor, or by a pupil who has reached majority, the school board must provide the results recorded under the terms and conditions it determines.

25. Evaluation of curricula

The school board takes part in evaluating the curricula to enable the Minister to make informed decisions concerning their continuation or modification.

26. Pupil personnel services

Pupil personnel services are available to each pupil.

The school board designs pupil personnel service programmes related to education, within the limits of the objectives defined by the Minister.

Other pupil personnel service programmes are designed jointly by the school board and the competent Departments or agencies, within the limits of the objectives defined jointly by these Departments or agencies and the ministère de l'Éducation.

Such programmes propose school education objectives and activities supervised by the school staff. The purpose of these programmes is to aid the pupil in his individual progress at school:

- (a) as a support and complement to developmental activities related to teaching and auxiliary services for pupils;
- (b) as an aid in solving problems faced by the pupil in his individual progress at school, through analysis of the situation and action to alleviate difficulties and improve conditions influencing his development.

27. Auxiliary services for pupils

Auxiliary service programmes for pupils, designed by the school board within the limits of the

objectives defined by the Minister, are available to each pupil.

These programmes include school education objectives and activities supervised by the school staff. Their purpose is to support the pupil's individual and social development by ensuring:

- (a) the continuity of his general training, particularly his formal education;
- (b) his moral and physical well-being;
- (c) development of his sense of school spirit, his initiative, and his creativity.

28. Special education services for pupils with learning disabilities

Following consultation with the parents, special education services are provided to pupils requiring rehabilitation.

Integration of pupils with learning disabilities into regular instructional activities, pupil personnel services and auxiliary services for pupils should be encouraged, in accordance with school board policy on the matter, wherever such a measure is possible, of benefit to the pupil and apt to facilitate his social integration and his progress at school.

29. Special education services for pupils from economically disadvantaged areas

For pupils from economically disadvantaged areas, special educational action must be taken in order to humanize the school, to adapt it to the needs and culture of the area.

30. Education services for receiving certain pupils

In schools where all teaching and administrative activities take place in French, the school board, in accordance with the terms and conditions determined by the Minister, organizes introductory classes or takes special measures to receive pupils who are:

- (a) not eligible for schooling in English, or
- (b) not covered by section 85 of the Charter of the French language, and who have been in Québec for more than 3 years.

31. Special education services for pupils requiring remedial French

In schools where all teaching and administrative activities take place in French, special measures for providing remedial French to pupils ineligible for introductory classes and enrolled for instruction in French for the first time, and who, in their parents' opinion, lack adequate facility in French, are organized in accordance with the terms and conditions determined by the Minister.

32. Special education services for pupils taught at home or in a hospital setting

A pupil may be taught at home or in a hospital setting in accordance with the rules prescribed by the Minister.

33. Special education services for pupils requiring extra educational support and encouragement

Under the terms and conditions established by the Minister and following consultation with the parents, the pupil may receive extra educational support and encouragement, either within his learning activities timetable or outside regular school hours during the school year or the summer.

The aim of such measures is to facilitate recovery of missed instruction or the pupil's transition from the 1st to the 2nd cycle or from the elementary to the secondary level, to prevent learning difficulties and to enable the pupil to attend regular classes.

34. Special education services for Inuit and Amerindian pupils

The languages of instruction for Inuit and Amerindians in Québec are prescribed in sections 87 and 88 of the Charter of the French language (R.S.Q., chapter C-11), in sections 577 and 660 of the Education Act (R.S.Q., chapter I-14), and in section 786 of the Education Act (R.S.Q. 1964, chapter 235) decreed under section 145 of Chapter 25 of the Statutes of Québec of 1979.

Division III**ORGANIZATIONAL FRAMEWORK FOR EDUCATION SERVICES****Subsection 1****Preschool education****35. Admission and enrolment**

The age of admission for preschool education is 5 years, to be reached before 10 October of the current school year, or 4 years before 1 October of the current school year for the special cases described in section 3.

An application for admission and enrolment is compulsory for every pupil wishing to attend a school under the jurisdiction of a school board.

The application for admission and enrolment must be made under the terms and conditions determined by the school board, in accordance with the Regulation in force.

36. Pupil's school calendar

For preschool education, the pupils' school calendar, including the calendar for pupils with learning disabilities, subject to any special authorizations, consists of a maximum of 200 days, at least 180 of which are allocated to half-days of educational and motivational activities, pupil personnel services and auxiliary services for pupils.

37. Prescribed time

For a preschool pupil, the regular week of 5 half-days consists of at least 11,5 hours of educational and motivational activities.

Activities related to pupil personnel services and auxiliary services for pupils may take place during or outside that time.

Rehabilitation activities for pupils with learning disabilities may take place during or outside that time.

Subsection 2

Elementary Level

38. Admission and enrolment

The age of admission to the elementary level is 6 years, to be reached before 1 October of the current school year.

An application for admission and enrolment is compulsory for every pupil wishing to attend a school under the jurisdiction of a school board. The application must be made under the terms and conditions determined by the school board, in accordance with the Regulation in force.

39. Pupils' school calendar

At the elementary level, the pupils' school calendar, including the calendar for pupils with learning disabilities, consists of a maximum of 200 days, at least 180 of which, filling 5 days a week, are allocated to educational activities, pupil personnel services and auxiliary services for pupils.

The regional school board and the school boards in its territory must ensure that their school calendars are coordinated.

40. Elementary level cycles

The elementary level is divided into 2 cycles of 3 years. The total duration of studies is 6 years, except in the following cases:

- (a) a pupil who has not attained the compulsory objectives and mastered the conceptual content necessary for the following year's curricula may exceptionally be readmitted to a regular class in the same year of studies, but he must proceed to the secondary level after 7 years at the elementary level;
- (b) a pupil who completes the elementary level curricula in 5 years may exceptionally proceed to the secondary level if he is sufficiently mature emotionally and socially.

The school board in charge of elementary instruction is responsible for determining whether the pupil has met the requirements for that level.

41. Prescribed time

For an elementary level pupil, the regular 5-day week consists of at least 23 hours of activities carried out to meet the objectives for the subjects listed in section 43.

Activities related to pupil personnel services and auxiliary services for pupils may take place during or outside that time.

Rehabilitation activities for pupils with learning disabilities take place within that time.

Pupils have at least 50 minutes for their noon meal in addition to a morning and an afternoon break outside the prescribed time.

42. Allocation of time

All subjects listed in section 43 are compulsory and, except in the cases provided for in sections 33 and 46, the school board may not drop any of these subjects.

The school board may allocate the time otherwise than prescribed in section 43, provided it ensures that the compulsory objectives are met and that the compulsory conceptual content in the curricula is acquired.

43. Breakdown of subjects

The breakdown of subjects at the elementary level is as follows:

<i>Subject</i>	<i>First cycle h/wk</i>	<i>Second cycle h/wk</i>
Mother Tongue (French or English)	7	7
Mathematics	5	4
Moral and Religious Instruction	2	2
Physical Education	2	2
Art	2	2

<i>Subject</i>	<i>First cycle h/wk</i>	<i>Second cycle h/wk</i>
History, Geography, Economic and Cultural Life	2	2
Natural Science	1	1,5
French as a Second Language or English as a Second Language	2	2
Manual Activities		0,5

The objectives of the individual and social training program must be pursued in all school activities and ensured by all school staff, in accordance with the terms and conditions of the school board.

The times and places for Language and Culture of Origin courses are determined by the school board, taking into account the number of students involved.

44. Moral and religious instruction in schools recognized as Catholic or Protestant

In schools recognized as Catholic or Protestant, the regulations of the Catholic or Protestant committee of the Conseil supérieur de l'éducation respecting such educational institutions apply to any moral and religious instruction given in them.

However, any child whose parents so request may be exempted from such instruction. In that event, the pupil must take courses or do personal research pertaining to moral training or religious knowledge.

45. Moral and religious instruction in schools other than those recognized as Catholic or Protestant

In schools other than those recognized as Catholic or Protestant, moral instruction is compulsory.

In place of a moral instruction course, such schools may offer an optional course or courses in denominational religious instruction for pupils whose parents have so requested, if a sizeable community of a particular religious denomination lives within the territory of the school board, and provided that the number of requests permits organization of such a course.

46. Teaching of English as a second language

The teaching of English as a second language begins, at the earliest, in the 4th year of elementary studies, except in innovative education projects authorized by the Minister.

47. Teaching of French as a second language to pupils eligible to receive instruction in English

For pupils eligible to receive instruction in English, the teaching of French as a second language begins in the 1st year of elementary studies.

For such pupils, the school board may use French as the language of instruction for subjects other than French as a second language in accordance with the rules prescribed by the Minister.

48. Transition from elementary to secondary level

Along with the school boards in its territory, the regional school board sets up means for determining the terms and conditions of transition from the elementary to the secondary level and ensures collaboration between the school board staffs and the elementary and secondary school staffs involved.

Division IV

MISCELLANEOUS PROVISIONS

49. Miscellaneous provisions

This Regulation applies to school boards and, subject to the provisions of the Act respecting private education and its regulations, to private institutions that, under the said Act, provide regular education to pupils in preschool and elementary school.

The Minister determines the terms and conditions for enforcing this Regulation. Where enforcement of one or more sections of this Regulation could be prejudicial to a child, and if a justified request has been made, the Minister may authorize one or more sections to be waived.

50. Enforcement schedule

This Regulation comes into force on 1 July 1981, except for the following sections, which come into force on the dates indicated:

- section 5, 2nd and 3rd paragraphs: 1 July 1983;
- section 8: 1 July 1982;
- section 18, 2nd and 3rd paragraphs: 1 July 1986;
- section 19: 1 July 1986;
- section 23: 1 July 1982;
- section 43: 1 July 1986.

51. Regulations replaced

This Regulation replaces, with regard to the elementary level and preschool education:

- “Regulation No. 2 of the Minister of Education relating to the examinations and tests by the Minister of Education for kindergarten classes and for the elementary and secondary levels” approved by Order in Council 349 dated 3 March 1966 and amended by Order in Council 2297-72 dated 2 August 1972;
- “Regulation No. 6 of the Minister of Education respecting the teaching of French to certain pupils of the elementary and secondary levels” approved by Order in Council 155 dated 13 January 1971;
- “Regulation No. 7 of the Minister of Education with respect to the general framework for the organization of kindergarten and of elementary and secondary education” approved by Order in Council 1497 dated 27 April 1971 and amended by Orders in Council 1344-72 dated 16 May 1972, 2159-76 dated 23 June 1976 and 1463-77 dated 4 May 1977, except for section 20 which is replaced as of 1 July 1982 and section 12 which is replaced as of 1 July 1986.

52. Coming into force

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

O.C. 552-81, 25 February 1981

EDUCATION ACT
(R.S.Q., c. I-14)

AN ACT RESPECTING THE CONSEIL
SUPÉRIEUR DE L'ÉDUCATION
(R.S.Q., c. C-60)

Basis of secondary school organization

CONCERNING the Regulation respecting the basis of secondary school organization.

WHEREAS "Regulation No. 2 of the Minister of Education relating to the examinations and tests by the Minister of Education for kindergarten classes and for the elementary and secondary levels" was approved by Order in Council 349 dated 3 March 1966 and amended by Order in Council 2297-72 dated 2 August 1972;

WHEREAS "Regulation No. 6 of the Minister of Education respecting the teaching of French to certain pupils of the elementary and secondary levels" was approved by Order in Council 155 dated 13 January 1971;

WHEREAS "Regulation No. 7 of the Minister of Education with respect to the general framework for the organization of kindergarten and of elementary and secondary education" was approved by Order in Council 1497 dated 27 April 1971 and amended by Orders in Council 1344-72 dated 16 May 1972, 2159-76 dated 23 June 1976 and 1463-77 dated 4 May 1977;

WHEREAS it is advisable to replace these three Regulations with regard to the secondary level by the "Regulation respecting the basis of secondary school organization";

WHEREAS the "Regulation respecting the basis of secondary school organization" was submitted to the Conseil supérieur de l'éducation for examination in accordance with section 30 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60);

WHEREAS the said Conseil gave its opinion to the Minister respecting the "Regulation respecting the basis of secondary school organization" on 30

September 1980, in accordance with subparagraph a of section 9 of the said Act.

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

THAT the "Regulation respecting the basis of secondary school organization" be approved and adopted.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation respecting the basis of secondary school organization

An Act respecting the Conseil supérieur de l'éducation
(R.S.Q., c. C-60, s. 30)

Education Act
(R.S.Q., c. I-14, s. 16, subpars. 1 and 7)

Division I**DEFINITIONS****1. Definitions**

In this Regulation, unless the context indicates otherwise, the following terms mean:

"school report": a form used to record and transmit the results of learning activities and including a report on the effort put forth by the student;

"school board": any corporation of school commissioners or trustees entirely or partially governed by the Education Act;

“course”: an organized set of learning activities defined by a curriculum and covered in a number of hours divided over the school year or part of the year and officially approved for the purposes of promotion or certification;

“credit”: a unit by which official approval may be given for attainment of the objectives of a curriculum, one credit normally consisting of 25 hours of learning activities;

“school”: an institutional entity under the jurisdiction of a principal, or other director where there is no principal, intended to provide education in an organized manner to pupils, an activity involving the participation of pupils, teachers, other staff members and parents;

“school education”: instruction provided by educational services for the individual and social development of pupils;

“pupil with learning disabilities”: any pupil suffering from a mental, sensory or physical deficiency, social maladjustment, learning problems or several of these handicaps;

“teaching”: activities conducted by the teaching staff for pupils, with a view to contributing to the attainment of school education objectives as defined in the curricula;

“evaluation”: the process of gathering, analyzing and interpreting data related to:

— meeting the objectives proposed in the curricula;

— the general development of the pupil; and

— the relevance and quality of the curricula,

for the purpose of making better-informed educational and administrative decisions;

“textbook”: any printed material for pupils, possibly including audio-visual materials or other teaching aids, covering all or certain important elements of a curriculum for one or more years of study;

“teaching material”: any object, material, volume or work (written, audio-visual or other) useful to the application of all or certain elements of a curriculum;

“subject”: a branch of learning outlined in a curriculum and constituting an area for theoretical or practical study;

“economically disadvantaged area”: an area identified as economically disadvantaged according to the following criteria: poverty, the area and the population density, as specified in “L'École s'adapte à son milieu, Énoncé de politique sur l'école en milieu économiquement faible” (MEQ 1980, p. 28);

“Minister”: the Minister of Education;

“secondary level”: the school years, following the elementary level, enabling the pupil to continue his general training and find his direction in life as an individual and as a member of society by entering the working world or going on to post-secondary studies;

“parents”: the father, mother and, where there is no father or mother, the guardian of a child;

“programme”: a structured set of learning objectives and concepts or of activities related to teaching, pupil personnel services and auxiliary services for pupils;

“auxiliary services for pupils”: activities conducted by the school staff for pupils, with a view to contributing to the attainment of the objectives of school education, particularly with regard to individual and social development;

“education services”: a structured set of educational activities, pupil personnel services and auxiliary services for pupils, for the purposes of school education;

“pupil personnel services”: activities conducted by the school staff with a view to contributing to the attainment of the objectives of school education, particularly to support the individual progress of each pupil at school;

“specialty”: a set of required courses within a group of subjects for the purposes of certification or specific qualification.

Division II
EDUCATION SERVICES

2. Quality of the language of instruction

The school board must take the necessary steps to ensure that the quality of the written and spoken language of instruction is the concern of every teacher, whatever the subject taught, and of all other school education workers.

3. Curricula

Curricula are prescribed or approved by the Minister.

Curricula include compulsory objectives and conceptual content, as well as any other objectives and conceptual content the school board adapts to the needs of its school population according to the priorities of the area.

In addition to the prescribed curricula, the school board may design curricula to meet its own particular needs provided they are approved by the Minister or, where applicable, the Catholic or Protestant committee of the Conseil supérieur de l'éducation. Unless otherwise indicated, such approval is valid only for the school board involved.

4. Textbooks

Where the list of approved teaching material indicates one or more textbooks for a particular programme, the pupil must have the required textbook(s) at his personal disposal to cover the programme.

5. Teaching material

Appropriate teaching material is provided to teachers and pupils by the school board.

6. Supplementary reading and reference books

Supplementary reading and reference books must be available for the pupil.

7. Pupil evaluation

The extent to which a pupil meets the learning objectives in the curricula, and certain aspects of his

general development are evaluated as prescribed by the school board and the Minister, within the framework of their respective responsibilities.

The measurement instruments used to support the evaluation must be varied and able to measure the pupil's learning and development and any difficulties he might have, so that he receives the proper aid.

8. Informing of parents

At the beginning of the school year the parents must receive a summary of their child's curricula, a list of his textbooks, a calendar of school activities, the general regulations, the name of their child's home room teacher or the teacher in charge of their child, and those of all other persons teaching him.

The school board must ensure that the parents of each pupil receive a written evaluation of his school achievement and behaviour at least 5 times a year, the first arriving in October at the latest. At least 4 of these evaluations are school reports made in accordance with the rules prescribed by the Minister.

Information is provided to parents of pupils with learning or general development difficulties at least once a month.

9. Keeping of course results

The pupil's course results are kept in a place that ensures their safety and confidentiality, until the day when the person concerned would reach 75 years of age.

Only the following may consult such results:

- the pupil;
- the parents of a pupil who is a minor;
- the administration, professional staff or any teachers in charge of the school education of the pupil concerned, as well as senior staff and professional staff on the school board directly involved with the pupil's education and general development;
- the Minister or his representative.

Upon request by the parents of a pupil who is minor, or by a pupil who has reached majority, the school board must provide the results recorded under the terms and conditions it determines.

10. Evaluation of curricula

The school board takes part in evaluating the curricula to enable the Minister to make informed decisions concerning their continuation or modification.

11. Pupil personnel services

Pupil personnel services are available to each pupil.

The school board designs pupil personnel service programmes related to education, within the limits of the objectives defined by the Minister.

Other pupil personnel service programmes are designed jointly by the school board and the competent Departments or agencies, within the limits of the objectives defined jointly by these Departments or agencies and the ministère de l'Éducation;

Such programmes propose school education objectives and activities supervised by the school staff. The purpose of these programmes is to aid the pupil in his individual progress at school:

- (a) as a support and complement to developmental activities related to teaching and auxiliary services for pupils;
- (b) as an aid in solving problems faced by the pupil in his individual progress at school, through analysis of the situation and action to alleviate difficulties and improve conditions influencing his development.

12. Auxiliary services for pupils

Auxiliary service programmes for pupils, designed by the school board within the limits of the objectives defined by the Minister, are available to each pupil.

These programmes include school education objectives and activities supervised by the school staff. Their purpose is to support the pupil's individual and social development by ensuring:

- (a) the continuity of his general training, particularly his formal education;
- (b) his moral and physical well-being;
- (c) development of his sense of school spirit, his initiative, and his creativity.

13. Special education services for pupils with learning disabilities

Following consultation with the parents, special education services are provided to pupils requiring rehabilitation.

Integration of pupils with learning disabilities into regular instructional activities, pupil personnel services and auxiliary services for pupils should be encouraged, in accordance with school board policy on the matter, wherever such a measure is possible, of benefit to the pupil and apt to facilitate his social integration and his progress at school.

14. Special education services for pupils from economically disadvantaged areas

For pupils from economically disadvantaged areas, special educational action must be taken in order to humanize the school, to adapt it to the needs and culture of the area.

15. Education services for receiving certain pupils

In schools where all teaching and administrative activities take place in French, the school board, in accordance with the terms and conditions determined by the Minister, organizes introductory classes or takes special measures to receive pupils who are:

- (a) not eligible for schooling in English, or
- (b) not covered by section 85 of the Charter of the French language, and who have been in Québec for more than 3 years.

16. Special education services for pupils requiring remedial French

In schools where all teaching and administrative activities take place in French, special measures for providing remedial French to pupils ineligible for introductory classes and enrolled for instruction in French for the first time, and who, in their parents'

opinion, lack adequate facility in French, are organized in accordance with the terms and conditions determined by the Minister.

17. Special education services for pupils taught at home or in a hospital setting

A pupil may be taught at home or in a hospital setting, in accordance with the rules prescribed by the Minister.

18. Special education services for pupils requiring extra educational support and encouragement

Under the terms and conditions established by the Minister and following consultation with the parents, the pupil may receive extra educational support and encouragement, either within his learning activities timetable or outside regular school hours during the school year or the summer.

The aim of such measures is to aid in recovery of missed instruction, in reorientation and in the transition from the elementary to the secondary level, to prevent learning difficulties and to enable the pupil to attend regular classes.

A pupil requiring extra support and encouragement in a mathematics or a first or second language course may be exempted from taking some other course provided that he complies with the certification rules and the regulations of the Catholic or Protestant committee.

19. Special education services for Inuit and Amerindian pupils

The languages of instruction for Inuit and Amerindians in Québec are prescribed in sections 87 and 88 of the Charter of the French language (R.S.Q., chapter C-11), in sections 577 and 660 of the Education Act (R.S.Q., chapter I-14), and in section 786 of the Education Act (R.S.Q., 1964, chapter 235) decreed under section 145 of Chapter 25 of the Statutes of Québec of 1979.

Division III

ORGANIZATIONAL FRAMEWORK FOR EDUCATION SERVICES

20. Transition from elementary to secondary level

Along with the school boards in its territory, the regional school board sets up means for determining the terms and conditions of transition from the elementary to the secondary level and ensures collaboration between the school board staffs and the elementary and secondary school staffs involved.

21. Admission requirements

The transition from elementary to secondary school normally takes place after 6 years of elementary level studies, that is, when the pupil is approximately 12 years old.

The transition from elementary to secondary school is compulsory after 7 years of elementary level studies, that is, when the pupil is approximately 13 years old.

A pupil may exceptionally be admitted to the secondary level after 5 years of elementary level studies, that is, at approximately 11 years of age. However, the pupil must first have successfully completed all elementary level curricula and attained a sufficient degree of emotional and social maturity.

The school board in charge of education services at the elementary level is responsible for determining whether the pupil has met the elementary level requirements.

22. Enrolment of pupils

An application for admission and enrolment is compulsory for every pupil wishing to attend a school under the jurisdiction of a school board. The application must be made under the terms and conditions determined by the school board, in accordance with the Regulation in force.

23. Pupils' school calendar

The pupils' school calendar, including the calendar for pupils with learning disabilities, consists of a maximum of 200 days, at least 180 of which,

filling 5 days a week, are allocated to educational activities, pupil personnel services and auxiliary services for pupils.

The regional school board and the school boards in its territory must ensure that their school calendars are coordinated.

24. Secondary level cycles

The secondary level is divided into 2 cycles. The first cycle is 2 years in duration and the second cycle varies from 2 to 4 years according to the type of studies pursued.

25. Prescribed time

For a secondary level pupil, the regular 5-day week consists of at least 25 hours of activities carried out to meet the objectives for the courses listed in sections 27 to 38.

Activities related to pupil personnel services and auxiliary services for pupils, may take place during or outside that time.

Rehabilitation activities for pupils with learning disabilities take place within that time.

Pupils have at least 50 minutes for their noon meal in addition to breaks of at least 5 minutes between each class, outside the prescribed time.

26. Allocation of time

Normally, 1 credit corresponds to 25 hours of activities.

However, the school board may allocate the time otherwise, provided it ensures that the compulsory objectives are met and that the compulsory conceptual content in the curricula is acquired.

In addition, apart from the case provided for in section 18, it may not drop a compulsory course and must respect the number of optional courses required of the pupil.

27. Breakdown of compulsory courses in the 1st year of the secondary level

The compulsory courses in the 1st year of the secondary level are as follows:

	<i>Number of credits</i>
Mother Tongue (French or English)	6
Mathematics	6
General Geography	4
Second Language (English or French)	4
Moral and Religious Instruction	2
Personal and Social Training	1
Physical Education	2
Career Guidance	1
Art	4
Ecology	4

28. Optional courses offered in the 1st year of the secondary level.

Without limiting the scope of sections 3 and 27, a Latin course, a Language and Culture of Origin course or a locally designed curriculum approved by the Minister may be offered in the 1st year of the secondary level, and the appropriate credits are recognized for certification purposes.

However, the school board may use the time allotted for such a course for recovery of missed instruction, additional compulsory course work, or auxiliary services for pupils or pupil personnel services. In such cases no credits are recognized.

29. Breakdown of compulsory courses in the 2nd year of the secondary level

The compulsory courses in the 2nd year of the secondary level are as follows:

	<i>Number of credits</i>
Mother Tongue (French or English)	6
Mathematics	6

	<i>Number of credits</i>		<i>Number of credits</i>
General History	4	Moral and Religious Instruction	2
Second Language (English or French)	4	Personal and Social Training	1
Moral and Religious Instruction	2	Physical Education	2
Personal and Social Training	1	Career Guidance	1
Physical Education	2	Biology	4
Career Guidance	1	Introduction to Technology	4
Art	4		
Home Economics	4		

30. Optional courses offered in the 2nd year of the secondary level

Without limiting the scope of sections 3 and 29, a Latin course, a Language and Culture of Origin course, a course in Physical Science, or a locally designed curriculum approved by the Minister may be offered in the 2nd year of the secondary level, and the appropriate credits are recognized for certification purposes.

However, the school board may use the time allotted for such a course for recovery of missed instruction, additional compulsory course work or auxiliary services for pupils personnel services. In such cases no credits are recognized.

31. Breakdown of compulsory courses in the 3rd year of the secondary level

The compulsory courses in the 3rd year of the secondary level are as follows:

	<i>Number of credits</i>		<i>Number of credits</i>
Mother Tongue (French or English)	6	Mother Tongue (French or English)	6
Mathematics	4	Moral and Religious Instruction	2
Geography of Canada and Québec	4	Personal and Social Training	1
Second Language (English or French)	4	Physical Education	2
		Career Guidance	1
		Second Language (English or French)	4

32. Optional courses offered in the 3rd year of the secondary level

Without limiting the scope of sections 3 and 31, a course in Latin, Language and Culture of Origin, Amerindian Culture, Physical Science or Fine and Performing Arts, or a locally designed curriculum approved by the Minister may be offered in the 3rd year of the secondary level, and 4 additional credits are recognized for certification purposes.

However, the school board may use the time allotted for such a course for recovery of missed instruction, additional compulsory course work, or auxiliary services for pupils and pupil personnel services. In such cases no credits are recognized.

33. Breakdown of compulsory courses in the 4th year of the secondary level

The compulsory courses in the 4th year of the secondary level are as follows:

	<i>Number of credits</i>	may be obtained for a locally designed curriculum approved by the Minister.
Mathematics	4	37. Vocational specialty courses
History of Canada and Québec	4	Vocational specialty courses are normally taken after the 5 th year of the secondary level and may entitle a pupil to recognition of an additional year of schooling. The list of such courses is published by the Minister.
Science (Chemistry or Physics)	4	

34. Optional courses in the 4th year of the secondary level

In the 4th year of the secondary level, the pupil chooses 8 credits from the list of optional courses determined by the Minister. 4 of these credits may be obtained for a locally designed curriculum approved by the Minister.

35. Breakdown of compulsory courses in the 5th year of the secondary level

The compulsory courses in the 5th year of the secondary level are as follows:

	<i>Number of credits</i>	
Mother Tongue (French or English)	6	38. Courses offered to pupils enrolled in vocational specialty courses before the 5th year of the secondary level
Moral and Religious Instruction	2	For pupils who exceptionally enrol in vocational specialty courses before the 5 th year of the secondary level, the school board adapts the following elements to the pupils' particular needs, while continuing to aim for the basic objectives of general training:
Personal and Social Training	1	— the breakdown of courses,
Physical Education	2	— the curricula,
Career Guidance	1	— the teaching methodology.
Second Language (English or French)	4	39. Moral and religious instruction in schools recognized as Catholic or Protestant
Mathematics	4	In schools recognized as Catholic or Protestant, the regulations of the Catholic or Protestant committee of the Conseil supérieur de l'Éducation respecting such educational institutions apply to any moral and religious instruction given in them.
Economics	4	However, any child may be exempted from such instruction if his parents so request, or if the child so requests, with his parents' consent. In that event, the pupil must take courses or do personal research pertaining to moral training or religious knowledge.

36. Optional courses in the 5th year of the secondary level

In the 5th year of the secondary level, the pupil chooses 12 credits from the list of optional courses determined by the Minister. This list includes vocational training courses and indicates those which are prerequisites to specialty courses taken after the 5th year. 4 of the 12 credits chosen in the 5th year

40. Moral and religious instruction in schools other than those recognized as Catholic or Protestant.

In schools other than those recognized as Catholic or Protestant, a course in moral instruction is compulsory.

In place of a moral instruction course, such schools may offer an optional course or courses in denominational religious instruction for pupils who so desire, if a sizeable community of a particular religious denomination lives within the territory of

the school board, and provided that the number of requests permits organization of such a course.

41. Teaching of French as a second language to pupils eligible to receive instruction in English

For pupils eligible to receive instruction in English, the school board may use French as the language of instruction for subjects other than French as a second language, in accordance with the rules prescribed by the Minister.

42. Promotion of pupils and organization of courses

Pupils are promoted for each course individually, unless there were special instructional situations or organizational constraints.

A pupil may not enrol for a course requiring prerequisites unless he has met that requirement. However, the school board exceptionally may exempt a pupil from taking or passing a prerequisite course.

The Minister may make rules respecting the organization of courses.

Division IV

CERTIFICATION

43. Rules for awarding secondary studies diplomas

All courses passed since the beginning of secondary studies, including compulsory and optional courses, are taken into consideration in the awarding of a Diploma in Secondary Studies.

The Minister awards a Diploma in Secondary Studies to any pupil who, out of a possible total of 176 credits, has accumulated at least 130 credits, including the following 40 compulsory credits:

<i>Number of credits</i>	<i>Subject</i>	<i>Year</i>
12	Mother Tongue	4 th and 5 th
8	Second Language	4 th and 5 th
4	Mathematics	4 th or 5 th

<i>Number of credits</i>	<i>Subject</i>	<i>Year</i>
2	Moral and Religious Instruction	4 th or 5 th
2	Physical Education or Personal and Social Training or Career Guidance	4 th or 5 th
4	Chemistry or Physics	4 th
8	Geography of Canada and Québec, Geography, History of Canada and Québec, Economics	3 rd , 4 th or 5 th

In addition, the Minister determines the terms and conditions for granting equivalences for other studies.

44. Rules for awarding of vocational studies diploma

The Minister awards a Diploma in Vocational Studies to any pupil who obtains the credits for a particular vocational specialty.

45. Official attestation of school attendance

The school board issues an official attestation of school attendance upon request by the parents or by the pupil.

46. Uniform examinations

Each year the Minister draws up a list of courses for which he sets uniform examinations. For each subject not covered by such a uniform examination, he may verify the school board's evaluation plan according to the terms and conditions he determines.

47. Passing mark

For each course taken by a pupil at the secondary level, the passing mark is 60%.

For each course covered by a uniform examination set by the Minister, the Minister counts, for 50% of the mark, the evaluation made by the school board and certifies the pupil's pass or failure.

48. Admission to examinations of the Minister

To be a candidate for an examination of the Minister, a pupil must have been legally enrolled in

a school and have taken the course covered by the examination to the satisfaction of the school board. Only the Minister may authorize an exception to this rule.

49. School board participation in administration of examinations of the Minister

The school board must participate in the administration of examinations of the Minister by providing, free of charge, the required rooms and the staff needed to monitor the pupils and carry out the different operations related to correcting papers and compiling results.

50. Calendar and timetable for examinations of the Minister

Each year the Minister determines the number of examination sessions to be held and publishes the calendar and timetable to be followed by the candidates and the staff in charge. Only the Minister may authorize an exception to this rule.

Division V

MISCELLANEOUS PROVISIONS

51. Miscellaneous provisions

This Regulation applies to regional school boards, school boards and, subject to the provisions of the Act respecting private education and its regulations, to private institutions that, under the said Act, provide regular education to pupils at the secondary level.

The Minister determines the terms and conditions for enforcing this Regulation. Where enforcement of one or more sections of this Regulation could be prejudicial to a child, and if a justified request has been made, the Minister may authorize one or more sections to be waived.

52. Enforcement schedule

This Regulation comes into force on 1 July 1981, except for the following sections, which come into force on the dates indicated:

- section 3, 2nd and 3rd paragraphs: 1 July 1986;
- section 4: 1 July 1986;

- section 8: 1 July 1982;
- sections 27 to 38: 1 July 1986;
- sections 43 and 44: 1 July 1986;
- section 47: 1 July 1982.

53. Regulations replaced

This Regulation replaces, with regard to the secondary level:

- "Regulation No. 2 of the Minister of Education relating to the examinations and tests by the Minister of Education for kindergarten classes and for the elementary and secondary levels" approved by Order in Council 349 dated 3 March 1966 and amended by Order in Council 2297-72 dated 2 August 1972, except for section 3 which is replaced on 1 July 1982;
- "Regulation No. 6 of the Minister of Education respecting the teaching of French to certain pupils of the elementary and secondary levels" approved by Order in Council 155 dated 13 January 1971;
- "Regulation No. 7 of the Minister of Education with respect to the general framework for the organization of kindergarten and of elementary and secondary education" approved by Order in Council 1497 dated 27 April 1971 and amended by Orders in Council 1344-72 dated 16 May 1972, 2159-76 dated 23 June 1976 and 1463-77 dated 4 May 1977, except for section 47 which is replaced as of 1 July 1982 and sections 33, 48 and 51 which are replaced as of 1 July 1986.

54. Coming into force

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

O.C. 929-81, 26 March 1981**AN ACT TO PROMOTE FARM IMPROVEMENT
(R.S.Q., c. A-18)****Regulations — Amendments**

CONCERNING the Regulation amending the Regulations respecting the Act to promote farm improvement.

WHEREAS pursuant to section 21 of the Act to promote farm improvement (R.S.Q., chapter A-18), the Government may make regulations for the purposes of the said Act;

WHEREAS the "Regulations respecting the Act to promote farm improvement" were made by Order in Council 435 dated 4 February 1970, and were amended by Orders in Council 2786-72 dated 20 September 1972, 4232-73 dated 21 November 1973, 1650-74 dated 8 May 1974, 3664-74 dated 16 October 1974, 895-75 dated 5 March 1975, 5169-75 dated 26 November 1975, 2340-78 dated 19 July 1978 and 474-80 dated 20 february 1980;

WHEREAS it is advisable to further amend the said Regulations;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation entitled "Regulation amending the Regulations respecting the Act to promote farm improvement", attached hereto, be made;

THAT the said Regulation be published in the *Gazette officielle du Québec* and come into force on 1 May 1981, after publication.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

**Regulation amending the Regulation
respecting the Act to promote farm
improvement****An Act to promote farm improvement
(R.S.Q., c. A-18, s. 21)**

I. Section 13 of the "Regulations respecting the Act to promote farm improvement", made by Order in Council 435 dated 4 February 1970, and amended by Orders in Council 2786-72 dated 20 September 1972, 4232-73 dated 21 November 1973, 1650-74 dated 8 May 1974, 3664-74 dated 16 October 1974, 895-75 dated 5 March 1975, 5169-75 dated 26 November 1975, 2340-78 dated 19 July 1978 and 474-80 dated 20 February 1980 is amended:

(a) by replacing the first paragraph by the following:

"**13. Repayment of interest.** Subject to the second and fourth paragraphs, the amount equal to the fraction of interest repayable by the Government pursuant to section 6 of the Act is paid by the Office to each borrower upon receipt by the Office of a statement of each loan referred to in subsection 2 of section 15. However, that fraction of interest is repayable only on the first 15 000 \$ of the principal owing by such a borrower provided that the latter has paid the instalments of outstanding interest and principal on any loan owing";

(b) by replacing the third, fourth, fifth, sixth, seventh and eighth paragraphs by the following:

"Effective from 1 May 1981, the first paragraph applies to a loan or its balance contracted before that date by a farmer or an aspiring farmer who has become a farmer where, because of the total annual non-agricultural income of the borrower's legitimate consort not judicially separated from bed and board or of his common-law consort living with him, this paragraph did not apply to that loan or balance before 1 May 1981.

For a loan contracted before 1 May 1981 by an agricultural operations corporation, an agricultural operations cooperative, an agricultural operations partnership, undivided owners considered as farmers pursuant to subparagraph *c* of the first paragraph of section 2 of the Act or by joint borrowers, the third paragraph applies *mutatis mutandis* to the part of the loan or balance corresponding to the percentage of interest in the agricultural operations corporation, agricultural operations cooperative or agricultural operations partnership, the percentage of the rights of ownership in the farm operated by undivided owners, or the percentage of the interest in an economic farm operated by such joint borrowers, held by a farm operator or a farmer where, because of the total annual non-agricultural income of the borrower's legitimate consort not judicially separated from bed and board of such an operator or farmer or of his common-law consort living with him, the first paragraph did not apply to that part of the loan or balance before 1 May 1981.

For the purposes of applying the fourth paragraph, the expression "percentage of interests in an agricultural operations corporation or in an agricultural operations cooperative" means the percentage of the number of shares issued for each category and held by a farm operator in an agricultural operations corporation or the percentage of the number of ordinary shares issued or of common shares, where applicable, held by such an operator in an agricultural operations cooperative in proportion to the number of shares issued by the corporation or to the total number of ordinary shares issued by the cooperative or, where applicable, of common shares held by all its members."

Subject to the second paragraph, a borrower who contracts a loan effective from 1 August 1978 must meet the criteria established in section 12*a* to be entitled to benefit from, with respect to such loan, the right to a repayment of interest referred to in section 6 of the Act and calculated in accordance with the first paragraph. However, each time the borrower no longer meets such criteria following a change in the gross revenues of the farm operated by the borrower or in his personal financial situation or that of the farm operators referred to in section 12*a*, where applicable, he must immediately notify the Office thereof and ceases to be entitled to the repayment of interest on the balance of the loan from the date on which such change arises or recurs."

2. This Regulation comes into force on 1 May 1981.

1019-o

O.C. 930-81, 26 March 1981

AN ACT TO PROMOTE LONG TERM FARM
CREDIT BY PRIVATE INSTITUTIONS
(R.S.Q., c. C-75.1)

Regulation — Amendments

CONCERNING the Regulation amending the Regulation respecting the Act to promote long term farm credit by private institutions.

WHEREAS pursuant to section 37 of the Act to promote long term farm credit by private institutions (R.S.Q., chapter C-75.1), the Government may make regulations for the purposes of this Act;

WHEREAS the "Regulation respecting the Act to promote long term farm credit by private institutions" made by Order in Council 2337-78 dated 19 July 1978 was amended by Order in Council 3208-78 dated 18 October 1978, by Order in Council 3675-78 dated 30 November 1978, by Order in Council 798-79 dated 21 March 1979, by Order in Council 472-80 dated 20 February 1980, by Order in Council 473-80 dated 20 February 1980 and by Order in Council 888-80 dated 26 March 1980;

WHEREAS it is advisable to further amend the said Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation entitled "Regulation amending the Regulation respecting the Act to promote long term farm credit by private institutions, attached to this Order in Council, be made;

THAT the said Regulation be published in the *Gazette officielle du Québec* and come into force on 1 May 1981, after publication.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation amending the Regulation respecting the Act to promote long term farm credit by private institutions

An Act to promote long term farm credit by private institutions
(R.S.Q., c. C-75.1, ss. 24 and 37)

1. Section 23 of the Regulation respecting the Act to promote long term farm credit by private institutions, made by Order in Council 2337-78 dated 19 July 1978, and amended by Order in Council 3208-78 dated 18 October 1978, by Order in Council 3675-78 dated 30 November 1978, by Order in Council 798-79 dated 21 March 1979, by Order in Council 472-80 dated 20 February 1980, by Order in Council 473-80 dated 20 February 1980 and Order in Council 888-80 dated 26 March 1980, is amended

(a) by replacing the second paragraph by the following:

"For the purposes of the first paragraph and the application of subparagraph *a* of the fourth paragraph of section 22, the Office takes into account any balance referred to in that subparagraph on the day provided for in the first paragraph."

(b) by adding, at the end, the following paragraphs:

"Despite the first paragraph, a contribution to the payment of interest is payable, in the manner prescribed in sections 24 and 25 and for a time limit not exceeding the prescribed period provided for in section 3, with respect to a loan or the balance of a loan contracted as of 1 August 1978 by a person as an aspiring farmer, each time, as of 1 May 1981, but prior to the day referred to in this paragraph, the annual rate of interest payable on the loan for a three-month period exceeds 12%. The contribution is only computed effective from 1 May 1981 and is equal to one-half of the difference between the interest payable under the terms of the deed of loan in accordance with the Regulation and the interest calculated at a rate of 12% per annum.

The total amount in principal with respect to which the contribution prescribed in the fourth paragraph applies must not exceed 150 000 \$. To establish the latter amount, the Office takes into account balances owing and not yet due by the borrower on all loans referred to in the sixth paragraph, by order of seniority of the latter, until the amount of 150 000 \$ is reached, and the contribution to the payment of interest provided for in the fourth paragraph then applies with respect to each of these balances and, where applicable, to the part of the balance required to reach that amount, but, in the latter case, in proportion only to the fraction that the said part represents with respect to the totality of the said balance.

For the purposes of the fifth paragraph and for calculating the amount provided for therein, the Office takes into account:

- (a) the balance owing by the borrower, under the Act or, as the case may be, his part of the balance owing under the Act on the part of the loan he obtains or has already obtained individually or jointly with any other person or for which he assumes payment, through succession or otherwise, individually or jointly with any other person to which the contribution to the payment of the interest provided for in the fourth paragraph applies; and
- (b) the balance owing by the borrower under the Farm Credit Act or, as the case may be, his part of the balance owing under the said Act on the part of any loan he obtains or has obtained individually or jointly with any other person or for which he assumes or has assumed payment, through succession or otherwise, individually or jointly with any other person, that bears interest at the rate referred to in subparagraph *a* of the first and second paragraphs of section 11*a* of the Regulation concerning the Farm Credit Act.

In the case of a person who, singly or jointly assumes as an aspiring farmer, with any other person, through succession or otherwise, payment of a loan or the balance of a loan, the fourth, fifth and sixth paragraphs apply *mutatis mutandis* in order to establish, with respect to the loan or balance, the contribution to payment of the interest provided for in the fourth paragraph."

2. Section 26 of the said Regulation is replaced by the following:

"**26.** Effective from 1 May 1981, section 22 applies with respect to a loan or its balance contracted before that date by a farmer or an aspiring farmer that has become a farmer where, due to the overall non-agricultural annual income of the legitimate consort not judicially separated from bed and board of the borrower or the common law consort living with him, this section did not apply, prior to 1 May 1981, to this loan or balance.

In the case of a loan contracted prior to 1 May 1981 by an agricultural operations corporation, an agricultural operations cooperative, an agricultural operations partnership, undivided owners considered as farmers under subparagraph *e* of section 1 of the Act or considered as a partnership under item *ii* of subparagraph *i* of section 1 or by joint borrowers, the first paragraph applies *mutatis mutandis* to the part of a loan or its balance, corresponding to the percentage of the interests in the agricultural operations corporation, agricultural operations cooperative or agricultural operations partnership, the percentage of the rights of ownership in the farm they operate as undivided owners, or the percentage of interest in an economic farm they operate as joint borrowers, held by a farm operator or a farmer where, due to the non-agricultural overall income of the legitimate consort not judicially separated from bed and board of such operator or farmer or the common law consort living with him, section 22 did not apply, prior to 1 May 1981, to that part of the loan or its balance.

For the purposes of applying the second paragraph "percentage of interest in an agricultural operations corporation or in an agricultural operations cooperative" means a percentage that represents the number of shares issued in each category held by a farm operator in an agricultural operations corporation or the percentage representing the number of ordinary or common shares issued, as the case may be, held by the operator in an agricultural operations cooperative in proportion to the number of shares issued by the corporation or the total number of ordinary shares issued by the cooperative or, as the case may be, the common shares held by all the members."

3. Section 27 of the said Regulation is amended by replacing the first and second paragraphs by the following:

"**27.** Where, with respect to a hypothecary loan and a loan secured by pledge of agricultural property

granted to a single borrower, the deeds for the loans are signed on the same date, sections 22 and 23, for the purposes of calculating the contribution to the payment of the interest to which the borrower is entitled apply first to the amount of the hypothecary loan as if that loan had been obtained prior to the loan guaranteed by pledge of agricultural property.

Subject to the first paragraph and despite the provisions of section 33, if all or part of the amount reimbursed in anticipation was used, in accordance with that section, for acquitting a part of the principal not yet due on the loan, the Office must, in order to determine, in accordance with section 22 or 23, the contribution to the payment of the interest to be paid in respect of the balance of the loan, consider the reimbursement as having first been made on the fraction of the loan to which the contribution does not apply, where applicable, and then on that fraction to which a contribution on the payment of the interest applies pursuant to the fourth paragraph of section 23 or, as the case may be, a contribution to the payment of the interest equal to the difference between the interest payable to the lender under the deed of loan and the interest calculated at a rate of 8% per annum, and finally, where applicable, on that fraction to which the contribution to the payment of the interest applies that is equal to the difference between the interest payable under the deed and that calculated at a rate of 2½% per annum."

4. This Regulation comes into force on 1 May 1981.

1019-o

O.C. 931-81, 26 March 1981**FARM CREDIT ACT**
(R.S.Q., c. C-75)**Regulation — Amendments**

CONCERNING the Regulation amending the Regulation concerning the Farm Credit Act.

WHEREAS the "Regulation concerning the Farm Credit Act" was made by the Office du crédit agricole du Québec on 14 September 1972 and approved by Order in Council 2782-72 dated 20 September 1972 and amended by the Regulation made by the Office on 9 October 1975 and approved by Order in Council 4705-75 dated 22 October 1975, by the Regulation made by the Office on 29 June 1978 and approved by Order in Council 2339-78 dated 19 July 1978 and by the Regulation made by the Office on 12 October 1979 and approved by Order in Council 2838-79 dated 17 October 1979, the latter replaced, in accordance with the Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of the legislature and the courts in Québec, by the Regulation made by the Office on 5 February 1980 and published in the *Gazette officielle du Québec* on 5 March 1980;

WHEREAS it is advisable to further amend the said Regulation;

WHEREAS in accordance with the powers conferred upon it pursuant to sections 13, 22 and 23 of the Farm Credit Act (R.S.Q., chapter C-75), the Office du crédit agricole made a Regulation amending the Regulation concerning the Farm Credit Act on 12 March 1981;

WHEREAS pursuant to section 13 of the said Act, a regulation must, in order to be valid, receive the approval of the Government;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation entitled "Regulation amending the Regulation concerning the Farm Credit Act", made by the Office du crédit agricole du Québec on 12 March 1981 and attached to this Order in Council, be approved;

THAT the said Regulation be published in the *Gazette officielle du Québec* and come into force on 1 May 1981, after publication.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

**Regulation amending the Regulation
concerning the Farm Credit Act****Farm Credit Act**
(R.S.Q., c. C-75, ss. 13, 22 and 23)

1. Section 11 of the Regulation concerning the Farm Credit Act, made by the Office du crédit agricole du Québec on 14 September 1972 and approved by Order in Council 2782-72 dated 20 September 1972, and amended by the Regulation made by the Office on 9 October 1975 and approved by Order in Council 4705-75 dated 22 October 1975, by the Regulation made by the Office on 29 June 1978 and approved by Order in Council 2339-78 dated 19 July 1978, and by the Regulation made by the Office on 12 October 1979 and approved by Order in Council 2838-79 dated 17 October 1979, the latter replaced, in accordance with the Act respecting a judgment rendered in the Supreme Court of Canada on 13 December 1979 on the language of the legislature and the courts in Québec, by the Regulation made by the Office on 5 February 1980 and published in the *Gazette officielle du Québec* on 5 March 1980, is amended by replacing the first paragraph by the following:

"11. Except in the case and for the period prescribed in section 11a, the annual rate of interest payable to the Office on a loan is established, at the time the loan is contracted and for the duration of the loan, as follows:

- (a) on the first 15 000 \$ of the loan, the rate of interest is 2½% per annum;
- (b) on the part of the loan exceeding 15 000 \$ but not exceeding 150 000 \$ where the loan is

granted to a farmer nor 200 000 \$ where the loan is granted to an agricultural operations corporation, an agricultural operations cooperative, an agricultural operations partnership or to joint borrowers, the rate of interest is 8% per annum;

- (c) on the part of the loan exceeding 150 000 \$ for a loan obtained by a farmer or 200 000 \$ for a loan obtained by an agricultural operations corporation, an agricultural operations cooperative, an agricultural operations partnership or joint borrowers, the annual rate of interest is equal to the aggregate of $\frac{1}{2}\%$ per annum and the prime rate in effect during the 3-month period in which the deed of loan was signed.

For the purposes of this Regulation, the expression "prime rate in effect during the 3-month period in which the deed of loan was signed" means the prime rate, also referred to as "preferential rate", that was in force and applied on the day preceding the first day of that period by most chartered banks carrying on business in Québec.

For the purposes of this section, a chartered bank carries on business in Québec where at least one of its branches is located in Québec.

2. Section 11a of the said Regulation is replaced by the following:

"**11a.** The annual rate of interest payable by an aspiring farmer on a loan contracted with the Office on or after 1 May 1981 is established as follows:

- (a) on the first 150 000 \$ of the loan, the rate of interest for a duration not exceeding the period prescribed in section 14 is equal to:
- (i) the aggregate of $\frac{1}{2}\%$ per annum and the prime rate in effect during the 3-month period in which the deed of loan was signed, where the prime rate increased by $\frac{1}{2}\%$ per annum is less than or equal to 12%; or
 - (ii) 12% per annum, plus half of the difference between the aggregate of $\frac{1}{2}\%$ per annum and the prime rate in effect during the 3-month period in which the deed of loan was signed, and the rate of 12%, where the prime rate increased by $\frac{1}{2}\%$ per annum exceeds 12%;

- (b) on the part of the loan exceeding 150 000 \$, the rate of interest is equal to the aggregate of $\frac{1}{2}\%$ per annum and the prime rate in effect during the 3-month period during which the deed of loan was signed, effective from the date on which the period prescribed in section 14 expires, the rate of interest also applies to the total balance owing on any such loan.

For the purposes of applying this section, the balance owing on 1 May 1981 by an aspiring farmer on a loan contracted before that date is considered as a new inclusive loan granted to the borrower; the annual rate of interest payable to the Office on that balance, effective from 1 May 1981, is established as follows:

- (a) on the first 150 000 \$ of the balance owing on that date, the rate of interest, for a duration not exceeding the period prescribed in section 14, is equal to the lowest of the following rates:
- (i) the rate of interest stipulated in the deed of loan, or
 - (ii) 12% per annum, plus half of the difference between the aggregate of $\frac{1}{2}\%$ per annum and the prime rate in effect during the 3-month period in which the deed of loan was signed, and the rate of 12%;
- (b) on the part of the balance exceeding 150 000 \$ owing on that date, the rate of interest is equal to the rate of interest stipulated in the deed of loan, effective from the date on which the period prescribed in section 14 expires, that rate also applies to the total balance owing on any such loan.

To determine the basis of progressive amortization prescribed in section 22 of the Act and according to which a loan provided for in the first paragraph or the balance of a loan provided for in the second paragraph are repaid, the aggregate consisting of the amount or balance thereof secured by hypothec and of the amount or balance thereof secured by pledge of agricultural property is considered to have two parts: the first part consisting of the first 150 000 \$ and the second part consisting of the amount exceeding 150 000 \$. The Office determines the ratio between the amounts loaned or balance thereof, their term of repayment or the unexpired part of the term, and the interest rates, thereby

making it possible to establish the amount of equal and consecutive semi-annual instalments required to fully repay each amount loaned, including simple interest computed semi-annually and separately on the balance of the part consisting of the 150 000 \$ and on the balance of the part exceeding 150 000 \$ respectively; these instalments include a fraction of interest which decreases proportionally with the increase of the fraction applied to reduction of capital.

Effective from the date on which the semi-annual instalment is paid after the Office has received the declaration of the aspiring farmer prescribed in section 15, and provided that, for the period prescribed in subparagraph *c* of the first paragraph of section 14, the aspiring farmer has made farming his chief occupation and that the Office has obtained proof thereof, the balance owing on that date by the aspiring farmer after he has paid the instalment on the loan granted to him is, for the purposes of applying this paragraph, considered as a new inclusive loan granted to a farmer, but only for the unexpired part of the term of any such loan. Section 11 then applies to that balance with regard to the rate or rates of interest payable to the Office and with regard to determining the basis of amortization."

3. Sections 11*b*, 11*c*, 11*d* and 11*e* are replaced by the following:

"**11b.** Effective from 1 May 1981, section 11 applies to the balance in principal owing and not yet due of the part consisting of the first 15 000 \$ and to the balance of the part exceeding 15 000 \$ but not exceeding 150 000 \$ of a loan contracted before that date by a farmer or an aspiring farmer who has become a farmer where, because of the total annual non-agricultural income of the borrower's legitimate consort not judicially separated from bed and board or of his common-law consort living with him, section 11 does not apply to those parts of the loan before 1 May 1981.

For a loan contracted before 1 May 1981 by an agricultural operations corporation, an agricultural operations cooperative, an agricultural operations partnership, undivided owners considered as farmers pursuant to subparagraph *c* of section 1 of the Act or considered as a partnership pursuant to subparagraph *j* of the said section or by joint borrowers, the first paragraph applies *mutatis mutandis* to the part of the balance in principal owing but not yet due of the part

consisting of the first 15 000 \$ and of the balance of the part exceeding 15 000 \$ but not exceeding 150 000 \$ or, where applicable, 200 000 \$ of such a loan, corresponding to the percentage of the interests in the agricultural operations corporation, agricultural operations cooperative or agricultural operations partnership, the percentage of the rights of ownership of the farm operated by such undivided owners, or the percentage of the interest of an economic farm operated by such joint borrowers, held by a farm operator or a farmer where, because of the total non-agricultural income of the borrower's legitimate consort not judicially separated from the bed and board of such an operator or farmer or of his common-law consort living with him, section 11 did not apply to those parts of the loan before 1 May 1981.

For the purposes of applying the second paragraph, the expression "percentage of interests in an agricultural operations corporation or in an agricultural operations cooperative" means the percentage of the number of shares issued for each category and held by a farm operator in an agricultural operations corporation or the percentage of the number of ordinary shares issued or of common shares, where applicable, held by such an operator in an agricultural operations cooperative in proportion to the number of shares issued by the corporation or to the number of ordinary shares issued by the cooperative or, where applicable, of common shares held by all its members."

4. This Regulation comes into force on 1 May 1981.

1019-o

O.C. 933-81, 26 March 1981

HEALTH INSURANCE ACT
(R.S.Q., c. A-29)

Regulations — Amendments

CONCERNING the Regulation amending the Regulations respecting the Health Insurance Act.

WHEREAS, in accordance with the said Act, the Government made the Regulations respecting the Health Insurance Act by Order in Council 2775 dated 17 July 1970, and whereas it is advisable to amend them;

WHEREAS Order in Council 1342-80 dated 11 May 1980 respecting the Regulation amending the Regulations respecting the Health Insurance Act was made;

WHEREAS the numbering of subparagraph *r* of section 1.01 enacted by the said Order in Council must be changed;

WHEREAS it is advisable to replace, in the second line of section 15.04 of the said Regulations, the figure "5" by the figure "6";

WHEREAS it is advisable to revoke subparagraph *b* of section 16.01 of the said Regulations;

WHEREAS it is advisable to replace the letter *c* of subparagraph *c* by the letter *b*;

WHEREAS, pursuant to section 73 of the Health Insurance Act, every Regulation made under that Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date provided therein;

WHEREAS the Régie de l'assurance-maladie du Québec has been consulted concerning such amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Social Affairs:

THAT the Regulation amending the Regulations respecting the Health Insurance Act, attached to this Order in Council, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation amending the Regulations
respecting the Health Insurance ActHealth Insurance Act
(R.S.Q., c. A-29, ss. 3, 5 and 69, subpar. *h*)

1. The "Regulations respecting the Health Insurance Act" made by Order in Council 2775 dated 17 July 1970 are further amended by renumbering as "u" subparagraph *r* of section 1.01, enacted by Order in Council 1342 dated 11 May 1980.

2. Section 15.04 of the said Regulation is replaced by the following:

"15.04 Any prosthesis, orthopedic device, apparatus or other equipment listed in Divisions 2 and 6 of Part III of Schedule A that is no longer used by a beneficiary because of his death or a change in his physical condition during the minimum duration of a prosthesis, orthopedic device, apparatus or other equipment, must be returned to the establishment."

3. Section 16.01 of the said Regulation is replaced by the following:

"16.01 In this Title the following terms mean or designate:

- (a) "research scholarship": an annual allowance that must serve to establish and maintain a research post?;
- (b) "candidate": any person who, in accordance with the Act and Regulations, submits an application for a research scholarship."

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

1020-o

O.C. 942-81, 26 March 1981**AN ACT RESPECTING THE MINISTÈRE DE
L'ÉNERGIE ET DES RESSOURCES**
(1979, c. 81)**Signing of certain documents**

CONCERNING the Regulation respecting the signing of certain documents of the ministère de l'Énergie et des Ressources.

WHEREAS section 8 of the Act respecting the Ministère de l'énergie et des ressources (1979, chapter 81) prescribes that no deed, document or writing binds the Department or may be attributed to the Minister unless it is signed by him, by the Deputy Minister or a member of the personnel of the Department and only, in this last case, to the extent determined by regulation of the Government published in the *Gazette officielle du Québec*;

WHEREAS section 26 of the said Act prescribes that the regulations and the orders made pursuant to the Act respecting the Ministère des richesses naturelles or the Act respecting the Ministère des terres et forêts continue to be in force until they are repealed, amended or replaced by regulations or orders made pursuant to that Act;

WHEREAS it is advisable to replace the "Regulation respecting the signing of certain deeds, documents or writings of the ministère des Terres et Forêts" made by Order in Council 1139-79 dated 25 April 1979, the "Regulation respecting the signing of certain documents of the ministère des Richesses naturelles", made by Order in Council 1359-77 dated 27 April 1977, amended by the "Regulation amending the Regulation respecting the signing of certain documents of the Department of Natural Resources", made by Order in Council 2309-77 dated 13 July 1977 and amended by the "Règlement modifiant le Règlement relatif à la signature de certains documents du ministère des Richesses naturelles", made by Order in Council 2256-78 dated 12 July 1978 and the "Regulation concerning the signing of certain documents within the jurisdiction of the Minister-Delegate, Energy", made by Order in Council 701-79 dated 12 March 1979, amended by the "Regulation amending the Regulation respecting the signing of certain documents within the competence of the Minister-Delegate, Energy" made by the Order in Council 3906-80 dated 17 December 1980;

WHEREAS it is advisable to make a new regulation for that purpose;

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

THAT the Regulation respecting the signing of certain documents of the ministère de l'Énergie et des Ressources, a copy of which is annexed hereto, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

**Regulation respecting the signing of
certain documents of the ministère de
l'Énergie et des Ressources****An Act respecting the Ministère de l'énergie et
des ressources**
(1979, c. 81, s. 8)**Division I****GENERAL PROVISIONS**

1. The holders of official functions of the ministère de l'Énergie et des Ressources, listed hereinafter, are authorized to sign in the place and stead of the Minister of Energy and Resources, and with the same effect, the deeds, documents or writings listed after their official functions, subject to the conditions decreed under Division V of the Financial Administration Act (R.S.Q., chapter A-6).
2. An Associate Deputy Minister is authorized to certify true any copies of documents in the archives of the Department that are under his jurisdiction.
3. An Associate Deputy Minister responsible for a sector, the Assistant Deputy Minister, "energy" sector, a General Manager, an Assistant Deputy

Minister responsible for a departmental branch or the Director of the Service général de la planification is authorized to sign the following documents pertinent to the sector, branch or service under his jurisdiction:

- (1) service contracts;
- (2) contracts for the leasing or chartering of equipment, vehicles, ships and private company aircraft;
- (3) purchase contracts for immoveables;
- (4) renting of immoveables for occasional or seasonal needs of the Department;
- (5) building contracts for immoveables;
- (6) purchase contracts including local orders and request for delivery (demandes de livraison) within the meaning of section 2 of Directive numéro 1-76 Concernant certaines modalités d'application concernant les contrats d'achat du gouvernement, made by C.T. 97175 dated 11 February 1976, as well as repairs to machinery and equipment;
- (7) promises of grants for which standards of granting and eligibility criteria have been approved by the Conseil du trésor;
- (8) refund authorizations;
- (9) credit notes.

Despite the preceding paragraph, where one of the persons specified is absent, another of those persons who holds the same post in a different sector or branch, may sign the documents in his place.

4. A Branch Director, a Head of Service, a Regional Manager, a comptroller of a managerial unit, a person responsible for nurseries or the Director of the Duchesnay forest station is authorized to sign the contracts under 25 000 \$ listed in section 3 that are pertinent to the sector, branch or service under his jurisdiction, with the exception of promises of grants.

Where one of these persons is absent, the rule given in the second paragraph of section 3 applies.

5. An administrator is authorized to sign the contracts under 2000 \$ listed in section 3, with the exception of promises of grants.

Division II

LANDS AND FORESTS SECTOR

6. The Associate Deputy Minister responsible for the "lands and forests" sector or the Director of the Direction générale des forêts is authorized to sign supply agreements.

7. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale des forêts or the Director of the Direction de l'exploitation is authorized to sign any document concerning authorization to build subsidized forest roads.

8. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale des forêts, the Director of the Direction de l'exploitation or the Head of the Service de la voirie forestière is authorized to sign documents concerning authorization to build unsubsidized forest roads.

9. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale des forêts, the Director of the Direction de l'exploitation, the Head of the Service de l'allocation des bois, the Director of the Direction générale des opérations régionales, a Regional Director or a comptroller of a managerial unit is authorized to sign annual licenses to operate plants.

10. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale des forêts, the Director of the Direction générale des opérations régionales, a Regional Director or a comptroller of a managerial unit is authorized to sign:

- (1) licences to cut timber for commercial purposes;
- (2) licences to cut timber for domestic purposes;
- (3) proprietor's licences to cut timber on the three chain reserve bordering his land;

- (4) licences to operate maple groves;
- (5) refund authorizations;
- (6) credit notes.

11. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale du domaine territorial or the Director of the Direction de la gestion du territoire is authorized to sign:

- (1) letters patent;
- (2) any deed of conveyance received in notarial form;
- (3) certificates of ownership issued under the Act respecting land titles in certain electoral districts (R.S.Q., chapter T-11).

12. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Division générale du domaine territorial, the Director of the Direction de la gestion du territoire, the Head of the Service de la concession des terres, the Director of the Direction générale des opérations régionales, a Regional Director or a comptroller of a managerial unit is authorized to sign:

- (1) leases;
- (2) lease transfers and cancellations;
- (3) occupation and utilization licences;
- (4) rights of way granted for snowmobile, cross-country skiing and nature trails;
- (5) refund authorizations;
- (6) credit notes;
- (7) sale certificates;
- (8) sale cancellations.

13. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale du domaine territorial, the Director of the Direction des levés fonciers or the Head of the Service d'arpentage is authorized to sign:

- (1) authorizations to carry out surveys on public lands;

- (2) minutes of determination of boundaries of public land, and certification of copies of the same official documents kept at the Service de l'arpentage.

14. A Regional Director or a comptroller of a managerial unit is authorized to sign the minutes of determination of boundaries in each administrative region of the ministère de l'Énergie et des Ressources, upon request by the Director of the Direction des levés fonciers or by the Director of the Service de l'arpentage.

15. The Associate Deputy Minister responsible for the "lands and forests" sector, the Director of the Direction générale du domaine territorial, the Director of the Direction de la gestion du territoire, the Director of the Direction générale des opérations régionales, a Regional Director or a comptroller of a managerial unit is authorized to affix the signature of the owner on the survey and cadastre documents respecting public lands.

Division III

MINING SECTOR

16. The Associate Deputy Minister responsible for the "mining" sector is authorized to sign:

- (1) notices of intent to annul a mining lease or to revoke a mining concession or mining rights;
- (2) notices requiring an operator to carrying out operations considered necessary to prevent damages caused by debris deposited before authorization by the management system;
- (3) notices requiring from an operator or a holder of mining rights carrying out exploration operations any plan necessary for a better knowledge of deposits made and operations done in the mine for the protection of the workers.

17. The Associate Deputy Minister responsible for the "mining" sector or the Director of the Direction générale de la recherche et de la géologie minérale is

authorized to sign orders reserving for the Crown any land on which it owns mining rights and authorizing the staking of claims on that land.

18. The Associate Deputy Minister responsible for the "mining" sector, the Director of the Direction générale de l'exploitation et du développement or the Assistant Deputy Minister responsible for the Direction générale de l'exploitation et du développement is authorized to sign documents or writings respecting:

- (1) authorization to stake claims;
 - (a) for the Crown according to section 36 of the Mining Act (R.S.Q., chapter M-13);
 - (b) within the territory of New Québec;
- (2) orders to reduce claims exceeding legal dimensions;
- (3) permission to extract and ship certain quantities of ores for analysis of a claim;
- (4) issuance, renewal, extension or abandonment of a mining lease;
- (5) extensions of time limits between the date of a lease and the beginning of operations;
- (6) abandonment of emphyteutic leases in mining towns, and mortgage receipts and releases pursuant to those leases;
- (7) concessions for superior minerals on a mining concession for inferior minerals;
- (8) authorization to issue new licences to cut timber on land granted by mining lease or mining concession;
- (9) the non-confidentiality of plans and surveys submitted to the Department;
- (10) issuance of exploration permits for alluvial deposits and waste materials;
- (11) issuance of orders to prescribe forms to be used in the application of the Mining Act.

19. The Associate Deputy Minister responsible for the "mining" sector, the Director of the Direction

générale de l'exploitation et du développement, the Assistant Deputy Minister responsible for the Direction générale de l'exploitation et du développement or the Director of the Direction du domaine minier is authorized to sign deeds, documents or writings respecting:

- (1) alienation or utilization of the surface of a mining concession or a mining lease for purposes other than mining;
- (2) concession of ownership rights in mining villages and towns;
- (3) issuance of leases for locations intended for deposits of waste from mining operations;
- (4) authorization for any waste management systems;
- (5) issuance of operating permits for working sand and gravel deposits;
- (6) acquisition of any land, right or servitude necessary for opening, building, maintaining and improving secondary mining roads, pursuant to section 267 of the Mining Act.

20. The Associate Deputy Minister responsible for the "mining" sector, the Director of the Direction générale de l'exploitation et du développement, the Assistant Deputy Minister responsible for the Direction générale de l'exploitation et du développement, or the Chief Recorder is authorized to sign documents or writings respecting:

- (1) issuance or refusal of a prospector's licence;
- (2) authorization to stake claims in the cases and under the conditions referred to in sections 27, 34 and 35 of the Mining Act, except for the case referred to in section 27*d*.

21. The Associate Deputy Minister responsible for the "mining" sector, the Director of the Direction générale de l'exploitation et du développement, the Assistant Deputy Minister responsible for the Direction générale de l'exploitation et du développement and the Head of the Service des permis is authorized to sign documents or writings respecting:

- (1) staking of claims in a surveyed township or a seigneurie as well as in unsurveyed territory;
- (2) authorization to concentrate operations in one lot, lease or concession;
- (3) issuance of special licences authorized by the Government pursuant to section 238 of the Mining Act.

22. The Associate Deputy Minister responsible for the "mining" sector, the Director of the Direction générale de l'exploitation et du développement, the Assistant Deputy Minister responsible for the Direction générale de l'exploitation et du développement, the Director of the Direction de la fiscalité minière or the Head of the Service de l'imposition minière is authorized to:

- (1) remit the annual tax prescribed in section 114 of the Mining Act;
- (2) sign any document respecting the application of sections 26, 39, 48, 51, 59, 66, 73, 75, 78 and 79 of the Mining Duties Act (R.S.Q., chapter D-15).

Division IV

ENERGY SECTOR

23. The Associate Deputy Minister responsible for the "energy" sector, the Assistant Deputy Minister, "energy" sector, or the Director of the Direction générale des énergies conventionnelles is authorized to sign:

- (1) permits, leases and other documents related to Divisions XVI, XVII and XVIII (sections 135 to 218) of the Mining Act;
- (2) leases for the concession of hydraulic power to Hydro-Québec.

24. The Associate Deputy Minister responsible for the "energy" sector, the Assistant Deputy Minister, "energy" sector, or the Director of the Direction de la distribution is authorized to issue permits for the distribution of petroleum products.

25. The officer responsible for the energy conservation programme or the officer responsible

for the home insulation programme is authorized to sign promises of grants respecting those programmes up to 1 000 \$.

Division V

FINAL PROVISIONS

26. This Regulation replaces the "Regulation respecting the signing of certain deeds, documents or writings of the ministère des Terres et Forêts" made by Order in Council 1139-79 dated 25 April 1979, the "Regulation respecting the signing of certain documents of the Department of Natural Resources" made by Order in Council 1359-77 dated 27 April 1977, amended by the "Regulation amending the Regulation respecting the signing of certain documents of the Department of Natural Resources" made by Order in Council 2309-77 dated 13 July 1977 and amended by the "Regulation amending the Regulation respecting the signing of certain documents of the ministère des Richesses naturelles" made by Order in Council 2256-78 dated 12 July 1978 and the "Regulation concerning the signing of certain documents within the jurisdiction of the Minister-Delegate, Energy", made by Order in Council 701-79 dated 13 March 1979, amended by the "Regulation amending the Regulation respecting the signing of certain documents within the jurisdiction of the Minister-Delegate, Energy", made by Order in Council 3906-80 dated 17 December 1980.

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

1021-o

O.C. 948-81, 26 March 1981

AN ACT RESPECTING THE SOCIÉTÉ
QUÉBÉCOISE D'ASSAINISSEMENT DES EAUX
(1980, c. 10)

Contracts concluded by the Société

CONCERNING the Regulation respecting contracts concluded by the Société québécoise d'assainissement des eaux.

WHEREAS the Act respecting the Société québécoise d'assainissement des eaux was assented to on 18 June 1980;

WHEREAS section 30 of the Act establishing the corporation provides that the Government may make regulations to establish conditions respecting contracts entered into by the corporation and fix the cases where it must award them by public tender;

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

THAT the standardized technical documents respecting the estimates of major works, published by the Bureau de normalisation du Québec, the list of which appears below, serve, as far as possible, to establish the conditions of public tenders;

BNQ 1809-950 Avis aux soumissionnaires

BNQ 1809-951 Clauses administratives générales

BNQ 1809-952 Garanties et assurances

BNQ 1809-970 Formules administratives

BNQ 1809-300 Clauses techniques générales —
aqueducs et égouts

THAT the corporation undertake, before 1 July 1981, the necessary steps to obtain the approval of the Conseil du trésor provided for in the Regulation and to establish its catalogue;

THAT the "Regulation respecting contracts concluded by the Société québécoise d'assainissement des eaux", attached hereto, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation respecting contracts concluded by the corporation

An Act respecting the Société québécoise
d'assainissement des eaux
(1980, c. 10, s. 30, subpar. 1)

Division I**GENERAL PROVISIONS**

1. In this Regulation, the following terms mean:

- (1) "call for tenders in newspapers": a notice published in at least one daily newspaper inviting offers or tenders for the purpose of awarding a contract;
- (2) "invitation of tenders": a notice personally addressed to suppliers, firms or contractors inviting them to submit tenders for the purpose of awarding a contract;
- (3) "corporation": the Société québécoise d'assainissement des eaux.

2. This Regulation applies to all contracts concluded by the corporation for the carrying out of water purification works for the needs of municipalities and rehabilitation work on municipal sewerage systems.

Division II**PURCHASE CONTRACTS**

3. No purchase contract may be concluded unless there has been a public call for tenders, except:

- (1) where the amount in question is under 3 000 \$;
- (2) where only one supplier meets the specifications established by the corporation;

- (3) where it is more economical to negotiate at the source without an intermediary and only one source of supply is available;
- (4) where the price of the merchandise to be purchased is fixed by law;
- (5) where the product to be purchased has already been the subject of a rental contract and the rental cost is recoverable in part or in whole;
- (6) where the purchases are made from the stores of the Service général des achats or from the Éditeur officiel;
- (7) in emergencies where the safety of persons or property is endangered and where it would not be in the public interest to call for tenders.

4. Where, under this Regulation, a purchase contract must be awarded by public tender, the corporation may proceed with an invitation of tenders to a minimum of 3 suppliers where the estimated cost of the purchase contract is under 25 000 \$. Over this amount, the corporation proceeds with a call for tenders in newspapers.

5. In all cases where tenders have been called for, the contract is awarded to the lowest conformable tenderer, except where the estimated cost of the purchase contract exceeds 10 000 \$, in which case the prices submitted must be assessed in terms of Québec content in accordance with the method fixed in the "Regulation respecting Government purchase contracts" (O.C. 2591-77). After the assessment, the contract is then granted to the lowest tenderer. The assessment must take into account Canadian content where there is no Québec content in the property in question.

Division III

SERVICE CONTRACTS

6. This Division applies to service contracts for construction and related engineering work for water purification. Such contracts include the studies, the preparation of plans and specifications, the checking of the quality of the materials and the supervision of the construction and related engineering work for water purification.

7. No service contract may be concluded unless there has been a call for tender for services, except in emergencies where the safety of persons or property is endangered and where it would not be in the public interest to call for tenders.

8. The corporation establishes a catalogue that lists the firms offering their professional services for construction and related engineering work for water purification. The catalogue must include the following 3 distinct specializations:

- (1) EPIC studies;
- (2) interception of waste water;
- (3) treatment works of waste water.

Firms listed under any one of the specializations referred to in subparagraphs 1 and 2 are divided into geographical sub-groups depending on their principal place of business.

The corporation determines the criteria of eligibility to be listed in the catalogue and checks the eligibility of firms submitting applications.

9. Where the corporation wishes to award a service contract, it proceeds with an invitation of tenders in accordance with the following terms and conditions:

- (1) for EPIC studies: 5 firms listed in the catalogue of the corporation and, where applicable, 2 of which are registered in the geographical sub-group where the work is to be carried out;
- (2) for the interception of waste water: 4 firms listed in the catalogue of the corporation and where applicable, upon the request of the municipality or municipalities concerned, the firm usually in charge of collecting their waste water.

Among the firms invited, priority is given to firms listed in the catalogue whose principal place of business, where applicable, is in the same geographical sub-group as the place where the work is to be done;

- (3) for treatment works: five firms listed in the catalogue of the corporation including, where applicable, the firm previously in charge of the work where modifying existing work is involved.

10. Despite section 9, the corporation may proceed with a call for tenders in newspapers where it decides that an invitation of tenders would not give satisfactory results.

Sections 4, 5 and 6 of the first paragraph of section 7 of the "Regulation respecting Government service contracts" (O.C. 3475-77 dated 19 October 1977) apply to such a call for tenders in newspapers.

11. The terms and conditions for the establishment of the catalogue, the general criteria for listing in the catalogue, the division of specializations into geographical sub-groups, and the selection grid used to choose firms must be approved by the Conseil du trésor.

12. The study of a call for tenders is done by the technical committee established within the framework of an agreement made between the corporation and the municipality or the municipalities concerned, based on the criteria and the terms and conditions included in the selection grid approved by the Conseil du trésor.

13. The technical committee recommends its choice of a firm to the corporation.

14. Remuneration for professional services must not exceed the tariff established in the "Regulation respecting the tariffs of fees authorized for professional services provided to the Government" (O.C. 2270-77 dated 6 July 1977 and its amendments). The corporation specifies in the notice of call for tenders, the methods of payment of fees, established in the Regulation referred to in the first paragraph, that are applied according to the difficulty of the contract.

Division IV

CONSTRUCTION CONTRACTS

15. In this Division, construction means all work related to the carrying out of water purification works and rehabilitation work on municipal sewerage systems that require specialized labour from the construction trade.

16. A construction contract may not be concluded unless there has been a public call for tenders,

except in emergencies where the safety of persons or property is endangered and where it would not be in the public interest to call for tenders.

17. Tenders are called for according to one of the following methods:

- (1) a call for tenders in newspapers where the estimated cost of the work is over 25 000 \$; or
- (2) an invitation for tenders to at least 3 contractors in all other cases.

18. A call for tenders in newspapers must be published in French in a Montréal or Québec City daily newspaper, in a weekly regional newspaper with a circulation in the region where the work is to be carried out and in a specialized publication.

19. A call for tenders in newspapers must include, at the least, the following provisions and information:

- (1) a brief description of planned works;
- (2) the place where they will be carried out;
- (3) the place where the documents and information needed to prepare the tender may be obtained or examined;
- (4) the prerequisites for obtaining the documents needed to prepare the tender;
- (5) the place and the deadline set for the filing and opening of tenders;
- (6) the nature of the tender guarantee required;
- (7) that only tenders from contractors who have their principal place of business in Québec and who hold the licence required under the Building Contractors Vocational Qualifications Act, will be considered;
- (8) that the corporation does not bind itself to accept the lowest or any other tender.

20. The following documents are given to the tenderers in exchange for a nonrefundable deposit, the amount of which is fixed by the corporation according to the actual cost of producing the documents:

- (1) a list of the documents supplied;
- (2) a copy of the text of the call for tenders;
- (3) the instructions for tenderers;
- (4) the tender form;
- (5) the information form respecting the tenderer;
- (6) a specimen of the contract referred to in the tender;
- (7) a specimen of the bid bond form;
- (8) a specimen of the prescribed performance bond forms and the prescribed bonds for the labour, materials and service obligations of the contractor; and
- (9) all other requirements pertinent to the mandate to be contracted for, including plans, estimates and relevant addendum.

21. The instructions provided for tenderers must indicate how to fill out the tender form and required supporting documents, and the procedures the tenderer is to follow.

22. If the contract is awarded, it is granted to the lowest conformable tender.

Division V

COMING INTO FORCE

23. This Regulation comes into force on 1 July 1981.

1023-o

O.C. 950-81, 26 March 1981

AN ACT RESPECTING THE GOVERNMENT
AND PUBLIC EMPLOYEES RETIREMENT
PLAN
(R.S.Q., c. R-10)

Regulation — Amendments

CONCERNING the Regulation amending the
Regulation respecting the Government and Public
Employees Retirement Plan.

WHEREAS pursuant to subparagraph *d* of section
149 of the Act respecting the Government and Public
Employees Retirement Plan (R.S.Q., chapter R-10),
the Government has, upon consultation by the
Commission of the Comité d'administration,
rendered the said Act applicable to the "Association
des Hôpitaux de la Province de Québec" and to the
"Services Communautaires hospitaliers de
Québec";

WHEREAS the "Association des Hôpitaux de la
Province de Québec" and the "Services
Communautaires hospitaliers de Québec", subject to
the Government and Public Employees Retirement
Plan pursuant to Order in Council 3387-78 dated 2
November 1978, have changed their names to
become "Association des hôpitaux du Québec" and
"Partagec Inc." respectively and it is advisable to
amend the Regulation accordingly;

WHEREAS the Comité d'administration

IT IS ORDERED, therefore, upon the recom-
mendation of the Minister of the Civil Service:

THAT the Regulation entitled "Regulation
amending the Regulation respecting the Government
and Public Employees Retirement Plan", attached
hereto, be made;

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

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation amending the Regulation
respecting the Government and Public
Employees Retirement Plan

Act respecting the Government and Public
Employees Retirement Plan
(R.S.Q., c. R-10, s. 149, subpar. *d*)

1. The "Regulation respecting the Government
and Public Employees Retirement Plan", made by
Order in Council 3387-78 dated 2 November 1978,
amended by Order in Council 3831-78 dated 13
December 1978, by Order in Council 3982-80 dated
22 December 1980 (replacing Order in Council
2260-79 dated 8 August 1979, by Order in Council
3983-80 dated 22 December 1980 (replacing Order
in Council 2848-79 dated 17 October 1979) and by
Order in Council 3984-80 dated 22 December 1980,
is further amended by replacing paragraphs 130 and
132 of Schedule "B" by the following:

"(130) Association des hôpitaux du Québec

(132) Partagec Inc."

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

1022-o

O.C. 956-81, 26 March 1981**AN ACT RESPECTING COLLECTIVE AGREEMENT DECREES
(R.S.Q., c. D-2)****Security agents — Montréal**

CONCERNING the legal extension of a collective labour agreement respecting security agents in the Montréal region.

WHEREAS, pursuant to the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the contracting parties mentioned below have petitioned the Minister of Labour and Manpower to render obligatory the collective labour agreement entered into between:

ON THE ONE PART:

Le Conseil des agences de sécurité et d'investigation du Québec Inc. (C.A.S.I.Q.);

AND, ON THE OTHER PART:

L'Union des agents de sécurité du Québec;

for the employers, artisans and employees of the trades and occupations concerned, according to the conditions described in the *Gazette officielle du Québec*;

WHEREAS the provisions of this agreement have acquired a preponderant significance and importance for establishing working conditions in the trades and occupations concerned and within the territorial jurisdiction found in this petition;

WHEREAS the objections brought forward have been duly considered in accordance with the Act;

WHEREAS the provisions of the Act were duly observed as regards the publication of notices;

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

THAT the "Decree respecting security agents in the Montréal region", attached hereto, be adopted.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

**Decree respecting security agents in the
Montréal region****An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8)****1.00 INTERPRETATION**

1.01 For the purposes of this decree, the following expressions mean:

- (a) "spouse": means both the man and the woman who are married and living together or are living together as husband and wife, and who:
 - (i) have been residing together for 3 years or for 1 year, if a child has been born of their union; and
 - (ii) are publicly presented as husband and wife;
- (b) "trial employee": an employee who does not complete 60 days of work during a period of 180 days with the same employer;
- (c) "part-time employee": an employee who usually works only part of the hours in a standard week;
- (d) "full-time employee": an employee who usually works all the hours of the standard week;
- (e) "class "A" employee": an employee who does the work determined by the employer, without the intermediary of a higher class and also who is specially assigned to one or several of the following tasks:
 - informs persons on how to reach their destination;
 - watches over the employees of one of the employer's clients;

- directs traffic;
 - gives out information;
 - writes out traffic tickets;
 - patrols;
 - check passes;
 - collects and registers found objects;
 - supervises to prevent the theft of objects on display;
 - carries out searches;
 - prevents theft, fire and vandalism;
- (f) "class "B" employee": and employee entrusted with the direction and supervision of one or several employees in class "A";
- (g) "regular employee": an employee who works at least 60 days in a 180-day period;
- (h) "casual employee": an employee hired for one of the following purposes:
- (i) to replace a regular employee during his absence;
 - (ii) to work for a special occasion;
 - (iii) to work on a special contract for not more than 6 months.

2.00 JURISDICTION:

2.01 The territorial jurisdiction of the decree includes the administrative regions 04, 05, 06, 07, 08 and 10 as defined by Order in Council 524 of 29 March 1966, concerning the administrative division of the territory of the province.

2.02 The professional jurisdiction of the decree governs security agencies and their employees.

2.03 The decree does not apply to:

- (a) peace agents within the meaning of the Police Act (1978, chapter P-13);

- (b) investigators within the meaning of the Act respecting detective or security agencies (1978, chapter A-8);
- (c) employees whose main duty is not a security task;
- (d) employees (other than those in class A or B);
- (e) employees governed by another decree.

3.00 HOURS OF WORK:

3.01 The standard workweek is 44 hours. If, in the case of an employee governed by the decree, a government regulation establishes otherwise, the new standard workweek replaces the workweek in this section.

3.02 The employer may schedule employee working hours on a basis other than a weekly basis on the following conditions:

- (a) that the average for working hours is equivalent to the standard provided for in subsection 3.01;
- (b) that the employer sends a prior written notice to such effect to the Parity Committee.

3.03 Hours performed over and above the standard workweek are overtime hours.

3.04 Overtime hours are paid at time and a half except for premiums established on an hourly basis.

3.05 In order to compute overtime hours, annual vacation and holidays with pay are considered as workdays.

3.06 An employee is considered to be at work when he is at his employer's disposal on the work premises and he is obliged to wait to be given work.

3.07 An employee who reports to work at his employer's express request or during the regular course of his employment and who works less than 3 consecutive hours, is entitled, except for a fortuitous event, to an indemnity equal to 3 hours at his regular hourly rate, except if the increase for overtime hours gives him a higher amount.

This provision does not apply if the nature of the work or the conditions for performing the work

requires the employee to be present several times in the same day and for less than 3 hours each time.

It does not apply if the nature or the conditions for carrying out the said work are such that the work can be completed within a 3-hour period.

4.00 WAGES:

4.01 No benefit having a monetary value shall be considered in computing the minimum wage.

4.02 Wages are paid in cash in a sealed envelope by cheque or bank transfer.

An employee is considered as not having received the wages owed to him if the cheque he receives is not cashable within the 2 working days following receipt.

4.03 Wages are paid at regular intervals not exceeding 16 days.

Notwithstanding the 1st paragraph, the employer may pay an employee within the month following the date he was hired.

4.04 The employee receives his wages personally on the work premises and during the working day, except in the case when payment is made by bank transfer or is sent by mail.

Wages may be remitted to a third person upon the employee's written request.

4.05 When a regular payday falls on a day of absence authorized by the decree, wages are paid to the employee on the preceding workday.

4.06 The employer gives to the employee, at the same time as his wages, an earnings statement with sufficient particulars to permit him to check the computation of his wage. Such earnings statement includes the following particulars:

1. the employer's name;
2. the employee's name and given name;
3. the employee's classification;
4. the date of payment and the work period corresponding to payment;

5. the number of hours paid at the applicable rate during the hours of the regular workweek;

6. the number of overtime hours paid at the applicable increase;

7. the nature and amount of premiums, indemnities or allowances paid;

8. the wage rate;

9. the amount of gross wages;

10. the nature and amount of deductions made;

11. the amount of take-home pay.

4.07 For each hour of work, the employee receives at least the following wage:

	<i>As of 1 June 1981</i>	<i>As of 1 June 1982</i>
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1. Class "A" employee

(a) regular employee.....	3,90 \$	4,30 \$	4,80 \$
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(b) casual employee.....	3,85	4,20	4,70
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(c) trial employee.....	3,85	4,15	4,65
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2. The class "B" employee receives 0,25 \$ per hour more than the best paid employee he has under his supervision or direction.

4.08 When paying wages, no signature other than the signature establishing that the amount remitted to the employee corresponds to the amount of the take-home pay indicated on the earnings statement may be required.

4.09 The employee's acceptance of an earnings statement does not mean renunciation of the payment of all or any part of the wages owing to him.

4.10 The employer may make a check-off on wages only when compelled by a law, a regulation, a court order, a collective agreement or the decree, or when authorized by a document signed by the employee.

The employee may cancel such authorization at any time, except when it concerns membership in a collective insurance plan or in a supplemental pension plan within the meaning of the Act respecting supplemental pension plans (R.S.Q., chapter R-17). The employer pays to the recipient the amounts thus held back.

4.11 Tips paid directly or indirectly by a client to the employee belong to the employee and are not included in wages owed to him. If the employer receives tips, he gives such tips to the employee.

4.12 The maximum amount that may be required by an employer for room and board for one of his employees is the amount established by government regulation.

5.00 ANNUAL VACATION:

5.01 The qualifying year consists in a period of 12 consecutive months during which an employee progressively obtains his entitlement to annual vacation.

This period extends from May 1 of the preceding year to April 30 of the current year, except when an agreement establishes another date for the beginning of the said period.

5.02 An employee who, at the end of a qualifying year, has less than 1 year of continuous service with the same employer, is entitled to a continuous vacation whose duration is determined at the rate of 1 working day for every month of continuous service, without the total duration of such vacation to exceed 2 weeks.

5.03 An employee who, at the end of a qualifying year has 1 year of continuous service with the same employer, is entitled to a minimum of 2 weeks of annual vacation.

5.04 The regular full-time employee who, at the end of the qualifying year, has 5 years of continuous service with the same employer, receives 3 weeks of annual vacation, and 2 of these weeks are continuous.

5.05 An employee who, at the end of a qualifying year, has 10 years of continuous service with the same employer, is entitled to a minimum of 3 weeks of annual vacation, and 2 of these weeks are continuous.

5.06 The annual vacation may be divided into 2 periods if the employee so requests, except when the employer closes his establishment for the annual vacation period.

A vacation that is 1 week or less cannot be divided.

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

5.08 The employer is forbidden to replace the vacation mentioned in subsections 5.02, 5.03, 5.04 and 5.05 by a monetary compensation.

Upon the employee's request, the 3rd week of vacation may however be replaced by a monetary compensation if the establishment is closed for 2 weeks during the annual vacation period.

5.09 The vacation pay for employee mentioned in subsections 5.02 and 5.03 is equal to 4% of the employee's gross wages during the qualifying year. In the case of the employee mentioned in subsections 5.04 and 5.05, vacation pay is equal to 6% of the employee's gross wages during the qualifying year.

If an employee is absent because of an illness or accident or benefits from a maternity leave during the qualifying year and such absence reduces the vacation pay for the employee, he/she is entitled to an equivalent pay, as the case may be, of 2 or 3 times the weekly average of the wage earned during the period worked. The employee mentioned in subsection 5.02 whose annual vacation is less than 2 weeks is entitled to this amount on a prorata of the days of vacation accumulated.

5.10 The employee receives the vacation pay in one payment before the beginning of his vacation.

5.11 The annual vacation is exigible within 12 months following the end of the qualifying year.

6.00 GENERAL HOLIDAYS WITH PAY:

6.01 For an employee, St. John the Baptist Day is a general holiday with pay pursuant to the National Holiday Act (1978, chapter 5).

6.02 When they fall on a working day, the following days are general holidays:

1. 1 January;
2. 25 December;
3. Labour Day;
4. Good Friday or, for the employees working in a commercial establishment within the meaning of the Act respecting commercial establishments business hours (R.S.Q., chapter H-2), at the employer's choice, Good Friday or Easter Monday;
5. Dollard's Day or the Queen's Birthday.

6.03 The employer gives the employee mentioned in subsection 6.02 pay equal to the average daily wage for the 2 weeks preceding such holiday.

6.04 If an employee works on one of the days indicated in subsection 6.02, the employer, in addition to paying this employee, working on such holiday, the wage corresponding to the work done, gives the employee the pay provided for in subsection 6.03 or grants him an extra day of holiday. In such a case, the holiday is taken within the 3 weeks preceding or following such holiday.

6.05 If an employee is on annual vacation during one of the holidays provided for in subsection 6.02, the employer gives him the pay provided for in subsection 6.03 or gives him one extra day of holiday on the date agreed upon between the employer and the employee.

6.06 To be entitled to a holiday mentioned in subsection 6.02, an employee shall have 60 days of continuous service with the same employer and shall not be absent from work, without the employer's authorization or a valid reason before or following such holiday.

6.07 The regular full-time employee who has 6 months of continuous service with the same employer is entitled to 1 holiday with pay, in addition to the holiday listed in subsection 6.02, which he takes on dates agreed upon with the employer, or on dates established by Government regulation.

6.08 On 20 December at the latest, the employer gives the employee mentioned in subsections 6.02 and 6.07, the holiday pay for each holiday not taken

by the employee, which is equal to the wage he would have earned on such day.

6.09 On a holiday provided for in subsections 6.02 and 6.07, the employee receives wages equal to those he would have normally earned on such date.

7.00 REST AND MISCELLANEOUS LEAVE:

7.01 An employee may be absent from work for 1 day without a loss in wages, on the occasion of the death or funeral of his spouse, child, mother, father, sister or brother. He may also be absent for 3 other days on such occasion, but without wages.

7.02 On the occasion of the death of his spouse, child, mother or father, the regular full-time employee has no loss in wages for the 2nd and 3rd working days of a 3-day leave ending on the funeral day. This subsection is null with respect to a working day which falls on a holiday provided for in another section of the decree.

7.03 An employee may be absent from work for 1 day, without a loss in wages, on his wedding day.

7.04 Any employee may be absent from work, without pay on the wedding day of one of his children and for 2 days on the occasion of the birth or adoption of a child.

7.05 For meals, the employer grants to the employee a break with pay for each period of 6 consecutive hours of work.

7.06 From the time he becomes a regular full-time employee, the employee progressively obtains 1 day of paid leave for accident or sickness for each month of service up to 3 days per 12-month period.

7.07 The first day of absence due to sickness or to accident is not payable.

7.08 This leave for accident or sickness does not apply when covered by the Workmen's Compensation Act (R.S.Q., chapter A-3).

7.09 A day's leave for accident or sickness is not payable when it falls on another day of paid leave provided for in the Decree.

7.10 The employee receives no indemnity for unused days of leave for accident or sickness and such days of leave are not cumuled with those of the following year.

7.11 The days of leave provided for in this section are not considered as workdays for the purposes of computing overtime hours.

8.00 MISCELLANEOUS PROVISIONS:

8.01 The employee who reports to work at the employer's express request or during the regular course of his employment and who works less than 3 consecutive hours is entitled, except for a fortuitous event to a minimum wage equal to three times his usual hourly wage, except when the increase for overtime hours ensures him a higher amount.

8.02 Days worked as a casual employee are not considered in the computation of the number of days necessary to obtain the title of regular employee or trial employee.

9.00 TERM:

9.01 The decree remains in force until 30 June 1983. 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 Manpower and to any other contracting party during May of 1983 or of any subsequent year."

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

Ministerial Order(s)

M.O., 30 March 1981

CIVIL CODE OF QUÉBEC

Solemnization of civil marriage

CONCERNING the solemnization of civil marriage.

WHEREAS, pursuant to article 134a of the Civil Code, The Minister of Justice enacted rules respecting the solemnization of marriage on 17 November 1980 which were published in the *Gazette officielle du Québec* of 7 January 1981;

WHEREAS article 134a of the Civil Code is revoked by section 14 of the Act to establish a new Civil Code and to reform family law (1980, chapter 39) and replaced by section 420 of the Civil Code of Québec, enacted by section 1 of that Act;

WHEREAS, in accordance with Order in Council 671-81 dated 4 March 1981, article 420 of the Civil Code of Québec, enacted by section 1 of the Act to establish a new Civil Code and to reform family law comes into force on 2 April 1981;

WHEREAS, pursuant to the said article 420 of the Civil Code of Québec, the Minister of Justice may prescribe rules for the solemnization of civil marriage;

WHEREAS it is advisable that certain rules respecting the solemnization of civil marriage be made;

THEREFORE, the Minister of Justice orders:

THAT the rules annexed hereto respecting the solemnization of civil marriage be made and replace those dated 17 November 1980;

THAT the said rules be published in the *Gazette officielle du Québec*.

MARC-ANDRÉ BÉDARD,
Minister of Justice.

Rules respecting the solemnization of civil marriage

(Article 420 of the Civil Code of Québec)

1. The prothonotary appoints one of his deputies as an officer competent to solemnize civil marriage, by means of the form in Schedule 1A or 1B; the original form is filed at the office of the Clerk, and a copy is sent immediately to the Minister of Justice.
2. The prothonotary may choose a person from among the employees of the Clerk's office to act as Clerk at the marriage ceremony. Whenever necessary, the Clerk assists the prothonotary or his deputy at the marriage ceremony, ensuring, in particular, that it is proceeding smoothly.
3. The prothonotary, or his deputy, and the Clerk must dress as prescribed in section 27 of the Rules of practice of the Superior Court of the Province of Québec in civil matters (*Gazette officielle du Québec*, 8 May 1974, pages 1955 to 1964 and 22 May 1974, pages 2343 and 2344).
4. The marriage must be solemnized in a courtroom of a court house or of some other building where a court of law sits. If no court house or other building where a court of law sits is located within a radius of 80 kilometres from the domicile of either of the intended spouses, the marriage may be solemnized in the council chamber, or any other suitable room, of the nearest Town Hall.
5. The flag of Québec must be displayed in the room where the marriage is solemnized.
6. A civil marriage may be solemnized any day of the week, Sunday excepted, between 9 00 and 16 30.
7. The prothonotary must keep a register to record in particular:

- (a) the date when the parties applied;
- (b) the date of publication by means of a notice posted up, or, where applicable, the date when dispensation from publication was granted;
- (c) the payment of the fees;
- (d) the date of the marriage ceremony and the date when the copies of the act of marriage were issued;
- (e) where applicable, the name and address of the notary who registered the marriage contract of the intended spouses.

8. The register must contain an alphabetical index of the names of each intended spouse. Each entry of marriage is given a particular number corresponding to the file containing all the documents related to the marriage.

9. To publish a marriage, the prothonotary posts up a copy of the notice of marriage, drawn up in accordance with the form in Schedule 2, for 20 days before the scheduled date of the marriage, at the place where the marriage is to be solemnized.

10. Before publication of the marriage by means of a notice posted up, or at the time when dispensation from publication is granted, the officiant must receive the fees payable by the intended spouses.

11. At the marriage ceremony, the officiant addresses the intended spouses in the words set out in the form in Schedule 3.

12. The text is read in French or in English according to the language of the intended spouses. If one of the intended spouses does not understand either of the two languages, the officiant may require that the intended spouses provide the services of an interpreter at their own expense, and must record the fact in the register referred to in section 7.

13. The officiant then addresses the intended spouses in the words set out in the form in Schedule 4.

14. The officiant may solemnize more than one marriage at one time, in which case he reads the form in Schedule 3 only once.

15. These rules come into force on 2 April 1981.

SCHEDULE 1-A

I, the undersigned,, prothonotary of the Superior Court in the judicial district of, appoint, deputy prothonotary, as an officer competent to solemnize civil marriage in the judicial district of.....

SCHEDULE 1-B

I, the undersigned,, prothonotary of the Superior Court in the judicial district of, appoint, deputy prothonotary, as an officer competent to solemnize the civil marriage of Mr. and Miss at on (day, month, year)

SCHEDULE 2

NOTICE OF MARRIAGE

Publication of the marriage to be solemnized by the prothonotary at (name of building and place) in the judicial district of, on..... between....., born on..... (intended husband's surname, given name, occupation and domicile) at and (place, province, country) (intended wife's surname, given name, occupation and domicile) born on..... at (place, province, country)

I, the undersigned, acting as witness, declare that I am of full age and that I have taken cognizance of the above information. I solemnly affirm that those statements are true and I make this solemn declaration knowing that it has the same force and effect as an oath.

Witness:
Address:
Declared before me at
this

Administering Officer

This Notice of Marriage has been posted up, this day of, 19....., by me,, prothonotary of the Superior Court in the judicial district of, at..... (name of building and place)

Prothonotary

SCHEDULE 3

“....., (name of wife) (name of husband).....”

before uniting you in the bonds of marriage, I am required to read to you certain texts of law which set out the rights and duties of spouses”.

Article 441. The spouses have identical rights and obligations in marriage.

They owe each other respect, fidelity, succour and assistance.

They must live together.

Article 442. In marriage, each spouse retains his surname and given names, and exercises his civil rights under this surname and these given names.

Article 443. The spouses together take in hand the moral and material direction of the family, exercise parental authority and assume the tasks resulting therefrom.

Article 444. The spouses choose the family residence together.

Article 445. The spouses contribute towards the expenses of the marriage in proportion to their respective means.

Each spouse may make his contribution by his activity within the home.

SCHEDULE 4

....., do you take.....,
(name of husband) (name of wife)
here present, to be your lawful wedded wife?

Answer: “I do.”

....., do you take.....,
(name of wife) (name of husband)
here present, to be your lawful wedded husband?

Answer: “I do.”

(The spouses then joins hands, and the officiant pronounces the following words:)

“By virtue of the powers vested in me by law, I now declare you
and you (name of husband)
..... (name of wife) united in the bonds of marriage.”

(The husband then produces the wedding ring and places it on the ring-finger of his wife. The officiant may then address the newly married couple as follows:)

“You are now legally married. Permit me, on my behalf and on behalf of all those present, to offer you our best wishes for your happiness.”

Draft Regulation(s)

DRAFT REGULATION

AN ACT RESPECTING COLLECTIVE
AGREEMENT DECREES
(R.S.Q., c. D-2)

Men's and ladies' hairdressers — Drummond, Shefford and Richelieu — Amendments

Pursuant to the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the Minister of Labour and Manpower, Mr. Pierre Marois, hereby gives notice that contracting parties to the collective labour agreement respecting men's hairdressers and ladies' hairdressers in the electoral districts of Drummond, Richelieu and Shefford, rendered obligatory by Decree 2468 of 27 December 1961, have petitioned him to submit to the Government for consideration and decision the following amendments to this decree:

1. The name of the decree shall be replaced by the following:

“Decree respecting hairdressers in the Drummond, Richelieu and Shefford regions”

2. Section 5.00 shall be amended:

(a) by replacing the numbering of subsections 5.05, 5.06, 5.07 to become 5.06, 5.07, 5.08.

(b) by adding the following subsection 5.05:

“5.05 The employee in zone I, Part IV, who has 5 years of continuous service with the same employer or in the same salon, shall receive an annual vacation of 3 weeks, 2 weeks of which are to be continuous. The vacation pay shall be equal to 6% of the employee's earnings during the qualifying period and the vacation pay shall be payable before the employee leaves on vacation. This 3rd week of vacation cannot be taken at the following periods:

(a) the week immediately following the 2 weeks of continuous annual vacation;

(b) between 8 and 31 December;

(c) the week preceding Easter.

The employee shall notify his employer at least 4 weeks in advance of the date when he wishes to take this 3rd week.”

3. Section 7.00 shall be replaced by the following:

“7.00 SPECIAL PROVISIONS:

7.01 Special provision respecting wages: Notwithstanding any other provision of this decree, the employer shall grant the qualified employee at least the minimum weekly wage that would be payable to him according to the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45), or to any further regulation that could amend or replace it.

7.02 Regulation Rate: This expression means the minimum rate applicable to an employee 18 years and over during the hours of the standard workweek according to the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45), or to any further regulation that could amend or replace it.

7.03 Miscellaneous Leaves:

(a) **Death:** an employee may be absent during 1 day, without a loss in wages, on the occasion of the death or funeral of a child, the person to whom he is married or with whom he lives as if married within the meaning of subparagraph *b* of subsection 3 of section 1 of the Act respecting labour standards (1979, chapter 45), of his father, mother, brother or sister. He may also be absent during 3 other days on this occasion, but without wages;

(b) **wedding**: an employee may be absent from work during 1 day without a loss in wages on his wedding day. He may also be absent, without wages, on the wedding day of one of his children;

(c) **adoption or birth**: an employee may be absent from work, during 2 days, without wages, on the occasion of the birth or adoption of a child."

4. Section 8.00 shall be amended by adding the following subsection 8.06:

"8.06 All men's hairdressing salons in zone I shall be closed from 1 January to 9 January inclusively.

Exception: When 9 January falls on a Friday, salons shall then be closed from 1 January to 10 January inclusively."

5. Section 13.00 shall be amended:

(a) by replacing, in subsection 13.04, the wages for apprentices in zone I, by the following:

"Zone I:

1st year of apprenticeship: 70,00 \$ per week;

2nd year of apprenticeship: 90,00 per week;

3rd year of apprenticeship: 100,00 per week."

(b) by replacing, in subsection 13.05, the wages for apprentices in zone I, by the following:

"Zone I:

1st year of apprenticeship: 2,65 \$ per hour;

2nd year of apprenticeship: 3,40 per hour;

3rd year of apprenticeship: 3,75 per hour."

6. Section 16.00 shall be amended by replacing subsection 16.01 by the following:

"16.01 The decree, with respect to Parts III and IV (Hairdressing — Drummond and Shefford), shall remain in force until 31 December 1981. 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 Manpower and to any other contracting party during November of 1981 or of any subsequent year."

Publication of this Notice does not make the provisions therein binding. Only a Decree can make those provisions binding, with or without amendment. Such a Decree may not come into force before the date of its publication in the *Gazette officielle du Québec*.

During the 30-day period following the date of publication of this Notice in the *Gazette officielle du Québec*, the Minister of Labour and Manpower will receive any criticisms from persons concerned.

THOMAS J. BOUDREAU,
Deputy Minister.

1018-o

DRAFT REGULATION**AN ACT RESPECTING COLLECTIVE
AGREEMENT DECREES
(R.S.Q., c. D-2)****Hairdressing — Québec — Amendments**

Pursuant to the Act respecting collective agreement decrees (R.S.Q., chapter D-2), the Minister of Labour and Manpower, Mr. Pierre Marois, hereby gives notice that contracting parties to the collective labour agreement respecting men's and ladies' hairdressers in the Québec region, rendered obligatory by Decree 44 of 14 January 1954, have petitioned him to submit to the Government for consideration and decision the following amendments to this decree:

1. The name of the decree shall be replaced by the following:

“Concerning a collective labour agreement respecting hairdressers in the Québec region.”

2. Shall be amended: the list of contracting parties

(a) of the first part, by replacing “L'Association patronale des barbiers et coiffeurs et coiffeuses du district de Beauce et Dorchester” and “L'Association patronale des barbiers et coiffeurs du comté de Lotbinière” by the following: “Les coiffeurs unis de Beauce, Dorchester et Lotbinière (B.D.L.) Inc.”

(b) of the second part, by replacing “Le Syndicat des coiffeurs pour Hommes de Québec, Inc.” by the following: “Cercle québécois de la coiffure masculine Inc.”

3. Section 1.00 shall be abrogated.

4. Section 3.00 shall be replaced by the following:

“3.00 GENERAL HOLIDAYS WITH PAY:

3.01 St. John the Baptist Day is a general holiday with pay, pursuant to the National Holiday Act (1978, chapter 5).

3.02 Except for the temporary employee, the following days shall be general holidays with pay: New Year's Day, 2 January, 1 July, Labour Day, Christmas Day, 26 December.

3.03 When a general holiday with pay falls during an employee's annual vacation, the employee shall be entitled to 1 extra day of vacation with pay at the end of his annual vacation.

3.04 For men's hairdressers in zone II and for ladies' hairdressers, when a holiday falls on a Sunday or Monday, it may be postponed to the following Tuesday and shall be considered as a general holiday with pay.

3.05 In zone I, the wage received by an employee for the general holidays with pay listed in subsections 3.01 and 3.02, even if they fall on a Sunday or a Monday, shall be as follows:

(a) for the permanent men's hairdresser in Class A or B who, on 1 January, has less than 5 years of continuous service with the same employer: the wage for a standard 5-day work week, plus 31,00 \$ per day;

(b) for the permanent men's hairdresser in Class A or B who, on 1 January, has 5 years and more of continuous service with the same employer: the wage for a standard 5-day work week, plus 37,00 \$ per day;

(c) for the apprentice men's hairdresser: the wage for a standard 5-day work week, plus 18,00 \$ per day.

3.06 To be entitled to the provisions mentioned in subsection 3.05, the employee shall be at work the working day preceding and the working day following the general holiday with pay, unless his absence is authorized by his employer in writing.”

5. Section 4.00 shall be amended by abrogating subsection 4.11.

6. Section 5.00 shall be amended:

(a) by replacing subsections 5.04 and 5.05 by the following:

5.04 Prior Notice: Any employee who has 3 weeks of continuous service with the same employer, shall be entitled to a written prior notice before a dismissal or a lay-off of at least 6 months.

This prior notice shall consist of 1 week if the employee has less than 1 year of continuous service, 2 weeks if he has from 1 year to 5 years of continuous service, 4 weeks if he has from 5 to 10 years of continuous service or 8 weeks if he has 10 years of continuous service or more.

This section shall also apply to the employee who wishes to quit his employment. Any prior notice shall be sent to the Parity Committee in writing. A 7-day delay shall be granted to the party that wishes to exercise this right and the delay only begins at the end of the workweek during which the prior notice is given.

5.05 Special Provision respecting Wages: Notwithstanding any other provision of the decree, the qualified employee shall receive at least the minimum weekly wage provided for in the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45), or in any further regulation that could amend or replace it."

(b) by adding the following subsections 5.06, 5.07 and 5.08:

5.06 Lay-off: Provisions applicable to men's hairdressers in zone I only:

(a) in the case of a lay-off, the employer who pays the layed off employee an amount equal to the average of one week of work computed according to his T-4 slip of the preceding year, shall not be obliged to give the prior notice provided for in subsection 5.04;

(b) if the employee was not in the employ of the same employer during the preceding year, the method of payment shall be computed according to the average of 1 week of wages earned during his employment.

5.07 Maternity Leave: A female employee shall be entitled to a maternity leave, pursuant to Ordinance No. 17, of the Commission du salaire minimum or to any further regulation that could amend or replace it.

5.08 Miscellaneous Leave:

(a) An employee may be absent from work for 1 week, without a loss in wages, on the occasion of the death or funeral of a child, the person to whom he is married or with whom he lives as if married within the meaning of paragraph *b* of subsection 3 of section 1 of the Act respecting labour standards (1979, chapter 45), of his father, mother, brother or sister. He may also be absent during 3 other days on this occasion, but without wages.

(b) An employee may be absent from work for 1 day, without a loss in wages, on his wedding day.

(c) An employee may also be absent from his work, without wages, on the wedding day of one of his children and for 2 days on the occasion of the birth or adoption of a child."

7. Section 6.00 shall be amended by replacing subsection 6.01 by the following:

6.01 The decree shall remain in force until 1 October 1982. 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 Manpower and to any other contracting party during August of 1982 or of any subsequent year."

8. Section 7.00 shall be replaced by the following:

7.00 TERRITORIAL JURISDICTION
(Men's Hairdressing):

7.01 The territorial jurisdiction of this Part shall include the administrative regions 01 (Bas-Saint-Laurent) and 03 (Québec), as defined by Order in Council 524 of 29 March 1966, concerning the administrative division of the territory of the province.

7.02 For the enforcement of this Part, the territorial jurisdiction shall be divided into 2 Zones:

- (a) **Zone I:** in administrative region 03 (Québec), the electoral districts of Taschereau, Limoilou, Louis-Hébert, Jean-Talon, Montmorency, Lévis, Chauveau, Charlesbourg and La Peltrie, as defined by the Act respecting electoral representation (1979, chapter 57).
- (b) **Zone II:** in administrative region 01 (Bas-Saint-Laurent), the electoral districts of Gaspé, Bonaventure, Matane, Matapédia and the Îles-de-la-Madeleine;

in the electoral districts of Rimouski, the following municipalities: Esprit-Saint, Trinité-des-Monts paroisse, Saint-Eugène-de-Ladrière paroisse, Saint-Fabien paroisse, Bic village, Saint-Odile-sur-Rimouski paroisse, Saint-Valérien paroisse, Saint-Narcisse-de-Rimouski paroisse, Saint-Marcellin paroisse, Mont-Label, Sainte-Blandine paroisse, ville de Rimouski, Rimouski-Est village, Saint-Anaclede-Lessard paroisse, Sainte-Anne-de-la-Pointe-au-Père paroisse, Luceville village and Sainte-Luce paroisse.

in administrative region 03 (Québec), the electoral districts of Rivière-du-Loup, Kamouraska-Témiscouata, Montmagny-L'Islet, Bellechasse, Beauce-Nord, Beauce-Sud, Charlevoix and Portneuf;

in the electoral district of Rimouski, the following municipalities: Saint-Simon paroisse, Saint-Mathieu-de-Rioux paroisse, Saint-Médard, Saint-Guy, Lac-des-Aigles, Biencourt;

in the electoral district of Richmond, the following municipalities: township of Garthby, Saints-Martyrs-Canadiens paroisse, Saint-Fortunat;

in the electoral district of Mégantic-Compton, the following municipalities: Lambton, Saint-Sébastien, Lac-Drolet and Audet;

the electoral district of Frontenac, except for the following municipalities: township of Halifax South, southwestern part, township of Halifax North, Sainte-Sophie;

the electoral district of Lotbinière, except for the following municipalities: Saint-Pierre-Baptiste paroisse, Sainte-Julie, Laurierville village, Notre-Dame-de-Lourdes paroisse, Villeroy, Saint-Joseph-de-Blandford paroisse, Manseau village, Saint-

Louis-de-Blandford paroisse, Lemieux, Sainte-Marie-de-Blandford, Sainte-Sophie-de-Lévrard paroisse, Sainte-Cécile-de-Lévrard paroisse, Les Becquets village, Saint-Pierre-les-Becquets paroisse, Deschaillons village, Deschaillons-sur-Saint-Laurent village, Saint-Jacques-de-Parisville paroisse, Fortier-village village, Sainte-Philomène-de-Forterville paroisse and Sainte-Françoise."

9. Section 8.00 shall be amended by replacing subsections 8.02 and 8.03 by the following:

"**8.02 Opening Hours:** no customer may be admitted in a hairdressing salon in the following cases:

(a) Sunday, Monday or during one of the holidays mentioned in subsections 3.01 and 3.02;

(b) outside of the following opening hours:

(1) in zone I:

Tuesday, Wednesday, Thursday and Friday: from 9:00 a.m. to 6:00 p.m.;

Saturday: from 8:00 a.m. to 5:00 p.m.;

(2) in zone II:

Tuesday, Wednesday and Thursday: from 8:00 a.m. to 6:00 p.m.;

Friday: from 8:00 a.m. to 8:00 p.m.;

Saturday: from 8:00 a.m. to 5:00 p.m.

(c) *exceptions:*

(1) in the electoral district of Rivière-du-Loup:

Tuesday, Wednesday and Thursday: from 9:00 a.m. to 5:30 p.m.;

Friday: from 8:30 a.m. to 8:00 p.m.;

Saturday: from 8:30 a.m. to noon.

(2) in the electoral district of Kamouraska-Témiscouata:

Tuesday, Wednesday and Thursday: from 8:30 a.m. to 6:00 p.m.;

Friday: from 8:30 a.m. to 9:00 p.m.;

Saturday: from 8:30 a.m. to 3:00 p.m..

(3) in the electoral district of Rimouski:

Tuesday and Wednesday: from 8:30 a.m. to 5:30 p.m.;

Thursday and Friday: from 8:30 a.m. to 9:00 p.m.;

Saturday: from 8:00 a.m. to noon.

8.03 Exceptions: Notwithstanding the provisions provided for in subsection 8.02, the following opening hours shall apply to the places and hours mentioned hereinafter:

(1) in the electoral district of Montmagny-L'Islet;

Saturday: from 8:00 a.m. to noon;

(2) in the electoral district of Bellechasse:

Saturday: from 8:00 a.m. to 5:00 p.m.;

(3) in the municipalities of Thetford-Mines, Black-Lake, Robertsonville, Coleraine, Saint-Antoine-de-Pontbriand and Saint-Ferdinand-d'Halifax:

Saturday: from 8:00 a.m. to noon;

(4) in the electoral district of Matane:

Saturday: from 8:30 a.m. to noon;

(5) in the electoral district of Charlevoix:

Friday: from 8:30 a.m. to 8:00 p.m.;

Saturday: from 8:00 a.m. to noon."

10. Section 9.00 shall be amended:

(a) by replacing in subsection 9.01, paragraph *a* by the following:

(a) For the hours of the standard workweek, the permanent employee in class A and

class B shall receive 170,00 \$ basic wage, plus a 50% commission on the weekly receipts of his work exceeding 294,00 \$.

For the hours of the standard workweek, the permanent employee in class A and in class B who, on 1 January, has 5 years of continuous service with the same employer, shall receive 200,00 \$ basic wage, plus a 50% commission on the weekly receipts of his work exceeding 354,00 \$."

(b) by replacing in subsection 9.01, paragraphs *c*, *d* and *e* by the following:

"(c) The permanent employee in class A or in class B who, during the calendar year, has cumulated 31 900,00 \$ and more of receipts, shall receive 225,00 \$ as a bonus in the first 2 months of the following year.

As of 1 January 1982, the permanent employee in class A and in class B who, during the calendar year, has cumulated 35 000,00 \$ and more of receipts, shall receive 300,00 \$ as a bonus in the first 2 months of the following year.

(d) The permanent employee in class A and in class B who, because of sickness, does not work during his complete workweek and who produces a medical certificate for this purpose within the 3 days of his return to work, shall be paid as follows:

1. For the employee who, on 1 January, has less than 5 years of continuous service with the same employer:

<i>Number of days worked</i>	<i>Basic wage</i>	<i>50% of the receipts exceeding:</i>
1	34,00 \$	58,80 \$
2	68,00	117,60
3	102,00	176,40
4	136,00	235,20

2. For the employee who, on 1 January, has 5 years and more of continuous service with the same employer:

<i>Number of days worked</i>	<i>Basic wage</i>	<i>50% of the receipts exceeding:</i>
1	40,00 \$	70,80 \$
2	80,00	141,60
3	120,00	212,40
4	160,00	283,20

(e) If the employer does not produce a medical certificate within the delay provided for in paragraph (d), his wage shall be 45% of his registered receipts, except if this leave was written and authorized in advance by his employer."

(c) by replacing in subsection 9.01, paragraph *i* by the following:

"(i) For the hours of the standard workweek, the apprentice shall receive the following amounts:

(1) during his 1st year of apprenticeship: 90,00 \$ basic wage, plus a 45% commission on the weekly receipts of his work exceeding 173,00 \$;

(2) during his 2nd year of apprenticeship: 110,00 \$ basic weekly wage, plus a 50% commission on the weekly receipts of his work exceeding 202,00 \$;

(3) as of his 25th month of apprenticeship: 125,00 \$ basic weekly wage, plus a 50% commission on the weekly receipts of his work exceeding 221,00 \$."

(d) by adding, to paragraph *i* of subsection 9.01, the following subparagraphs 4 and 5:

"(4) the apprentice who, because of sickness, does not work the complete workweek and who produces a medical certificate for this purpose within the 3 days following his return to work, shall be paid as follows:

During his 1st year of apprenticeship:

<i>Number of days worked</i>	<i>Basic wage</i>	<i>45% of the receipts exceeding:</i>
1	18,00 \$	34,60 \$
2	36,00	69,20
3	54,00	103,80
4	72,00	138,40

During his 2nd year of apprenticeship:

<i>Number of days worked</i>	<i>Basic wage</i>	<i>50% of the receipts exceeding:</i>
1	22,00 \$	40,40 \$
2	44,00	80,80
3	66,00	121,20
4	88,00	161,60

During his 3rd of apprenticeship:

<i>Number of days worked</i>	<i>Basic wage</i>	<i>50% of the receipts exceeding:</i>
1	25,00 \$	42,20 \$
2	50,00	88,40
3	75,00	132,60
4	100,00	176,80

(5) If the apprentice does not produce a medical certificate within the delay provided for in the preceding subparagraph 4, his wage shall be 45% of his registered receipts, except when this leave was written and authorized in advance by his employer."

(e) by replacing, in subsection 9.02, paragraphs *c* and *d* by the following:

"(c) during his first 2 years of apprenticeship: the apprentice shall receive 10,00 \$ every week, plus 40% of the weekly receipts of his work; however, his total weekly wage for the hours of the standard workweek, shall not be inferior to 64,75 \$ for the 1st year or to 78,75 \$ for the 2nd year.

(d) as of his 25th month of apprenticeship: the apprentice shall receive 10,00 \$ every week, plus 55% of the weekly receipts of his work; however, his total weekly wage for the hours of the standard workweek, shall not be inferior to 99,75 \$."

11. Section 10.00 shall be amended by replacing subsections 10.02 and 10.03 by the following:

"**10.02** The employer shall pay as a contribution to the insurance plan, adopted by the Parity Committee, a sum of 1,50 \$ weekly for each employee adhering to the individual plan and a sum of 3,50 \$ weekly for each employee adhering to the family plan.

10.03 The employee shall pay as a contribution to the insurance plan a sum of 1,00 \$ weekly if he adheres to the individual plan and an amount of 1,50 \$ weekly if he adheres to the family plan."

12. Section 11.00 shall be amended by replacing subsection 11.01 by the following:

"**11.01** Professional employers, employers, artisans and employees shall demand from the public at least the following prices for the services listed below:

Ordinary haircut for all (adult and child)....	5,75 \$
Friday and Saturday	6,00
Styled cut or razor cut, sculpted or cut in strands, including shampoo and set	10,00
Friday and Saturday	10,50
Permanent wave, hot or cold wave.....	30,00
Friday and Saturday	35,00
Shampoo and set	6,00
Friday and Saturday	6,25
Hair drying or colour rinse, including shampoo and set	17,50
Friday and Saturday	19,50
Beard shaving and trimming	5,75
Facial massage	6,00
Semi-permanent rinse	8,00
Friday and Saturday	9,00

N.B.:The minimum prices mentioned above shall also apply when the work is performed on a wig or hairpiece."

13. Section 13.00 shall be replaced by the following:

"**13.00 TERRITORIAL JURISDICTION**
(Ladies' Hairdressing):

13.01 The territorial jurisdiction of this Part shall include the administrative regions 01 (Bas-Saint-Laurent) and 03 (Québec), as defined by Order in Council 524 of 29 March 1966, concerning the administrative division of the territory of the province.

13.02 For the enforcement of this Part, the administrative region 01 (Bas-Saint-Laurent) shall include the following electoral districts, as defined by the Act respecting electoral representation (1979, chapter 57): Gaspé, Bonaventure, Matane, Mata-pédia, Îles-de-la-Madeleine.

Shall also be included in the administrative region 01 (Bas-Saint-Laurent), the following municipalities:

in the electoral district of Rimouski: Esprit-Saint, Trinité-des-Monts paroisse, Saint-Eugène-de-Ladrière paroisse, Saint-Fabien paroisse, Bic village, Saint-Odile-sur-Rimouski paroisse, Saint-Valérien paroisse, Saint-Narcisse-de-Rimouski paroisse, Saint-Marcellin paroisse, Mont-Lebel, Sainte-Blandine paroisse, ville de Rimouski, Rimouski-Est village, Saint-Anaclet-de-Lessard paroisse, Sainte-Anne-de-la-Pointe-au-Père paroisse, Luceville village and Sainte-Luce paroisse.

The administrative region 03 (Québec) shall include the following electoral districts, as defined by the Act respecting electoral representation (1979, chapter 57): Taschereau, Limoilou, Louis-Hébert, Jean-Talon, Montmorency, Lévis, Chauveau, Charlesbourg, La Peltrie, Rivière-du-Loup, Kamouraska-Témiscouata, Montmagny-L'Islet, Bellechasse, Beauce-Nord, Beauce-Sud, Portneuf, Charlevoix.

Shall also be included in the administrative region 03 (Québec) the following municipalities:

in the electoral district of Rimouski: Saint-Simon paroisse, Saint-Mathieu-de-Rioux paroisse, Saint-Médard, Saint-Guy, Lac-des-Aigles, Biencourt:

in the electoral district of Richmond: township of Garthby, Saints-Martyrs-Canadiens paroisse, Saint-Fortunat;

in the electoral district of Mégantic-Compton: Lambton, Saint-Sébastien, Lac-Drolet and Audet;

in the electoral district of Frontenac, except for the following municipalities: township of Halifax South, south western part, township of Halifax North, Sainte-Sophie;

in the electoral district of Lotbinière, except for the following municipalities: Saint-Pierre-Baptiste paroisse, Sainte-Julie, Laurierville village, Notre-Dame-de-Lourdes paroisse, Villeroy, Saint-Joseph-de-Blandford paroisse, Manseau village, Saint-Louis-de-Blandford paroisse, Lemieux, Sainte-Marie-de-Blandford, Sainte-Sophie-de-Lévrard paroisse, Sainte-Cécile-de-Lévrard paroisse, Les Becquets village, Saint-Pierre-les-Becquets paroisse, Deschailions village, Deschailions-sur-Saint-Laurent village, Saint-Jacques-de-Parisville paroisse, Fortierville village, Sainte-Philomène-de-Fortierville paroisse and Sainte-Françoise."

14. Section 14.00 shall be amended:

(a) by replacing, in subsection 14.02, paragraph a by the following:

"(a) Sunday, Monday or during one of the holidays provided for in subsections 3.01 and 3.02;"

(b) by replacing subsection 14.03 by the following:

"**14.03 Exceptions:** Notwithstanding the provisions provided for in subsection 14.02, the following opening hours shall apply for the places and days mentioned below:

- (1) in the electoral districts of Matane and Matapédia: Wednesday: from 9:00 a.m. to 9:00 p.m.;
- (2) in the electoral district of Montmagny-L'Islet: Saturday: from 7:00 a.m. to noon.
- (3) When Christmas and New Year's Day fall on a regular working day, salons may open on the Monday preceding each of these days and opening hours are those for Tuesday when such days fall on a Friday or a Saturday; in other cases, opening hours are those provided for in subsections 14.04 and 14.05."

15. Section 15.00 shall be replaced by the following:

"15.00 WAGES:

15.01 Ordinance Rate: the minimum rate provided for an employee 18 years of age and over by the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45), or according to any regulation which could amend or replace it.

15.02 For the hours of the standard workweek, the permanent employee in class A or B shall receive at least:

- (a) a basic weekly wage equal to the product of the rate of the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45) or according to any regulation which could amend or replace it, increased by 0,25 \$, by the number of hours worked;
- (b) a variable commission on the weekly receipts of his work exceeding the double of his basic weekly wage, that shall apply to each portion of excess receipts as follows:

<i>Receipts</i>	<i>Commission on excess receipts</i>
Up to 250,00 \$	25%
From 250,01 \$ to 300,00 \$	30%
From 300,01 \$ to 400,00 \$	40%
Exceeding 400,00 \$	45%

15.03 For each hour worked, the manicurist shall receive at least the rate of the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45), or according to any regulation which could amend or replace it, increased by 0,25 \$.

15.04 The temporary, supernumerary or substitute employee shall receive a minimum wage equal to 40% of the receipts of his work without the exigible amount being inferior to the product of the rate of the Regulation concerning working conditions of certain employees, adopted by Decree 755-80 of 20 March 1980, pursuant to the Act respecting labour standards (1979, chapter 45), or according to any

further regulation which could amend or replace it, increased by 0,25 \$ times the number of hours worked.

15.05 For the hours of the standard workweek, the apprentice shall receive a basic weekly wage that is at least equal to the product of the hourly rate established below times the number of hours of the standard workweek:

1 st year of apprenticeship:	1,85 \$
2 nd year of apprenticeship:	2,25
3 rd year of apprenticeship:	2,65

15.06 The 2nd or 3rd year apprentice, when he is expressly assigned to a customer, shall receive in addition to his basic weekly wage, a commission on the receipts of his work, computed according to paragraph *b* of subsection 15.02, provided that no commission is payable to another employee for services rendered to this customer."

16. Section 16.00 shall be amended by replacing subsection 16.01 by the following:

"**16.01** The professional employers, employers, artisans and employees shall demand from the public at least the following prices for each of the services mentioned below:

Permanent wave including shampoo and set	20,00 \$
Set.....	6,00
Haircut.....	6,00
Set with hand dryer.....	7,00
Colour rinse or highlighter without oxidizing agent.....	8,00
Hair dyeing or touch-up.....	12,00
Coloured or bleached streaks.....	23,00
Bleaching by application or touch-up.....	12,00
Set with curling iron and brushing.....	6,50

N.B.: The minimum prices determined above shall also apply when the work is performed on a wig or hairpiece."

Publication of this Notice does not make the provisions therein binding. Only a Decree can make those provisions binding, with or without amendment. Such a Decree may not come into force before the date of its publication in the *Gazette officielle du Québec*.

During the 30-day period following the date of publication of this Notice in the *Gazette officielle du Québec*, the Minister of Labour and Manpower will receive any criticisms from persons concerned.

THOMAS J. BOUDREAU,
Deputy Minister.

1018-o

DRAFT REGULATION**HEALTH INSURANCE ACT**

(R.S.Q., c. A-29, s. 69, subpar. b)

Regulation amending the Regulations respecting the Health Insurance Act

The Minister of Social Affairs gives notice in accordance with the last paragraph of section 69 of the Health Insurance Act (R.S.Q., chapter A-29) that he will propose to the Government, at least 30 days following this publication, that the Regulation attached to this notice be made.

Persons wishing to comment on the Draft Regulation must do so within the 30 days following the date of its publication.

DENIS LAZURE,
Minister of Social Affairs.

Regulation amending the Regulations respecting the Health Insurance Act**Health Insurance Act
(R.S.Q., c. A-29, s. 69, subpar. b)**

1. Title V of the Regulations respecting the Health Insurance Act is amended by adding the following section after section 5.17:

"5.18 Ultrasonography."

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

1020-o

Notice(s)

NOTICE OF ADOPTION OF A REGULATION

AN ACT RESPECTING THE PROTECTION OF
PERSONS AND PROPERTY IN THE EVENT OF
DISASTER
(1979, c. 64)

In accordance with section 41 of the Act respecting the protection of persons and property in the event of disaster (1979, chapter 64), the Minister of Justice gives notice that the "Regulation respecting criteria for training programmes in emergency measures", published in Part 2 of the *Gazette officielle du Québec* dated 28 January 1981, was adopted, upon being recommended therefor by the Government, by Order in Council 918-81 dated 18 March 1981 that appears below with the text of the Regulation as adopted.

Therefore, the said Regulation comes into force 15 days after the date on which this Notice is published in the *Gazette officielle du Québec*.

MARC-ANDRÉ BÉDARD,
Minister of Justice.

O.C. 918-81, 18 March 1981

AN ACT RESPECTING THE PROTECTION OF
PERSONS AND PROPERTY IN THE EVENT OF
DISASTER
(1979, c. 64)

Training programmes in emergency measures

CONCERNING the Regulation respecting criteria for training programmes in emergency measures.

WHEREAS, pursuant to subparagraph c of section 40 of the Act respecting the protection of persons and property in the event of disaster (1979, chapter 64) the Government, by Regulation, may prescribe the criteria to be taken into account by the Bureau in setting up, organizing or approving training programmes in emergency measures;

WHEREAS, pursuant to the first paragraph of section 41 of the said Act, the Government shall

publish a Draft Regulation in the *Gazette officielle du Québec* at least 30 days before adopting it;

WHEREAS the "Draft Regulation on the criteria respecting training programmes in emergency measures" was prepublished in the *Gazette officielle du Québec* of 28 January 1981 with a Notice that it would be submitted to the Government for adoption after the 30-day period following publication of the Notice;

WHEREAS, pursuant to the second paragraph of section 41 of the said Act, a Regulation comes into force on the day when the Government publishes a Notice of its adoption in the *Gazette officielle du Québec* or on any later date indicated in the Notice, and if the Government has amended the Draft Regulation, the text of the amendments or the final text of the Regulation must be attached to the Notice;

WHEREAS the 30-day period has expired and whereas the text has been amended;

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

THAT the "Regulation respecting criteria for training programmes in emergency measures", attached hereto, be adopted.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation on the criteria respecting
training programmes in emergency
measures

**An Act respecting the protection of persons and
property in the event of disaster
(1979, c. 64, s. 40, par. c)**

1. In setting up, organizing or approving training programmes in emergency measures, the Bureau takes the following considerations into account:

- (1) the type of training programmes: if theoretical or practical;
- (2) the content of the programmes: if it corresponds to the needs of the persons taking the programmes;
- (3) the persons who will take the programmes: if those persons have been recruited by a department, governmental agency, municipal corporation or by any other person. The latter must be registered in a plan approved by the Bureau pursuant to the third paragraph of section 13 of the Act respecting the protection of persons and property in the event of disaster (1979, chapter 64);
- (4) the teaching staff: if hired or not hired by the Bureau; and
- (5) the cost of the programmes: if the programmes are organized and paid for in whole or in part by the Bureau, a department, governmental agency, municipal corporation or any other person.

2. This Regulation comes into force 15 days after its date of publication in the *Gazette officielle du Québec*.

**NOTICE OF ADOPTION
OF A REGULATION**

AN ACT RESPECTING THE PROTECTION OF
PERSONS AND PROPERTY IN THE EVENT OF
DISASTER
(1979, c. 64)

In accordance with section 41 of the Act respecting the protection of persons and property in the event of disaster (1979, chapter 64), the Minister of Justice gives notice that the "Regulation respecting municipal plans of disaster prevention and emergency measures", published in Part 2 of the *Gazette officielle du Québec* dated 28 January 1981, was adopted, upon being recommended therefor by the Government, by Order in Council 917-81 dated 18 March 1981 that appears below with the text of the Regulation as adopted.

Therefore, the said Regulation comes into force 15 days after the date on which this Notice is published in the *Gazette officielle du Québec*.

MARC-ANDRÉ BÉDARD,
Minister of Justice.

O.C. 917-81, 18 March 1981

AN ACT RESPECTING THE PROTECTION OF
PERSONS AND PROPERTY IN THE EVENT OF
DISASTER
(1979, c. 64)

**Municipal plans of disaster prevention and
emergency measures**

CONCERNING the Regulation respecting municipal
plans of disaster prevention and emergency
measures.

WHEREAS pursuant to subparagraph *a* of section 40 of the Act respecting the protection of persons and property in the event of disaster (1979, chapter 64), the Government may, by regulation, prescribe standards regarding the preparation, content, updating or publication of plans and programmes of disaster prevention and emergency measures;

WHEREAS pursuant to section 41 of the said Act, the Government shall publish a draft regulation in

the *Gazette officielle du Québec* at least 30 days before adopting it;

WHEREAS the "Draft Regulation respecting municipal plans and programmes on disaster prevention and emergency measures" was prepublished in the *Gazette officielle du Québec* of 28 January 1981 with a Notice that it would be submitted to the Government for adoption after a 30-day period following its publication;

WHEREAS pursuant to the 2nd paragraph of section 41 of the said Act, a regulation comes into force on the day when the Government publishes a Notice of its adoption in the *Gazette officielle du Québec* or on any later date indicated in the Notice and, if the Government has amended the draft regulation, the text of the amendments or the final text of the regulation must be attached to the Notice;

WHEREAS the 30-day period has expired and the text of the Regulation has been amended;

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

THAT the "Regulation respecting the municipal plan of disaster prevention and emergency measures", a copy of which is attached hereto, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif.

Regulation respecting municipal plans of disaster prevention and emergency measures

An Act respecting the protection of persons and property in the event of disaster (1979, c. 64, s. 40, subpar. a)

Division I

INTERPRETATION

1. In this Regulation, unless the context indicates otherwise, the word "plan" means a municipal plan of disaster prevention and emergency measures.

Division II

CONTENT

2. A plan must contain:

- (1) identification of the risks determined by research into the risks. These risks must be identified in accordance with the designations listed in Schedule 1;
- (2) an organization chart describing the organization of disaster prevention and emergency measures and taking into account the 12 sectors of responsibility listed in Schedule 2;
- (3) a description and explanation of the mode of operation of the 12 sectors of responsibility;
- (4) any mutual aid agreement or draft agreement with any person able to help in organizing disaster prevention and emergency measures;
- (5) a list of prevention measures including those already taken and those which the municipality wishes to establish;
- (6) a list of training needs in emergency measures for persons recruited for that purpose by the municipal corporation and registered in the plan in accordance with the different sectors of responsibility;
- (7) a description of alarm procedures pertaining to the organization of disaster prevention and

emergency measures, a description of the communications network, and identification of a coordination centre; and

- (8) a list of the council members of the municipal corporation, the principal employees of the municipal corporation, the persons responsible for the organization of disaster prevention and emergency measures, the main public buildings, community organizations and a telephone directory for emergency purposes.

3. In preparing the content of a plan, the principal human and material resources within the municipal corporation must be taken into account, as well as the resources over which the municipal corporation has no control but which may be made available subsequent to an agreement.

Division III

PREPARATION

4. A plan must be divided into chapters.
5. The first chapter of a plan must deal with matters stipulated in subsections 1 to 8 of section 2; each of the subsequent chapters must deal with one or more sectors of responsibility referred to in subsections 2 and 3 of section 2.
6. A plan must, where applicable, include schedules related to the various operational plans by which it may be complemented.
7. A plan must be revised annually.

Division IV

UPDATING

8. A plan must be brought up to date as soon as information contained therein becomes outdated.

Division V

COMING INTO FORCE

9. This Regulation comes into force 15 days after the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE 1**RISKS**

Mountaineering accident
 Railway accident
 Nautical accident
 Road accident
 Predatory animals
 Avalanche
 Dam leaks
 Fall from aircraft
 Fall into excavations
 Conflagration
 Famine
 Disappearance in forest
 Disappearance at sea
 Collapse of Building
 Mine cave-in
 Various epidemics
 Various explosions
 Forest fire
 Gas Leak
 Leak of chemicals
 Landslide
 Fire (various kinds)
 Flood
 Shipwreck
 Drowning
 Gas failure
 Power failure
 Drinking water shortage
 Torrential Rain — hail
 Various kinds of pollution
 Radioactivity
 Tidal wave
 Drought
 Earthquake
 Blizzard
 Tornado — hurricane
 Heatwave
 Cold spell
 Freezing Rain

Radioprotection
 Food supply
 Health
 Rescue
 Social services
 Technical services
 Transport

 1016-o

SCHEDULE 2**SECTORS OF RESPONSIBILITY**

Communications
 Fires
 Information
 Manpower
 Police

Proclamation(s)

[L.S.]
Gouvernement
du Québec

JEAN-PIERRE CÔTÉ

Proclamation

CONCERNING the coming into force of section 37-2 enacted by section 3 of the Act to amend the Adoption Act (1979, chapter 17).

THE GOUVERNEMENT DU QUÉBEC PROCLAIMS THAT :

Section 17-2 enacted by section 3 of the Act to amend the Adoption Act shall come into force on April 15, 1981.

BACKGROUND :

This proclamation is further to a proposal by the Minister of Social Affairs adopted on March 11, 1981, by Order in Council No. 782-81.

The Act to amend the Adoption Act was assented to on June 22, 1979.

Under section 7 of that Act, it came into force on the day of its sanction, except section 2 which came into force on December 22, 1979, sections 37-2 and 37-3 enacted by section 3 and paragraph *f* of the first paragraph of section 41 enacted by section 4, which will come into force on a later date which may be fixed by proclamation of the Government.

According to Order in Council No. 3145-80 of October 8, 1980, section 37-2 enacted by section 3 of the Act to amend the Adoption Act as well as paragraph *f* of the first paragraph of section 41 enacted by section 4 of that Act came into force by proclamation on October 8, 1980.

Québec, March 11, 1981.

GERMAIN HALLEY,
Assistant Deputy Attorney-General.

Libro: 506
Folio: 32

1016-o

[L.S.]
Gouvernement
du Québec

JEAN-PIERRE CÔTÉ

Proclamation

CONCERNING the coming into force of certain sections of the Act respecting the development of Québec firms in the book industry (1979, chapter 68).

THE GOUVERNEMENT DU QUÉBEC PROCLAIMS THAT :

Sections 2 to 5, 15 to 37, 40 to 47 and 51 and as well as the schedule of the Act respecting the development of Québec firms in the book industry shall come into force on June 1, 1981.

BACKGROUND :

This proclamation is further to a proposal by the Minister of Cultural Affairs adopted on March 11, 1981, by Order in Council No. 704-81.

The Act respecting the development of Québec firms in the book industry was assented to on December 21, 1979.

Under section 53 of that Act, it will come into force on the date to be fixed by government proclamation, except the provisions excluded by that proclamation, which will come into force, in whole or in part, on any later date that may be fixed by government proclamation.

According to Order in Council No. 338-81 of February 12, 1981, that Act came into force by proclamation on February 12, 1981, except sections 2 to 5, 15 to 37, 40 to 47 and 51 as well as the schedule.

All sections of that Act are in force.

Québec, March 11, 1981.

GERMAIN HALLEY,
Assistant Deputy Attorney-General.

Libro: 506
Folio: 29

1016-o

[L.S.]
Gouvernement
du Québec

JEAN-PIERRE CÔTÉ

Proclamation

CONCERNING the coming into force of the Act to amend the Act respecting the Société québécoise d'initiatives pétrolières (1980, chapter 27).

THE GOUVERNEMENT DU QUÉBEC PROCLAIMS THAT:

The Act to amend the Act respecting the Société québécoise d'initiatives pétrolières shall come into force on April 1, 1981.

BACKGROUND:

This proclamation is further to a proposal by the Minister of Energy and Resources adopted on March 11, 1981 by Order in Council No. 820-81.

The Act to amend the Act respecting the Société québécoise d'initiatives pétrolières was assented to on December 19, 1980.

Under section 10 of that Act, it will come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by that proclamation, which will come into force, in whole or in part, on a later date to be fixed by proclamation of the Government.

Québec, March 11, 1981.

GERMAIN HALLEY,
Assistant Deputy Attorney-General.

Libro: 506
Folio: 31

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[L.S.]
Gouvernement
du Québec

JEAN-PIERRE CÔTÉ

Proclamation

CONCERNING the coming into force of section 24 of the Act to amend the Workmen's Compensation Act and other legislation (1978, chapter 57).

THE GOUVERNEMENT DU QUÉBEC PROCLAIMS THAT:

Section 24 of the Act to amend the Workmen's Compensation Act and other legislation shall come into force on March 11, 1981.

BACKGROUND:

This proclamation is further to a proposal by the Minister responsible for the application of the Workmen's Compensation Act adopted on March 11, 1981, by Order in Council No. 875-81.

The Act to amend the Workmen's Compensation Act and other legislation was assented to on December 22, 1978.

Under section 94 of that Act, it came into force on January 1, 1979, except sections 24 and 67 which will come into force on any later date to be fixed by proclamation of the Government.

According to Order in Council No. 3624-80 of November 19, 1980, section 67 of that Act came into force by proclamation, on January 1, 1981.

Section 24 of the Act to amend the Workmen's Compensation Act and other legislation has for effect to add section 42.1 to the Workmen's Compensation Act (R.S.Q., chapter A-3).

Québec, March 11, 1981.

GERMAIN HALLEY,
Assistant Deputy Attorney-General.

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Abbreviations: A — Abrogated

N — New

M — Modified

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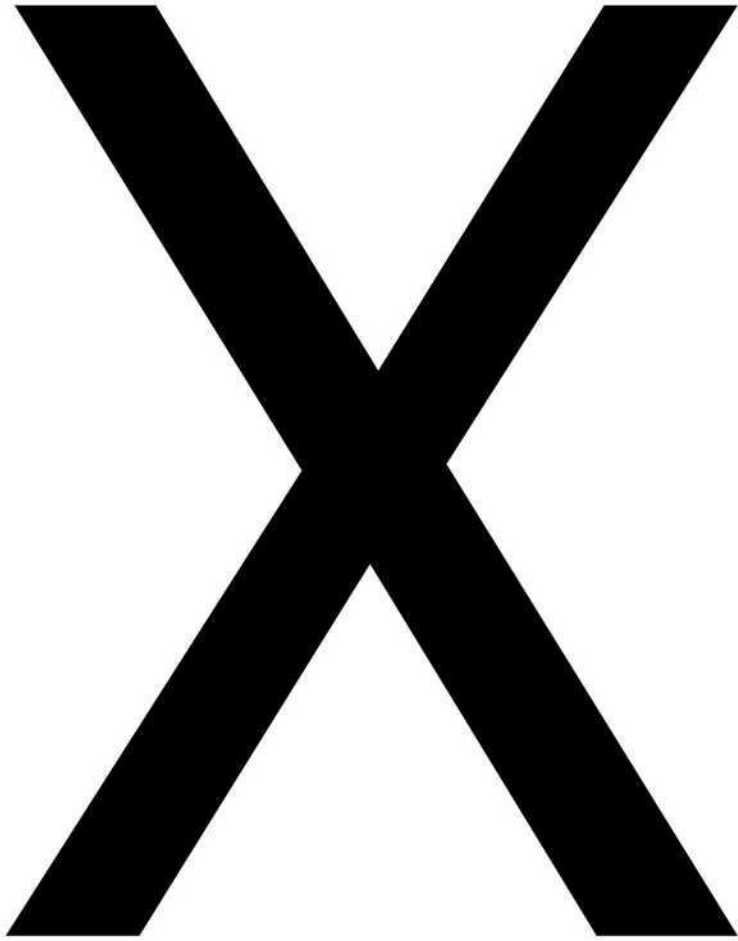
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