

# Gazette officielle du Québec

(English Edition)

Part 2

Laws and  
Regulations

Volume 124

10 June  
1992

No. 24



Québec 



# Gazette officielle du Québec

## Part 2 Laws and Regulations

Volume 124  
10 June 1992  
No. 24

### Summary

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1° Acts assented to, before their publication in the annual collection of statutes;

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4° Orders in Council of the Government, decisions of the Conseil du trésor and ministers' orders whose publication in the *Gazette officielle du Québec* is required by law or by the Government;

5° regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by laws;

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

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

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## Draft Regulations

### Draft Regulation

An Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec

(R.S.Q., c. S-3.2)

#### Amount of income from the sale of furs

Notice is hereby given in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) that the "Regulation to establish the amount of income from the sale of furs" adopted unanimously by the Office de la sécurité du revenu des chasseurs et piégeurs cris, the text of which appears below, may be submitted for approval by the Government upon the expiry of 45 days following this publication.

Any person having comments to make is asked to transmit them before the expiry of the 45-day period to the Minister of Manpower, Income Security and Skills Development, 425, Saint-Arnable, 4<sup>e</sup> étage, Québec, G1R 4Z1.

ANDRÉ BOURBEAU,  
Minister of Manpower, Income  
Security and Skills Development

### CREE HUNTERS AND TRAPPERS INCOME SECURITY BOARD

#### By-law determining the amount of income from the sale of furs

An Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec

(R.S.Q., c. S-3.2, s. 10, par. a and s. 28.1 par. a)

1. As provided at paragraph a of Section 10 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., c. S-3.2), fur income included in the expression "other income" is that income which exceeds the amount of the exemption per beneficiary unit which is determined in the following manner:

Harvesting Territories	Category of beneficiary unit		
	Individual	Unit without dependant children	Unit with dependant children
A - EASY ACCESS	\$ 818	\$1 636	\$2 181
B - AVERAGE ACCESS	\$1 091	\$3 272	\$4 363
C - DIFFICULT ACCESS	\$2 181	\$4 362	\$5 999

For the purposes of the first paragraph, the term "individual" refers to an unattached person 18 years old or over living with his parents, grandparents or adult children.

2. For the purposes of Section 1, the classification of harvesting territories shall be that set out in Schedule I.

3. The amount of the exemption provided at Section 1 shall be determined according to the category of the

beneficiary unit and the classification applicable to the harvesting territories for the community in which the said unit is registered under the Cree Hunters and Trappers Income Security Program.

4. The amount of this exemption is established for each beneficiary unit, taking into account the harvesting territory where the unit spends the major part of time in harvesting and related activities during the year.

5. When the head of a beneficiary unit is harvesting in an area not included in the classification in effect for the community in which the unit is enrolled under the Program or when there is no classification for that community, the exemption to be applied will be determined as if the harvesting territories concerned were of easy access.

6. The amounts provided at Section 1 shall be indexed annually in accordance with Section 46 of the Act.

7. Once approved by the Gouvernement du Québec, the present by-law will come into force the fifteenth day following the publication of its final text in the *Gazette officielle du Québec* and will apply as of July 1, 1990.

#### SCHEDULE I

(a. 2)

#### CLASSIFICATION OF HARVESTING TERRITORIES BY CREE COMMUNITY

#### WASWANUPI HARVESTING TERRITORIES DESCRIBED FROM THE MAP ADOPTED BY RESOLUTION 91-16 OF THE CREE HUNTERS AND TRAPPERS INCOME SECURITY BOARD

Harvesting Territory	Accessibility
W-1	Average
W-2	Average
W-3	Average
W-4	Difficult
W-4A	Difficult
W-5	Difficult
W-5A	Difficult
W-5B	Difficult
W-5C	Difficult
W-5D	Difficult
W-6	Difficult

Harvesting Territory	Accessibility
W-6A	Difficult
W-7	Average
W-8	Difficult
W-9	Difficult
W-10	Difficult
W-10A	Average
W-11	Difficult
W-11A	Average
W-11B	Average
W-12	Average
W-13	Average
W-13A	Average
W-13B	Average
W-14	Average
W-15	Easy
W-16	Easy
W-17	Difficult
W-17A	Difficult
W-18	Average
W-19	Average
W-20	Average
W-21	Easy
W-21A	Easy
W-21B	Average
W-21C	Average
W-22	Easy
W-23	Easy
W-23A	Average
W-23B	Easy
W-24	Easy
W-24A	Easy
W-24B	Average
W-24C	Difficult
W-24D	Difficult
W-25	Difficult
W-25A	Difficult

Harvesting Territory	Accessibility
W-25B	Difficult
W-26	Difficult
W-27	Average
W-53	Difficult
W-53A	Average

**WEMINDJI HARVESTING TERRITORIES  
DESCRIBED FROM THE MAP ADOPTED BY  
RESOLUTION 91-16 OF THE CREE HUNTERS  
AND TRAPPERS INCOME SECURITY BOARD**

Harvesting Territory	Accessibility
VC-9	Easy
VC-10	Easy
VC-11	Easy
VC-12	Easy
VC-13	Easy
VC-14	Easy
VC-16	Easy
VC-17	Easy
VC-18	Easy
VC-19	Easy
VC-20	Easy
VC-21	Easy
VC-22	Easy
VC-23	Easy
VC-24	Easy
VC-25	Easy
VC-26	Easy
VC-27	Average
VC-28	Easy
VC-29	Average

**EASTMAIN HARVESTING TERRITORIES  
DESCRIBED FROM THE MAP ADOPTED BY  
RESOLUTION 91-16 OF THE CREE HUNTERS  
AND TRAPPERS INCOME SECURITY BOARD**

Harvesting Territory	Accessibility
VC-15	Average
VC-30	Average
VC-31	Average
VC-32	Easy
VC-33	Average
VC-34	Difficult
VC-35	Difficult
VC-36	Difficult
VC-37	Difficult
RE-1	Difficult
RE-2	Average
RE-3	Average
RE-3A	Easy
RE-4	Average
RE-5	Average

**MISTI SSINI HARVESTING TERRITORIES  
DESCRIBED FROM THE MAP ADOPTED BY  
RESOLUTION 91-16 OF THE CREE HUNTERS  
AND TRAPPERS INCOME SECURITY BOARD**

Harvesting Territory	Accessibility
M-1	Difficult
M-1A	Difficult
M-2	Difficult
M-2A	Difficult
M-3	Difficult
M-4	Difficult
M-6	Difficult
M-7	Difficult
M-8	Difficult
M-9	Difficult
M-10	Difficult
M-11	Difficult
M-12	Difficult



Harvesting Territory	Accessibility	Harvesting Territory	Accessibility
FG-5	Easy	VC-6	Easy
FG-6	Easy	VC-7	Average
FG-7	Average	VC-8	Easy
FG-8	Easy		
FG-9	Easy	NEMASKA HARVESTING TERRITORIES DESCRIBED FROM THE MAP ADOPTED BY RESOLUTION 91-16 OF THE CRÉE HUNTERS AND TRAPPERS INCOME SECURITY BOARD	
FG-10	Easy		
FG-11	Average	Harvesting Territory	Accessibility
FG-12	Average	R-16	Average
FG-13	Average	R-17	Easy
FG-14	Easy	R-18	Average
FG-15	Difficult	R-19	Easy
FG-16	Average	R-20	Easy
FG-17	Difficult	R-21.1	Easy
FG-18	Easy	R-21.2	Average
FG-19	Easy	N-18	Easy
FG-20	Easy	N-19	Average
FG-21	Average	N-20	Easy
FG-22	Average	N-21	Average
FG-23	Difficult	N-22	Average
FG-24	Difficult	N-23.1	Easy
FG-25	Difficult	N-23.2	Average
FG-26	Average	N-24	Average
FG-27	Average	N-24A	Average
FG-28	Average	N-25	Average
FG-29	Difficult	M-2A	Difficult
FG-30	Difficult	M-14B	Average
FG-31	Difficult	M-33	Average
FG-32	Difficult		
VC-1	Easy		
VC-2	Easy		
VC-3	Easy		
VC-4	Easy		
VC-5	Easy		

WHAPMAGOOSTUI HARVESTING TERRITORIES  
DESCRIBED FROM THE MAP ADOPTED BY  
RESOLUTION 91-24 OF THE CREE HUNTERS  
AND TRAPPERS INCOME SECURITY BOARD

Harvesting Territory	Accessibility
GW-01	Difficult
GW-02	Difficult
GW-03	Difficult
GW-04	Difficult
GW-05	Difficult
GW-06	Difficult
GW-07	Difficult
GW-08	Difficult
GW-09	Difficult
GW-10	Difficult
GW-11	Difficult
GW-12	Difficult
GW-13	Difficult
GW-14	Difficult
GW-15	Difficult
GW-16	Difficult
GW-17	Difficult
GW-18	Difficult
GW-19	Difficult
GW-20	Difficult
GW-21	Difficult
GW-22	Difficult
GW-23	Difficult
GW-24	Difficult
GW-25	Difficult

6607

## Draft Regulation

Automobile Insurance Act  
(R.S.Q., c. A-25)

### Insurance contributions — Amendments

Notice is hereby given in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) that the "Regulation respecting insurance contributions (Amendment)" made by the Société de l'assurance automobile du Québec, the text of which appears below, may be submitted to the Government for approval after 45 days have elapsed from the date of this publication.

Any interested party with comments to make on the matter is asked to send them in writing before the 45-day period has expired to the chairman of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, P.O. Box 19600, Québec (Québec), G1K 8J6.

JEAN-MARC BARD,  
*Chairman of the Société  
de l'assurance automobile du Québec*

### Regulation respecting insurance contributions (Amendment)

Automobile Insurance Act  
(R.S.Q., c. A-25, ss. 151, 151.2 and 195, pars. 31 and 32; 1990, c. 83, ss. 246 and 249)

**1.** The Regulation respecting insurance contributions, approved by Order in Council 1422-91 dated 16 October 1991, is amended by deleting "within two years of the date on which the previous probationary licence was issued" from section 90.

**2.** The following is substituted for section 91 of the Regulation:

"91. For purposes of the calculation prescribed in subparagraph 1 of section 90, the monthly insurance contribution is the quotient obtained in dividing by 12 the annual contribution shown in Column II of subparagraph 1 of section 89, which was applied in establishing the amount of insurance contribution payable upon issue of a first probationary licence to the person."

**3.** Sections 92 and 93 are revoked.

4. Section 94 is amended by deleting "within two years of the date on which the previous probationary licence was issued".

5. The following is substituted for section 95:

"95. For purposes of the calculation prescribed in section 94, the monthly insurance contribution is the quotient obtained in dividing by 12 the annual contribution shown in Column II of subparagraph 1 of section 89, which was applied in establishing the amount of insurance contribution payable upon issue of a first probationary licence to the person."

6. Section 96 is revoked.

7. The following is substituted for section 98:

"98. The insurance contribution payable upon issue of a probationary licence by a person covered under section 92.0.1 of the Highway Safety Code is the product of multiplying the monthly contribution set under the second paragraph by the number of full months, plus one, between the issue date of the probationary licence and its date of expiry.

The monthly insurance contribution is the amount shown in Column II that corresponds to the total number of demerit points entered on the applicant's record during the two years prior to the date of new licence issue:

Column I Total demerit points	Column II Monthly contribution
0, 1, 2 or 3	\$1,53
4, 5, 6 or 7	\$3,44
8, 9, 10 or 11	\$6,27
12, 13 or 14	\$10,55
15 or more	\$14,83".

8. Section 100 is amended:

(1) by substituting "during the period set forth in the fourth and fifth paragraphs:" for "during the two years prior to the date of licence issue:" in the first paragraph;

(2) by adding the following paragraphs:

"The period covered by the third paragraph begins with the date of the first probationary licence issued to the person and ends on the day prior to the start of the two years that must be taken into account in calculating

the next biennial insurance contribution under section 101.

However, in the case of a person who has never been issued a probationary licence and is not covered by sections 102 to 124.1, the period to which the third paragraph refers is the two years preceding the date of licence issue."

9. The first paragraph of section 101 is amended by substituting "the period of three months" for "the seventy-fifth day" before the due date set in accordance with section 59 of the Regulation respecting licences for payment of the insurance contribution.

10. The third paragraph of section 102 is amended by substituting "the period of three months" for "the seventy-fifth day" before the due date covered by the first paragraph for payment of the insurance contribution.

11. Section 105 is amended:

(1) by substituting the following for the second paragraph:

"This insurance contribution is calculated by multiplying the monthly insurance contribution set in the third paragraph by the number of full months, plus one, which comprise the part of the 24-month period prior to licence cancellation. If payment of the insurance contribution is made upon issue of a new licence, the applicant must also pay the insurance contribution calculated in accordance with the first and second paragraphs of section 100; however, the monthly amount used in calculating the contribution is that set by the third paragraph of this section."

(2) by substituting "the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences" for "the seventy-fifth day before the due date covered by the first paragraph" for payment of the insurance contribution, in the third paragraph.

12. Section 106 is amended:

(1) by substituting the following for the second paragraph:

"This insurance contribution is calculated by multiplying the monthly insurance contribution set in the third paragraph by the number of full months, plus one, which comprise the part of the 24-month period prior to licence revocation. The applicant for a new licence must also pay the insurance contribution calculated in accordance with the first and second paragraphs of

section 100; however, the monthly amount used in calculating the contribution is that set by the third paragraph of this section.”;

(2) by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-fifth day before the due date covered by the first paragraph” for payment of the insurance contribution, in the third paragraph.

**13.** Section 108 is amended by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-fifth day before the due date covered by the first paragraph of section 107” for payment of the insurance contribution.

**14.** Section 109 is amended by substituting the following for what introduces the table in the third paragraph:

“The monthly insurance contribution is the amount shown in Column II that corresponds to the total number of demerit points entered on the holder’s record during the two years prior to the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences for payment of the insurance contribution.”.

**15.** Section 110 is amended by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-fifth day before the due date covered by the first paragraph” for payment of the insurance contribution, in the third paragraph.

**16.** Section 117 is amended:

(1) by substituting the following for the second paragraph:

“The insurance contribution is calculated by multiplying the monthly insurance contribution set in the third paragraph by the number of full months, plus one, which comprise the part of the 24-month period prior to licence cancellation. If payment of the insurance contribution is made upon issue of a licence, the applicant must also pay the insurance contribution calculated in accordance with the first and second paragraphs of section 100; however, the monthly amount used in calculating the contribution is that set under the third paragraph of this section.”;

(2) by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-

fifth day before the due date covered by the first paragraph” for payment of the insurance contribution, in the third paragraph.

**17.** Section 118 is amended:

(1) by substituting the following for the second paragraph:

“This insurance contribution is calculated by multiplying the monthly insurance contribution set in the third paragraph by the number of full months, plus one, which comprise the part of the 24-month period prior to licence revocation. The applicant for a new licence must also pay the insurance contribution calculated in accordance with the first and second paragraphs of section 100; however, the monthly amount used in calculating the contribution is that set by the third paragraph of this section.”;

(2) by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-fifth day before the due date covered by the first paragraph” for payment of the insurance contribution, in the third paragraph.

**18.** Section 120 is amended by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-fifth day prior to the due date” for payment of the last biennial insurance contribution.

**19.** Section 121 is amended by substituting “the period of three months before the due date set in accordance with section 59 of the Regulation respecting licences” for “the seventy-fifth day prior to the due date” for payment of the last biennial insurance contribution, in the third paragraph.

**20.** Section 122 is amended by substituting the number “124.1” for “100”.

**21.** Section 124 is amended by substituting the number “124.1” for “100” in subparagraph 1.

**22.** Section 124 is amended by inserting the following:

“**124.1** The insurance contribution payable upon issue of a licence covered by section 122 or one covered by subparagraph 1 of section 124 is calculated by multiplying the monthly insurance contribution set in the third paragraph by the number of full months, plus one, between the issue date of the licence and the person’s birthday:

(1) in the next even-numbered year following issue of the licence in the case of someone born in an even-numbered year;

(2) in the next odd-numbered year following issue of the licence in the case of someone born in an odd-numbered year.

Where the number of full months for purposes of the calculation prescribed in the first paragraph is less than three, their number shall be added to the next 24 months.

The monthly contribution is the amount shown in Column II that corresponds to the total number of demerit points entered on the person's record during the period determined in accordance with the fourth and fifth paragraphs:

Column I Total demerit points	Column II Monthly contribution
0, 1, 2 or 3	\$1,53
4, 5, 6 or 7	\$3,44
8, 9, 10 or 11	\$6,27
12, 13 or 14	\$10,55
15 or more	\$14,83

The period prescribed by the third paragraph starts with the most recent of the following dates:

(1) the day after the end of the period to be taken into account in calculating the amount of insurance contribution payable upon issue of a first licence to the person;

(2) the beginning of the third month preceding the due date for last payment of the insurance contribution set under section 101.

The prescribed period ends on the date preceding the start of the two years to be taken into account in calculating the amount of the next biennial insurance contribution payable under section 101."

**23.** Section 141 is amended by the addition of the following paragraphs:

"Nevertheless, sections 80 to 87 of the Division continue to apply to persons for whom the due date set under section 59 of the Regulation respecting licences for payment of the insurance contribution occurs from 14 November 1991 through 30 November 1992, until the end of the 24-month period corresponding to the insurance contribution.

Moreover, sections 101 and 109 apply to the exclusion of sections 79 and 84 from 1 September 1992 to persons for whom the due date set under section 59 of the Regulation respecting licences for payment of the insurance contribution occurs after 30 November 1992."

**24.** Section 142 is amended by substituting "sections 101 and 109, and the second and third paragraphs of section 141.1 and 141.2 which come into force on 1 September 1992 and sections 88 to 100, 102 to 108 and 110 to 124.1 which come into force on 1 December 1992" for "Division II of Chapter IV which comes into force on 1 December 1992."

**25.** This Regulation comes into force on 1 September 1992.

6609

### Draft Regulation

Education Act  
(R.S.Q., c. I-13.3)

#### Basic school regulations for secondary school education

##### — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Basic school regulations (régime pédagogique) for secondary school education, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, de La Chevrotière, 15<sup>e</sup> étage, Québec, G1R 5A5.

MICHEL PAGÉ,  
Minister of Education

### Regulation to amend the Basic school regulations (régime pédagogique) for secondary school education

Education Act  
(R.S.Q., c. I-13.3, s. 447)

**1.** The Basic school regulations (régime pédagogique) for secondary school education, made by Order

in Council 74-90 dated 24 January 1990, is amended by substituting the following for section 46:

"46. Vocational education is offered as: education leading to a Secondary School Vocational Diploma and education leading to an Attestation of Vocational Specialization."

2. The following is substituted for section 47:

"47. Education leading to a Secondary School Vocational Diploma enables students to acquire the skills necessary to carry on a trade or to practise a profession."

3. Section 49 is revoked.

4. Section 50 is revoked.

5. Section 51 is amended:

(1) in paragraph 1 by substituting the words "pursuant to section 232 of the Act;" for the words "by the Minister; or";

(2) by substituting the following for paragraph 2:

"(2) is no longer subject to the compulsory school attendance requirement prescribed by section 14 of the Act and has, in accordance with the admission requirements of the program in which he is registered, obtained Secondary III or IV credits or been awarded recognition of equivalent learning pursuant to section 232 of the Act in the language of instruction, in the second language and in mathematics and, where applicable, obtained any additional credits specific to the program; or

(3) is 18 years of age and has the functional admission program prerequisites pursuant to section 465 of the Act."

6. The following is substituted for section 52:

"52. A student is admitted to a program of studies leading to an Attestation of Vocational Specialization if he has the Secondary School Vocational Diploma required as a prerequisite by the program of studies or if he has the equivalent learning recognized pursuant to section 232 of the Act."

7. Section 57 is revoked.

8. The following is substituted for section 58:

"58. Subject to section 56, the minimum duration of a program of studies leading to a Secondary School Vocational Diploma is 600 hours."

9. Section 60 is revoked.

10. Section 73 is revoked.

11. Section 76 is revoked.

12. The words "or the Secondary School Vocational Diploma" are substituted for the words ", the Secondary School Vocational Diploma or the Secondary School Vocational Certificate" in subparagraph 2 of paragraph 4 of the Schedule.

13. The following is substituted for the title of this Regulation:

"Basic school regulation for secondary school education".

14. The word "education" is substituted for the word "training" wherever it appears in this Regulation.

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

6615

## Draft Regulation

Health Insurance Act  
(R.S.Q., c. A-29)

### Forms and statements of fees — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act, made by the Régie de l'assurance-maladie du Québec on 14 April 1992, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the

45-day period, to the Secretary of the Régie de l'assurance-maladie du Québec, 1125, chemin Saint-Louis, Sillery (Québec), G1S 1E7.

DENIS MORENCY,  
Secretary of the Régie  
de l'assurance-maladie du Québec

## Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

Health Insurance Act  
(R.S.Q., c. A-29, s. 72)

**1.** The Regulation respecting forms and statements of fees under the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 2), amended by the Regulations made by Orders in Council 56-82 dated 13 January 1982 (Suppl., p. 123), 1126-82 dated 12 May 1982 (Suppl., p. 126), 3017-82 dated 20 December 1982, 2284-83 dated 16 November 1983, 794-84 dated 4 April 1984, 413-85 dated 6 March 1985, 2331-85 dated 7 November 1985, 655-86 dated 14 May 1986, 1178-86 dated 30 July 1986, 553-87 dated 8 April 1987, 761-88 dated 18 May 1988 and 859-90 dated 20 June 1990, is further amended in section 9 by substituting "8 (fixed rate and salaried physicians) or 9 (fixed duty periods), as the case may be" for "8 (fixed rate and salaried physicians), 9 (fixed duty periods) or 14 (pharmacists), as the case may be".

**2.** The following is inserted after section 9:

"9.1 Every pharmacist entitled to remuneration by the Board for insured services must transmit to the Board a request for payment or a statement of fees that must contain the following elements:

(1) an external check number identifying each request for payment of each statement of fees submitted to the Board;

(2) the beneficiary's Health Insurance Number and the date of expiry of the beneficiary's health insurance card or, if not available, the beneficiary's full name at birth, date of birth, sex and address;

(3) the full name of the pharmacist referred to in the agreement and his number corresponding to the premises of the pharmacy;

(4) the dispensing pharmacist's full name and his number;

(5) the initial of the prescriber's given name, his surname and his number;

(6) the complementary information required by the Board to evaluate the request for payment or the statement of fees in accordance with section 68 of the Act;

(7) the complementary coded information required by the Board to evaluate the request for payment or the statement of fees in accordance with section 68 of the Act;

(8) the special considerations required by the Board to evaluate the request for payment or the statement of fees in accordance with section 68 of the Act;

(9) the external check number of any request for payment or statement of fees to which the pharmacist refers or to which the request for payment or the statement of fees he submits is related;

(10) the code or the distinguishing characteristic of the program referred to in the Act or both, within the scope of which the pharmacist submits, where applicable, his request for payment or his statement of fees;

(11) mention of the amount of the fees exactable from a person for whom the Board assumes the cost of medications;

(12) the information required respecting any service and medication furnished, in particular:

(a) the prescription number, its expression mode, an indication of a substitution where applicable, an indication of a new prescription or a refill, and the number of refills authorized, where applicable;

(b) the name, form and strength of the medication furnished, its identification code, its purchase format and the period of acquisition, the source of supply, quantity of the medication furnished and the duration of treatment;

(c) the date on which the services or medications, or both, were furnished;

(d) the amount representing the cost claimed for each medication and, integrated into that amount, the amount of the fees claimed; where applicable, the amount of the fees claimed only;

(e) the total of the amounts representing the costs claimed for the medications and, integrated into that total, the total of the amounts of the fees claimed for the services furnished; where applicable, the total amount of fees claimed only;

(13) the signature of the pharmacist referred to in the agreement or the signature of his duly authorized mandatary.

The request for payment may also contain the name of the male spouse in the case of a married beneficiary, where that information appears on the health insurance card."

**3. Section 11 is amended:**

(1) by substituting "27 (dentists) or 28 (optometrists)" for "27 (dentists), 28 (optometrists) or 29 (pharmacists)";

(2) by inserting the following after paragraph 4:

"(4.1) Every beneficiary who has not presented his health insurance card or his claim booklet, as the case may be, or every person who resides in Québec who exacts from the Board payment or reimbursement of the cost of the insured services furnished to him in Québec by a pharmacist subject to the application of an agreement must send to the Board a request for payment or reimbursement to the beneficiary that must contain the following elements:

(a) the elements provided for in section 9.1 in a section of the application reserved for the pharmacist;

(b) in a section reserved for the beneficiary, the beneficiary's permanent address and, where it is different, the address where the beneficiary wishes to receive payment or reimbursement; each of those addresses must include the following elements: the civic number, the street name, the apartment number, where applicable, the name of the city or locality, the name of the province and the postal code;

(c) an indication by the beneficiary to the effect that he has never applied for a health insurance card or no longer has one;

(d) an indication by the beneficiary that he holds a health insurance card or a claim booklet, but that he presented neither of them, or an indication by the beneficiary that he has not yet received a health insurance card that he applied for; in the latter case, the year and the month of the application;

(e) the beneficiary's signature and the date on which he signed.

The request for payment or reimbursement to the beneficiary must also contain the following mention above the place where the beneficiary signs the form:

"I certify that the information given above is correct and I request payment or reimbursement."

**4. The following is substituted for section 32:**

"32. Billing statement-pharmacists: For pharmacists, the billing statement produced manually or by computer equipment must contain the elements mentioned in section 9.1, if they are forwarded.

In addition, it must contain, in accordance with the technical specifications in the manual, the data corresponding to the following identification and forwarding coordinates:

(1) a reference number for the sending of information forwarded to the Board by means of magnetic recording media or by telecommunication, which must appear on each page;

(2) the number of the data processing agency;

(3) the system code and the record code used for forwarding data;

(4) the attestation number for the consignment of requests for payment;

(5) indications of the beginning and end of the forwarding of data."

**5. Forms 14 and 29 are revoked.**

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

6612

## Draft Regulation

Highway Safety Code  
(R.S.Q., c. C-24.2)

### Licences

#### — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting licences, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the

45-day period, to the Minister of Transport, 700, boulevard Saint-Cyrille Est, 29<sup>e</sup> étage, Québec (Québec), G1R 5H1.

SAM L. ELKAS,  
Minister of Transport

### Regulation to amend the Regulation respecting licences

Highway Safety Code  
(R.S.Q., c. C-24.2, s. 619, pars. 4.1 and 4.2;  
1990, c. 83, s. 227)

1. The Regulation respecting licences, made by Order in Council 1421-91 dated 16 October 1991, is amended by substituting the following for section 59:

"59. The holder of a driver's licence must pay the biennial duties, the fees and the biennial insurance contribution referred to in the first paragraph of section 93.1 of the Highway Safety Code during the 3-month period ending on his birthday:

(1) during the even-numbered year following the issue of the licence if he was born in an even-numbered year and subsequently, he must pay the biennial duties, the fees and the biennial insurance contribution referred to in the first paragraph of section 93.1 of the Code every 2 years during a 3-month period ending on his birthday;

(2) during the odd-numbered year following the issue of the licence if he was born in an odd-numbered year and subsequently, he must pay the biennial duties, the fees and the biennial insurance contribution referred to in the first paragraph of section 93.1 of the Code every 2 years during a 3-month period ending on his birthday."

2. This Regulation comes into force on 1 September 1992.

6608

### Draft Regulation

An Act respecting liquor permits  
(R.S.Q., c. P-9.1)

#### Liquor permits — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting liquor permits (Amendment), made by the Régie des permis d'alcool du Québec and the text of which appears below, may be submitted to the Government for approval upon the expiry of a 45-day period following this publication.

Any interested party having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Régie des permis d'alcool du Québec, 1, rue Notre-Dame Est, Montréal, H2Y 1B6.

GHISLAIN K.-LAFLAMME,  
Chairman of the Régie des  
alcools du Québec

### Regulation respecting liquor permits (Amendment)

An Act respecting liquor permits  
(R.S.Q., c. P-9.1, s. 114, pars. 1, 2, 3, 6, 10, 14  
and 16)

1. The Regulation respecting liquor permits, made on 5 August 1983, published in the *Gazette officielle du Québec* of 17 August 1983 to replace the Regulation made by Order in Council 2659-81 dated 23 September 1981 (R.R.Q., 1981, c. P-9.1, r. 6) and amended by the Regulations made by Orders in Council 2619-83 dated 14 December 1983 and 1056-90 dated 18 July 1990, is further amended in section 3:

(1) by adding the following sentence at the end of subparagraph 4 of the first paragraph: "The corporation's name or firm name must be compatible with the class of permit applied for.";

(2) by substituting the following for subparagraph 6 of the first paragraph:

"(6) where the applicant is a partnership or where a person submits the application on behalf of his personnel, a copy of the declaration of firm name compatible with the class of permit applied for;"

(3) by substituting the words "Tourist Establishments Act (1987, c. 12)" for the words "Hotels Act (R.S.Q., c. H-3)" in the second and third lines of subparagraph 9.

**2.** The following is inserted after section 3:

"3.1 Where an application for a permit is submitted because of an increase in the number of persons who may be admitted at one time, as determined by the Régie, the persons submitting the application shall attach to it a detailed plan of the room or terrace approved in accordance with in subparagraph 7 of section 3 and showing the alterations that justify the application."

**3.** The following is inserted after section 4:

"4.1 Where a person applies for a permit following the transfer of an establishment for which a permit is already in force, the application shall be accompanied, when submitted to the Régie, by the title deed of the stock in trade, by the fees for examination provided for in section 7 of the Regulation respecting the duties and costs payable under the Act respecting liquor permits and, where applicable, by the duties payable to obtain temporary authorization to use that permit, as provided for in section 5 of that Regulation."

**4.** The following is inserted after section 5:

"5.1 Where an application for a permit is submitted for an air carrier, the applicant shall submit to the Régie a sworn statement indicating the number of aircraft in the fleet.

The holder of a permit used by an air carrier shall inform the Régie, by means of a sworn statement, of any change in the number of aircraft in the fleet during the period for payment of the annual duties applicable to the permit."

**5.** The words "sections 63 and 87.1" are substituted for the words "section 63" in the first line of the first paragraph of section 35.

**6.** The words "and 3" are substituted for the words "3 and 4" in the second line of the first paragraph of section 36.

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

## Draft Regulation

An Act respecting liquor permits  
(R.S.Q., c. P-9.1)

### Certain documents relating to the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting certain documents relating to the Act respecting liquor permits (Amendment), made by the Régie des permis d'alcool du Québec and the text of which appears below, may be submitted to the Government for approval upon the expiry of a 45-day period following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Régie des permis d'alcool du Québec, 1, rue Notre-Dame Est, Montréal, H2Y 1B6.

GHISLAIN K.-LAFLAMME,  
*Chairman of the Régie des  
permis d'alcool du Québec*

### Regulation respecting certain documents relating to the Act respecting liquor permits (Amendment)

An Act respecting liquor permits  
(R.S.Q., c. P-9.1, s. 114, par. 16; 1991, c. 51).

**1.** The Regulation respecting certain documents relating to the Act respecting liquor permits, made on 19 April 1982, published in the *Gazette officielle du Québec* of 5 May 1982 (Suppl., p. 1007) and replacing the Regulation approved by Order in Council 3265-81 dated 25 November 1981 (R.R.Q., 1981, c. P-9.1, r. 3), and amended by Order in Council 1058-90 dated 18 July 1990, is further amended by striking out section 2.

**2.** The Regulation is amended by striking out Schedule 1.

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

6620

## Draft Regulation

An Act respecting liquor permits  
(R.S.Q., c. P-9.1)

### Duties and costs payable — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting duties and costs payable under the Act respecting liquor permits, made by the Régie des permis d'alcool du Québec and the text of which appears below, may be submitted to the Government for approval upon the expiry of a 45-day period following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Régie des permis d'alcool du Québec, 1, rue Notre-Dame Est, Montréal, H2Y 1B6.

GHISLAIN K.-LAFLAMME,  
*Chairman of the Régie des  
permis d'alcool du Québec*

## Regulation to amend the Regulation respecting duties and costs payable under the Act respecting liquor permits

An Act respecting liquor permits  
(R.S.Q., c. P-9.1, s. 114, par. 4; 1991, c. 51)

1. The Regulation respecting duties and costs payable under the Act respecting liquor permits, made by Order in Council 826-90 dated 13 June 1990, is amended by inserting the following preceding section 1:

"0.1 The duties payable for the issue of a permit and the duties payable annually thereafter for a permit, excluding a reunion permit, consist of the fixed amount provided for in section 1, or in section 2 for a permit for an air carrier, and of the variable amount provided for in the first paragraph of section 1.1 or of the amount provided for in the second paragraph of that section.

Notwithstanding the foregoing, the variable amount does not apply to a grocery permit or to a cider seller's permit."

2. The following is substituted for that part preceding paragraph 1 of section 1:

"The fixed amounts payable for a permit are the following:"

3. The following is inserted after section 1:

"1.1 The variable amount payable for a permit is \$0.40 multiplied by the number of persons who may be admitted at one time, as determined by the Régie, up to a maximum amount of \$600.

Notwithstanding the foregoing, the amount payable for a club permit and for a permit for a public carrier, including an air carrier, is \$40. The same applies for a permit issued for a common area or for sales or service in a room of a hotel establishment or by vending machine in such establishment, and for any other permit where the Régie does not establish the capacity."

4. The following is substituted for the second sentence of section 2:

"The amount fixed for a permit for an air carrier is \$500 for a fleet composed of 1 aircraft, \$1 000 for 2 to 5 aircraft, \$3 000 for 6 to 20 aircraft, \$5 000 for 21 to 50 aircraft and \$10 000 for more than 50 aircraft."

5. The words "The duties payable for the issue of an authorization for the presentation of shows and the duties payable annually therefor" are substituted for the words "The duties payable annually for the issue or renewal of the authorization for the presentation of shows" in section 4.

6. The words "or renew" are inserted in the first line of section 5 after the word "obtain".

7. The following is substituted for section 6:

"6. The additional costs payable provided for in section 55 of the Act are \$50."

8. The following is substituted for section 7:

"7. The costs payable for examination of an application provided for in section 95 of the Act are \$166 for an application for a permit made by reason of the alienation or leasing of an establishment and \$83 for the other applications referred to in that section."

9. Section 8 is revoked.

10. The following is substituted for section 9:

"9. The duties and costs payable under this Regulation, except the amounts provided for in section 1.1, shall be indexed on 1 April of each year on the basis of the variation in the Consumer Price Index for Canada covering the period from 1 January to 31 December of the preceding year, as established by Statistics Canada.

For the purpose of determining the duties and costs payable, fractions of dollars shall be rounded off to the nearest dollar.

For the purposes of this section, the Régie shall publish the table of the new duties and costs in the *Gazette officielle du Québec* each year as soon as possible after they are determined."

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

6619

### Draft Regulation

An Act respecting liquor permits  
(R.S.Q., c. P-9.1)

#### Issue and use of a "Man and his World" permit and an "Olympic Grounds" permit — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the conditions relating to the issue and use of a "Man and his World" permit and an "Olympic Grounds" permit (Amendment), made by the Régie des permis d'alcool du Québec and the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Régie des permis d'alcool du Québec, 1, rue Notre-Dame Est, Montréal, H2Y 1B6.

GHISLAIN K.-LAFLAMME,  
Chairman of the Régie des  
permis d'alcool du Québec

### Regulation respecting the conditions relating to the issue and use of a "Man and his World" permit and an "Olympic Grounds" permit (Amendment)

An Act respecting liquor permits  
(R.S.Q., c. P-9.1, s. 114, par. 2)

**1.** The Regulation respecting the conditions relating to the issue and use of a "Man and his World" permit and an "Olympic Grounds" permit, made by Order in

Council 494-82 dated 3 March 1982 (Suppl., p. 1006) and amended by Order in Council 826-90 dated 13 June 1990, is further amended by substituting the following for section 2:

"The term of the permit is equivalent to that provided for in a concession from the City of Montréal or from the Régie des installations olympiques referred to in paragraph 1 of section 39 of the Act respecting liquor permits (R.S.Q., c. P-9.1)."

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

6616

### Draft Regulation

An Act respecting liquor permits  
(R.S.Q., c. P-9.1)

#### Procedure applicable before the Régie des permis d'alcool du Québec — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the procedure applicable before the Régie des permis d'alcool du Québec (Amendment), made by the Régie des permis d'alcool du Québec and the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Régie des permis d'alcool du Québec, 1, rue Notre-Dame Est, Montréal, H2Y 1B6.

GHISLAIN K.-LAFLAMME,  
Chairman of the Régie des  
permis d'alcool du Québec

### Regulation respecting the procedure applicable before the Régie des permis d'alcool du Québec (Amendment)

An Act respecting liquor permits  
(R.S.Q., c. P-9.1, s. 114)

**1.** The Regulation respecting the procedure applicable before the Régie des permis d'alcool du Québec (R.R.Q., c. P-9.1, r. 7), amended by Order in Council

1059-90 dated 18 July 1990, is further amended by inserting the following after section 12:

"12.1 An objection made under section 99 of the Act must explain the grounds on which it is based and the party making the objection must send it to the applicant or to the applicant's attorney by registered or certified mail within the time limit for sending the objection to the Régie."

2. The following is substituted for the Title of Division IV:

"Application for cancellation or suspension of a permit".

3. Section 23 is amended:

(1) by substituting the word "or" for the comma in the first line;

(2) by deleting the words "or not renew" in the first and second lines.

4. The following is substituted for section 24:

"24. The Régie does not accept an application by a permit holder for cancellation or suspension of a permit where the file reveals that the Régie would have serious grounds to proceed pursuant to section 86 of the Act, or where procedures have been commenced by the Régie to suspend or cancel a permit or where, pursuant to section 85 of the Act, the Régie has received an application to that effect."

5. The following is substituted for section 28:

"28. Divisions I and III apply *mutatis mutandis* to an application for cancellation or suspension of a permit."

6. Section 29 is amended by substituting the words "one director" for the words "two directors" in the first line.

7. Section 37 is amended by inserting the words "director or" before the word "directors" in the third line.

8. The following is substituted for section 39:

"39. Any director who has taken an application under advisement may, on request or on his own initiative, order the hearing reopened on such conditions as he may determine."

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

6617

## Draft Regulation

Public Health Protection Act  
(R.S.Q., c. P-35)

### Regulation — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the application of the Public Health Protection Act, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 60-day period, to Mr. Marc-Yvan Côté, Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec), G1S 2M1.

MARC-YVAN CÔTÉ,  
*Minister of Health and Social Services*

## Regulation to amend the Regulation respecting the application of the Public Health Protection Act

Public Health Protection Act  
(R.S.Q., c. P-35, s. 69, 1<sup>a</sup> par., subpar. d)

1. The Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P-35, r. 1), amended by the Regulations made by Orders in Council 3506-81 dated 16 December 1981, (Suppl., p. 1066), 2335-82 dated 13 October 1982, 975-83 dated 18 May 1983, 1215-83 dated 15 June 1983, 1814-84 dated 16 August 1984, 1894-84 dated 22 August 1984, 47-85 dated 16 January 1985, 850-85 dated 8 May 1985, 1272-86 dated 20 August 1986, 1497-86 dated 1 October 1986, 1557-87 dated 7 October 1987, 713-89 dated 10 May 1989, 1506-89 dated 13 September 1989, 1099-90 dated 1 August 1990 and 1590-91 dated 20 November 1991, is further amended in section 107:

(1) by substituting, in the second paragraph, "\$190" for "\$95" and "\$20" for "\$10";

(2) by substituting, in the third paragraph, "\$130" for "\$65";

(3) by substituting, in the fourth paragraph, "\$330" for "\$165";

(4) by substituting, in the fifth paragraph, the date "1 January 1994" for the date "1 January 1993".

2. This Regulation comes into force on 1 January 1993. Notwithstanding the foregoing, the Regulation shall have effect from 30 September 1992 in the case of applications for the renewal of permits made in accordance with section 106 of the Regulation respecting the application of the Public Health Protection Act (R.S.Q., c. P-35, r. 1).

6613

## Draft Regulation

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### Puyjalon River Fish Sanctuary — Revocation Rivière Romaine Fish Reserve — Revocation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Order in Council respecting the Revocation of the Regulation respecting the Puyjalon River Fish Sanctuary and of the Regulation respecting the rivière Romaine Fish Reserve, the text of which appears below, may be made by the Gouvernement du Québec upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Recreation, Fish and Game, 150, boulevard Saint-Cyrille Est, 17<sup>e</sup> étage, Québec (Québec), G1R 4Y3.

GASTON BLACKBURN,  
Minister of Recreation,  
Fish and Game

Revocation of the Regulation respecting the Puyjalon River Fish Sanctuary and of the Regulation respecting the rivière Romaine Fish Reserve

WHEREAS in accordance with section 81.2 of the Wild-life Conservation Act (R.S.Q., c. C-61), the Government made the Regulation respecting the Puyjalon River Fish Sanctuary, by Order in Council 1632 dated 14 June 1967;

WHEREAS in accordance with section 81.2 of the same Act, the Government made the Regulation respecting the rivière Romaine Fish Reserve, by Order in Council 1630 dated 14 June 1967;

WHEREAS under section 186 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), every provision of a regulation, order in council or order made by the Government under the Wild-life Conservation Act, continues to be in force to the extent that it is consistent with this Act;

WHEREAS under section 184 of that Act, the provisions of the Wild-life Conservation Act are replaced by the corresponding provisions of the Act respecting the conservation and development of wildlife;

WHEREAS under section 111 of the Act respecting the conservation and development of wildlife, the Government may establish wildlife sanctuaries on lands, in the public domain and dedicate them to the conservation, development and utilization of wildlife;

WHEREAS under section 191.1 of the Act respecting the conservation and development of wildlife, regulations made by the Government under section 111 of the Act before 1 January 1987 shall continue to be in force until they are replaced, amended or repealed by an order of the Government;

WHEREAS it is expedient to revoke the Regulation respecting the Puyjalon River Fish Sanctuary and the Regulation respecting the rivière Romaine Fish Reserve;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Recreation, Fish and Game:

THAT the Regulation respecting the Puyjalon River Fish Sanctuary (R.R.Q., 1981, c. C-61, r. 89) and the Regulation respecting the rivière Romaine Fish Reserve (R.R.Q., 1981, c. C-61, r. 90) be revoked;

THAT this Order in Council come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

6611

### Draft Regulation

An Act respecting the Régie des télécommunications (R.S.Q., c. R-8.01)

#### Régie des télécommunications du Québec — Annual dues of operating companies

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the annual dues payable to the Régie des télécommunications du Québec by an operating company, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Communications, 1037, de La Chevrotière, édifice Marie-Guyart, 3<sup>e</sup> étage de la tour, Québec (Québec), G1R 4Y7.

LAWRENCE CANNON,  
*Minister of Communications*

### Regulation respecting the annual dues payable to the Régie des télécommunications du Québec by an operating company

An Act respecting the Régie des télécommunications (R.S.Q., c. R-8.01, s. 62, par. 3)

1. Every operating company shall pay to the Régie des télécommunications du Québec, not later than on 1 March of each year, annual dues in an amount equal to 0.48 % of the aggregate of the gross income derived either from the operation of its telecommunications business during its fiscal year ending during the preceding calendar year or, failing that, from the operation of its telecommunications business during the preceding calendar year, the whole as it appears in its financial statements.

2. Notwithstanding the foregoing, a new operating company shall pay to the Régie, for the year during which it obtains its first authorization to operate a telecommunications business and not later than on the

thirtieth day following the obtention of such authorization, annual dues in an amount equal to 0.48 % of the aggregate of the gross income stated in its financial forecasts and to be derived from the operation of its telecommunications business for the calendar year in progress.

3. This Regulation replaces the Tariff of fees and dues payable to the Régie des services publics by certain public services, made by Order in Council 469-82 dated 3 March 1982 (Suppl., p. 1080) and amended by the Regulation made by Order in Council 68-87 dated 21 January 1987 (1987, G.O. 2, 793).

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

6614

### Draft Regulation

An Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu (R.S.Q., c. M-19.1)

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31)

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9)

An Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., c. M-19.2)

### Implementation of an amendment to the Agreement on Social Security between the Gouvernement du Québec and the Government of the Grand Duchy of Luxembourg

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the implementation of an amendment to the Agreement on Social Security between the Gouvernement du Québec and the Government of the Grand Duchy of Luxembourg, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to Mr. John Ciaccia, Minister of International Affairs, 1225, Place George-V, 4<sup>e</sup> étage, Québec (Québec), G1R 4Z7.

JOHN CIACCIA,  
Minister of International Affairs

### Regulation respecting the implementation of an amendment to the Agreement on Social Security between the Gouvernement du Québec and the Government of the Grand Duchy of Luxembourg

An Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu  
(R.S.Q., c. M-19.1, s. 4)

An Act respecting the Ministère de la Santé et des Services sociaux  
(R.S.Q., c. M-19.2, s. 10)

An Act respecting the Ministère du Revenu  
(R.S.Q., c. M-31, s. 96)

An Act respecting the Québec Pension Plan  
(R.S.Q., c. R-9, s. 215)

1. The following Acts and the Regulations made thereunder apply to any person referred to in the amendment to the Agreement on Social Security dated 22 September 1987 between the Gouvernement du Québec and the Government of the Grand Duchy of Luxembourg, signed on 2 April 1992 and appearing in Schedule I:

- (1) the Hospital Insurance Act (R.S.Q., c. A-28);
- (2) the Health Insurance Act (R.S.Q., c. A-29);
- (3) the Act respecting the Québec Pension Plan (R.S.Q., c. R-9);
- (4) the Act respecting health services and social services (R.S.Q., c. S-5).

2. Those Acts and the Regulations made thereunder apply in the manner provided for in this amendment.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette*

*officielle du Québec* or on any later date to be fixed therein.

#### SCHEDULE I (s. 1)

#### AMENDMENT TO THE AGREEMENT ON SOCIAL SECURITY BETWEEN QUÉBEC AND LUXEMBOURG

The Gouvernement du Québec

and

the Government of the Grand Duchy of Luxembourg

Considering that it is expedient to adapt the Agreement on Social Security between Québec and Luxembourg to the legislative amendments made since it came into force;

Considering their common desire to facilitate the application of the Agreement;

Agree to the following:

#### ARTICLE 1

The Agreement on Social Security between Québec and Luxembourg, signed at Québec on 22 September 1987, is amended as follows:

1. In Article 2, the words "including supplementary insurance for mine workers, metal workers and professional drivers" are struck out in Paragraph *b* of Paragraph 1.

2. In Article 3, Paragraph *d* of Paragraph 1 is amended as follows:

"(d) any person who is or has been subject to the legislation of one or both Parties or who has acquired rights under their legislation."

3. In Article 3, Paragraph 2 is struck out.

4. The following Article 5.1 is inserted after Article 5:

#### "Article 5.1

Anti-combinatory provisions

1. The clauses governing reduction, suspension or discontinuation and provided for in Luxembourg legislation in the case of the combination of benefits with other social security benefits or with occupational

income, or as a result of the carrying out of a professional activity, apply to the beneficiary even where the benefits are acquired under the legislation of the other Party or where occupational income is earned or a professional activity is carried out in the territory of the other Party.

2. For the purposes of Paragraph 1, the benefits that are provided for in legislation applicable to Québec and that are dependent on an examination of income are not taken into consideration."

5. In Article 7, Paragraph 3 is struck out.

6. In Article 8, the last sentence of Paragraph 2 is amended as follows:

"Where applicable, Paragraph 2 of Article 7 applies by analogy."

7. The following is substituted for Article 14:

"Article 14

Entitlement to benefits under Luxembourg legislation

1. Where a person is not entitled to benefits under Luxembourg legislation solely on the basis of insurance periods completed under that legislation, entitlement to the said benefits is determined by totalizing the said periods with the periods completed in Québec, as long as those periods do not overlap.

2. (a) for the purposes of entitlement to an old age pension under Luxembourg legislation, the eligible periods under the Old Age Security Act that applies in the territory of Québec, expressed in months and occurring prior to 1 January 1966, and the eligible periods under the Québec Pension Plan, expressed in years, as well as the eligible periods under the Old Age Security Act that applies in the territory of Québec, expressed in months, not taken into account under the Québec Pension Plan and occurring after 31 December 1965, are considered periods validly covered by contributions under Luxembourg legislation;

(b) for the purposes of entitlement to an early old age pension between ages 57 and 60 and to a disability or survivor's pension under Luxembourg legislation, the eligible periods under the Old Age Security Act that applies in the territory of Québec, expressed in months and occurring prior to 1 January 1966, and the eligible periods under the Québec Pension Plan, expressed in years and occurring after 31 December 1965, are considered periods validly covered by contributions under Luxembourg legislation.

3. For the purpose of calculating periods completed in Québec, an insurance year corresponds to 12 months under Luxembourg legislation.

4. Periods that, under Luxembourg legislation, have the effect of prolonging the reference period during which the work period required for entitlement to disability and survivor's pensions must have been completed are also taken into consideration where those periods are completed in the territory of the other Party.

5. Paragraph 1 applies by analogy for the inclusion, in accordance with Luxembourg legislation, of an insurance period following the birth of a child to an insured who sees to the child's upbringing. The application of the preceding provision is subordinate to the condition that the insured has completed, lastly, insurance periods under Luxembourg legislation."

8. The following Article 14.1 is inserted after Article 14:

"Article 14.1

Settlement of benefits under Luxembourg legislation

1. Where a person may claim a pension under Luxembourg legislation without it being necessary to apply Paragraphs 1 to 4 of Article 14, the Luxembourg institution calculates, in accordance with the provisions of the legislation it is applying, the pension corresponding to the total duration of the insurance periods to be taken into account under that legislation.

That institution also calculates the pension that would be due under the provisions of Paragraph 2 below.

Only the highest amount is used.

2. Where a person may claim a pension under Luxembourg legislation and is entitled thereto only by virtue of totalizing the periods provided for in Paragraphs 1 to 4 of Article 14, the following rules apply:

(a) the Luxembourg institution calculates the theoretical amount of the pension to which the applicant would have been entitled if all the periods completed under the legislation of the two Parties had been completed exclusively under its own legislation;

(b) on the basis of that theoretical amount, the Luxembourg institution then sets the actual amount of the pension on a prorata basis to the duration of the insurance periods completed under the legislation it is applying, in relation to the duration of the periods completed under the legislation of the two Parties;

(c) for the purpose of determining the theoretical amount referred to in Paragraph *a* above, the Luxembourg institution takes into account, for the periods completed under the legislation of the other Party:

i. as far as calculation of the proportional and special proportional increases is concerned, the average of the pensionable wages, salaries and income for the insurance periods completed under the legislation it is applying;

ii. as far as calculation of the lump-sum and special lump-sum increases is concerned, a lump-sum amount equal to the amount that would be due if those periods had been completed under the legislation it is applying.

3. Where the person may claim a pension under Luxembourg legislation only under the provisions of Article 15, the insurance periods completed under the legislation of a third State are taken into consideration for the purposes of Paragraph 2 above."

9. In Article 26, the title and Paragraph 1 are amended as follows:

"Benefits for a self-employed person and for a person on assignment

1. When he is subject to the legislation of one Party and works in the territory of the other Party, a person referred to in Article 7 or 8 benefits, as do his accompanying family members, from:

(a) benefits in kind granted by the institution of the host territory, according to the provisions of the legislation applied by that institution, from the day of arrival in the host territory;

(b) cash benefits granted by the competent institution in accordance with the provisions of the legislation it is applying."

10. In Article 31, the following sentence is added to Paragraph 2:

"As far as Québec is concerned, the competent institution furnishes information relative to benefits payable by that Party with the express authorization of the person submitting an application."

11. The following Paragraph *h* is added to Paragraph 2 of Article 38:

"(h) For the awarding of transitional lump-sum increases in Luxembourg pensions, the insurance periods completed under Luxembourg legislation prior to 1 January 1988 by insureds that have not resided in the

territory of Luxembourg are combined with periods of residence."

## ARTICLE 2

1. Each contracting Party shall notify the other Party of the completion of the internal procedures required for the coming into force of this amendment.

2. This amendment comes into force on the first day of the third month following completion of the notification procedure provided for in Paragraph 1.

Drawn up at Québec, on 2 April 1992, in duplicate.

JOHN CIACCIA,  
For the Gouvernement  
du Québec

ALPHONSE BERNIS,  
For the Government of the  
Grand Duchy of Luxembourg

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

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