

Gazette officielle du Québec

(English Edition)

Part 2

Laws and
Regulations

Volume 123

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Gazette officielle du Québec

Part 2 Laws and Regulations

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

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

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Regulations

Gouvernement du Québec

O.C. 254-91, 27 February 1991

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

Respiratory therapists

— **Elections to the Bureau**

Regulation respecting elections to the Bureau of the Corporation professionnelle des inhalothérapeutes du Québec

WHEREAS under paragraph *b* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau must, by regulation, fix the date of and procedure for the election of the president and the elected directors, the date and the time they take office and their term of office;

WHEREAS under former paragraph *b* of section 94 of the Professional Code, the Bureau made the Regulation respecting procedures for electing the president and directors of the Corporation professionnelle des inhalothérapeutes du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 6 April 1988 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS under paragraph *b* of section 93 of the Professional Code, the Bureau made the Regulation respecting procedures for electing the president and directors of the Corporation professionnelle des inhalothérapeutes du Québec (Amendment);

WHEREAS under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has approved it is of the opinion that the urgency of the situation requires it;

WHEREAS in the opinion of the Government, the urgency owing to the following circumstances justifies the coming into force of the Regulation on the date of its publication in the *Gazette officielle du Québec*;

— This Regulation must come into force on the day of its publication in the *Gazette officielle du Québec* since that professional corporation's elections must be held on 1 May 1991 and the electoral process must be under way between the 60th and the 45th day prior to that date.

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation attached to this Order in Council be approved.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation respecting elections to the Bureau of the Corporation professionnelle des inhalothérapeutes du Québec

Professional Code

(R.S.Q., c. C-26, ss. 63, 67, 69 par. c, 74, 93 par. b)

DIVISION I

INTERPRETATION AND SCOPE

1. This Regulation governs the election of the president and directors of the Corporation professionnelle des inhalothérapeutes du Québec.

2. In this Regulation, the word "region" means one of the regions within the meaning of the Regulation respecting representation on the Bureau of the Corporation professionnelle des inhalothérapeutes du Québec and electoral regions, made by Order in Council 1532-89 dated 27 September 1989.

3. The computing of delays respecting non-judicial days shall be done in accordance with articles 6, 7 and 8 of the Code of Civil Procedure (R.S.Q., c. C-25) for any delay other than those provided for in the Professional Code (R.S.Q., c. C-26).

4. Where the president is elected by a vote of the elected directors, he shall be elected at the expiry of the term of the retiring president, at a meeting of the Bureau that may be held after the annual general meeting following the election of directors.

The Bureau shall be called for that purpose by the secretary by means of a notice in writing sent not less than ten days before the date of the meeting. The notice of meeting shall indicate the purpose, the place, the date and the time of the meeting.

DIVISION II

ELECTORAL STAFF

5. The secretary of the Corporation shall be responsible for the administration of this Regulation; in particular, he shall supervise the holding of a vote.

6. Where, between the sixtieth day preceding the date of closing of the poll and the tenth day following that date, the secretary is unable to act owing to absence or illness or refuses to act, or where he is a candidate for the election, he shall be replaced by the assistant secretary. For election purposes, the assistant secretary shall exercise all the rights and assume all the obligations of the secretary that was replaced.

7. The Bureau shall designate six scrutineers from among the members of the Corporation who are neither members of the Bureau, nor employees of the Corporation.

A scrutineer shall be replaced by another scrutineer where he is a candidate for election or is unable to act on the day of the counting of the votes.

DIVISION III

PROCEDURES PRECEDING THE VOTE

8. Between the sixtieth and the forty-fifth day preceding the closing of the poll, the secretary shall send to each member of the region where a director is to be elected, a notice indicating the date of the closing of the poll and the conditions required to

be a candidate and vote in accordance with sections 66.1, 67, 71 and 76 of the Professional Code.

9. During a year in which the election of the president is held by a general vote, and within the time period mentioned in section 8, the secretary shall send to all the members of the Corporation the notice described in section 8.

10. The nomination paper of a candidate must be similar to that in Schedule I or Schedule II, as applicable, and must be signed by the candidate and by five members.

11. The secretary shall accept any nomination paper that is complete and is delivered to him not less than 30 days before the date fixed for the closing of the poll. He shall then transmit to the candidate an acknowledgment of receipt as evidence of his candidacy.

The secretary shall also transmit to each candidate for the office of director, a list of the members of the region in which he principally practises his profession and where applicable, he shall transmit a list of all the members of the Corporation to the candidates for the office of president.

12. In addition to the documents prescribed by section 69 of the Professional Code, the secretary shall send to each member entitled to vote information indicating the method of voting and using envelopes, and the time by which the envelopes must be received by the Corporation.

13. Where the election of the president is held by a general vote of the members of the Corporation, the secretary shall send to each person entitled to vote an inner envelope in compliance with paragraph *b* of section 69 of the Professional Code, between the sixtieth and sixty-fifth day preceding that of the closing of the poll.

14. A ballot paper certified by the secretary shall contain the following particulars in the case of an election to the office of director:

- (1) the name and graphic symbol of the Corporation;
- (2) the year of the election;
- (3) identification of the region;
- (4) the names in full of the candidates in alphabetical order of surnames;
- (5) the number of positions to be filled in the region.

Where the election of the president is held by a general vote of the members of the Corporation, the certified ballot paper shall contain, for that election, the particulars provided for in subparagraphs 1, 2 and 4.

Ballot papers may be certified by a facsimile of the secretary's signature.

15. The secretary shall issue a new ballot paper to a member who has damaged, crased or lost his ballot paper or who did not receive one, and who so declares using a form of oath or solemn affirmation.

DIVISION IV VOTING

16. A respiratory therapist shall vote in the region where he principally practises his profession. In addition, he shall vote for a candidate for the office of president, in the case where the latter is elected by a general vote.

17. After voting, an elector shall insert his ballot paper or, where the president is elected by a general vote, his ballot papers

into the corresponding inner envelopes. He shall seal the inner envelope or envelopes and insert them in the stamped outer envelope.

18. Upon receipt of the outer envelopes received before the closing of the poll, the secretary shall record the names of the electors. Without opening them, the secretary shall enter on the envelopes the date and time of receipt and his initials, and shall deposit them in a sealed ballot box.

19. The time and date of the closing of the poll shall be fixed at 4 p.m. on the first Friday of May.

20. At the time fixed for the closing of the poll, the secretary shall affix the last seals on the ballot boxes.

The scrutineers are entitled to be present when the seals are affixed on the ballot boxes, as is each candidate or his representative duly authorized by a proxy signed by the candidate and similar to that in Schedule III.

21. The secretary and the scrutineers shall take the oath or make the solemn affirmation in Schedule IV.

DIVISION V PROCEEDINGS FOLLOWING VOTING

22. After the closing of the poll and not later than the tenth day following that date, the secretary shall count the votes at the corporate seat of the Corporation in the presence of the scrutineers. The scrutineers shall be called by the secretary for that purpose, by means of a notice in writing sent not less than three days before the date fixed for the counting of the votes.

23. The candidate or his representative duly authorized by a proxy signed by the candidate and similar to that in Schedule III shall be entitled to be present at the counting.

The candidate or his representative shall be called for that purpose by the secretary, by means of a notice in writing sent not less than three days before the date fixed for the counting of the votes.

The candidate or his representative shall then take the oath in Schedule V.

24. The secretary shall reject without opening any outer envelopes he considers do not meet the requirements of this Regulation or of the Act, or that come from persons who were not members of the Corporation on the forty-fifth day before the date fixed for the closing of the poll.

25. Where several outer envelopes reach the secretary from the same elector for an election to the same office, he shall accept only the first envelope received and reject the others.

26. The secretary shall open each of the outer envelopes considered to meet the requirements and shall take out the inner envelope on which are written the words "BALLOT PAPER-DIRECTOR" and, where applicable, that on which are written the words "BALLOT PAPER-PRESIDENT". He then sets aside, without destroying them, the outer envelopes in such a way as to avoid that they may be associated with the inner envelopes or their content. He shall reject without opening them, any inner envelopes bearing any identification of the elector.

27. After examining all the inner envelopes, the secretary shall open those that meet the requirements and shall take out the ballot papers.

He shall reject any ballot paper:

(1) on which the voter cast his vote otherwise than as prescribed by section 71 of the Professional Code;

(2) that contains more marks than the number of positions to be filled;

(3) that is not certified by the secretary or was not provided by him;

(4) that has not been marked;

(5) that bears any mark allowing the elector to be identified;

(6) that is marked elsewhere than in the square or squares reserved for voting.

28. No ballot paper may be rejected solely because the mark made in a square goes beyond the square reserved for voting.

29. The secretary shall consider any objection made by a scrutineer, a candidate or his representative on the subject of the validity of a ballot paper and shall give a ruling immediately. That decision is final and without appeal.

30. After counting the ballot papers, the secretary shall draw up over his signature a statement of the poll. He shall declare elected the candidates who obtained the greatest number of votes in each region, considering the number of positions to be filled, and, where the president is elected by a general vote of the members of the Corporation, the candidate who obtained the most votes.

In the case of a tie-vote, the secretary shall immediately draw lots to determine which of the candidates has been elected.

31. When the candidates have been declared elected, the secretary shall place in separate envelopes the valid ballot papers allotted to each candidate, the rejected ballot papers, and all the envelopes, including those rejected in accordance with this Regulation.

The envelopes shall be kept for a period of 30 days, after which time the secretary may dispose of them.

32. The secretary shall send a copy of the statement of the poll to each candidate. In addition, he shall table a copy of the report at the first meeting of the Bureau and shall inform the members of the Corporation of the election results.

33. The president and the directors shall be elected for a term of three years. They shall take office on the day of the annual general meeting after the holding of that meeting and shall remain in office until they die, resign, are replaced or are struck off the roll.

DIVISION VI TRANSITIONAL AND FINAL

34. Notwithstanding any provision to the contrary, directors in office before the coming into force of this Regulation shall remain so until they are replaced in accordance with the provisions of this Regulation, or until they resign, die or are struck off the roll.

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

SCHEDULE I

(s. 10)

NOMINATION PAPER FOR ELECTION OF A DIRECTOR IN THE REGION

We, the undersigned, members in good standing of the Corporation professionnelle des inhalothérapeutes du Québec, practising our profession principally in the region of _____

_____ nominate as a candidate for the forthcoming election in that region, _____ (name),

_____ (address).

Full name of member	Permit number	Address of the place where the member principally practises his profession	Date	Signature of member

I, _____, practising my profession principally in the region of _____, nominated in the above nomination paper, agree to be a candidate for the office of director for that region. I am a member in good standing of the Corporation.

In witness whereof, I have signed at _____, this _____ day of _____, (month) (year)

Signature

SCHEDULE II

(s. 10)

NOMINATION PAPER FOR ELECTION OF THE PRESIDENT OF THE CORPORATION

We, the undersigned, members in good standing of the Corporation professionnelle des inhalothérapeutes du Québec, nominate as a candidate for the forthcoming election of the president of the Corporation, _____ (name),

_____ (address).

Full name of member	Permit number	Date	Signature of member

I, _____, nominated in the above nomination paper, agree to be a candidate for the office of president of the Corporation professionnelle des inhalothérapeutes du Québec. I am a member in good standing of the Corporation.

In witness whereof, I have signed at _____, this _____ day of _____ (month) _____ (year).

Signature

SCHEDULE III

(ss. 20 and 23)

APPOINTMENT OF REPRESENTATIVE

(date of election)

I, the undersigned, _____, candidate for the office of _____ (president or director) for the region of _____ (where applicable for the offices of directors), authorize _____, to represent me at the corporate seat of the Corporation professionnelle des inhalothérapeutes du Québec in order to be present at the closing of the poll and the counting of the votes.

In witness whereof, I have signed at _____, this _____ day of _____ (month) _____ (year).

Signature

SCHEDULE IV

(s. 21)

OATH OR SOLEMN AFFIRMATION OF OFFICE AND DISCRETION

I, _____, (swear or solemnly affirm) that I will carry out the duties of my office with honesty, impartiality and fairness, and that I will not accept, except for any salary paid to me by the Corporation professionnelle des inhalothérapeutes du Québec, any sum of money or consideration whatever for what I have done or may do in carrying out the duties of my office, for the purposes of favouring a candidate directly or indirectly.

I further (swear or solemnly affirm) that I will not reveal or make known, without authorization by law, the name of the candidate for whom any person voted, if that information comes to my knowledge at the time of the counting of the votes.

In witness whereof, I have signed at _____, this _____ day of _____ (month) _____ (year).

Signature

Sworn before me, at _____, this _____ day of _____ (month) _____ (year).

Commissioner for oaths for the
judicial district of _____

SCHEDULE V

(s. 23)

OATH OR SOLEMN AFFIRMATION OF DISCRETION

I, _____, (swear or solemnly affirm) that I shall not reveal or make known, without authorization by law, the name of the candidate for whom a person has voted, where that information comes to my knowledge during the counting of the votes.

In witness whereof, I have signed at _____, this _____ day of _____ (month) _____ (year).

Signature

Sworn before me, at _____, this _____ day of _____ (month) _____ (year).

Commissioner for oaths for the
judicial district of _____

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Gouvernement du Québec

O.C. 258-91, 27 February 1991

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

Woodworking

— Levy

— Amendments

CONCERNING the Regulation amending the Levy Regulation of the Québec Woodworking Parity Committee

WHEREAS, in accordance with paragraph *i* of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), a parity committee may, by a regulation approved by the government and published in the *Gazette officielle du Québec*, levy upon the professional employer alone or upon both the professional employer and the employee, or upon the employee alone, the sums required for the carrying out of the decree which it is commissioned to ensure and supervise the observance thereof;

WHEREAS the Levy Regulation of the Québec Woodworking Parity Committee was approved by Order in Council 2626-85 of 11 December 1985;

WHEREAS the Québec Woodworking Parity Committee adopted, at its meeting held on 11 July 1990, the Regulation amending the Levy Regulation of the Québec Woodworking Parity Committee in order to decrease the levy rate currently in force;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of this Regulation was published in Part 2 of the *Gazette officielle du Québec* of 14 November 1990, with a notice stating that it may be submitted to the government for approval at the expiry of a 45-day time limit from this publication;

WHEREAS no objection was expressed against the attached Regulation;

WHEREAS there is reason to approve this Regulation without amendment;

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

THAT the Regulation amending the Levy Regulation of the Québec Woodworking Parity Committee, attached hereto, be approved.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation amending the Levy Regulation of the Québec Woodworking Parity Committee

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 22, par. *i*)

1. The Levy Regulation of the Québec Woodworking Parity Committee, approved by Order in Council 2626-85 of 11 December 1985, is amended by replacing sections 2 and 3 by the following:

"2. Professional employers shall remit to the Québec Woodworking Parity Committee an amount equal to 0,15 % of their payroll for the employees governed by the Decree.

3. Employees other than those mentioned in section 4, shall remit to the Parity Committee an amount equal to 0,15 % of their wages."

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.
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Order of the Minister of Transport dated 27 February 1991 regarding the approval of weigh scales

Highway Safety Code
(R.S.Q., c. C-24.2, s. 467)

1. The Minister of Transport approves the multiple platform weigh scales bearing the identification number 56750-020-OUEST, located in Boucherville, the one bearing the identification number 66420-015-NORD located in Candiac and the one bearing the identification number 43400-055-SUD located in Saint-Étienne-des-Grès.

2. Schedule I of the order of the Minister of Transport of May 22, 1990, replaced by the order of January 9, 1991, is modified by the suppression of the following:

"BOUCHERVILLE	56750-020-OUEST"
"CANDIAC	66420-015-NORD"

3. Schedule III of the order of the Minister of Transport of May 22, 1990, replaced by the order of January 9, 1991, is modified:

1° by the insertion, following the multiple platform weigh scale located in Brossard, on the following:

"BOUCHERVILLE	56750-020-OUEST"
"CANDIAC	66420-015-NORD"

2° by the replacement of the identification number of the scale located in Saint-Étienne-des-Grès by "43400-055-SUD".

4. This order takes effect from the date of its signature.
Québec, the February 27, 1991

ROBERT MIDDLEMISS,
Minister of Transport
5396



Draft Regulations

Draft Regulation

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

Chemists

— Business of the Bureau and general meetings

— 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 business of the Bureau and general meetings of the Ordre des chimistes du Québec (Amendment)", made by the Bureau of the Ordre des chimistes du Québec, 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 Chairman of the Office des professions du Québec, complexe de la place Jacques-Cartier, 320, rue Saint-Joseph Est, 1^{er} étage, Québec (Québec), G1K 8G5. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation concerning the professions; they may also be forwarded to the professional corporation that made the Regulation as well as to the persons, departments and agencies concerned.

THOMAS J. MULCAIR,
*Chairman of the Office
des professions du Québec*

Regulation respecting the business of the Bureau and general meetings of the Ordre des chimistes du Québec (Amendment)

Professional Code
(R.S.Q., c. C-26, s. 93, par. a and s. 94, pars. a and b)

1. The Regulation respecting the business of the Bureau and general meetings of the Ordre des chimistes du Québec (R.R.Q., 1981, c. C-15, r. 1) is amended by substituting the following for section 2.01:

"2.00 The general meetings of the members of the Order shall be held at the time and place determined by the Bureau.

2.01 The secretary of the Order shall call the annual general meeting either:

(1) by means of a notice addressed by mail to each member at the address mentioned on the Roll at least 30 days prior to the date for the holding of the meeting;

(2) by means of a notice published or inserted in a publication that the Order sends to each member at least 30 days prior to the date for the holding of the meeting; the notice shall be within a box of 25 cm by 20 cm under the heading "NOTICE OF CONVOCACTION TO THE ANNUAL GENERAL MEETING".

Every notice of convocation to an annual general meeting shall indicate the time and place and proposed agenda of that meeting.

The secretary shall also address to each director appointed in accordance with section 78 of the Professional Code (R.S.Q., c. C-26), within the same time period, the notice of convocation and any other document addressed to the members of the Order for that meeting."

2. The following paragraph is substituted for the first paragraph of section 2.05:

"2.05 Except with the unanimous consent of the members present at the meeting, a motion on a matter which is not on the agenda must be sent in writing to the head office of the Order, to the secretary's attention at least 15 days prior to the date for the holding of a meeting."

3. The following section is inserted before section 3.01:

"3.00 Where the president is elected by a general vote of the members of the Order, the Bureau of the Order shall comprise 16 directors and the president.

Where the president is elected by the vote of the elected directors, the Bureau shall comprise 15 directors and the president."

4. The following section is substituted for section 3.02:

"3.02 At such meeting, the elected directors of the Bureau shall elect a president where the general meeting decides that the latter is elected by general vote of the directors elected.

The members shall also designate from among themselves, by annual vote, three members of the administrative committee who shall act as vice-presidents of the Order."

5. The following section is substituted for section 3.04:

"3.04 A special meeting of the Bureau shall be called by the secretary, by means of a notice in writing, together with the agenda, and shall be sent by mail, telegram, cablegram, fax or by messenger to each of its members at least 48 hours before the holding of the meeting.

The notice of convocation together with the agenda must specify the time and place of the meeting and the agenda.

Only the matters for which it was convened may be discussed at a special meeting."

6. The following section is substituted for section 3.09:

"3.09 The secretary shall act as secretary of the Bureau."

7. The following sections are substituted for section 5.02 and 5.03:

"5.02 The secretary shall make sure that all the members of the administrative committee receive, at least 3 days before the date of the holding of the meeting, a notice in writing indicating the time and place of such meeting.

5.03 A special meeting shall be called by the secretary upon the written request of the president or of 2 members of the administrative committee by means of a notice of convocation, together with an agenda, sent by mail, cablegram, fax or messenger to each member at least 24 hours before the date of the holding of the meeting.

The notice of convocation shall specify the time and place of the meeting.

Only the matters for which it was convened may be discussed at a special meeting."

8. The following section is substituted for section 5.07:

"5.07 The secretary shall act as secretary of the administrative committee."

8. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.
5394

Draft Regulation

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

Chemists

— Procedure of the professional inspection committee — 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 of the professional inspection committee of chemists (Amendment)", made by the Bureau of the Ordre des chimistes du Québec, 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 Chairman of the Office des professions du Québec, complexe de la place Jacques-Cartier, 320, rue Saint-Joseph Est, 1^{er} étage, Québec (Québec), G1K 8G5. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation concerning the professions; they may also be forwarded to the professional corporation that made the Regulation as well as to the persons, departments and agencies concerned.

THOMAS J. MULCAIR,
Chairman of the Office
des professions du Québec

Regulation respecting the procedure of the professional inspection committee of chemists (Amendment)

Professional Code
(R.S.Q., c. C-26, s. 90)

1. The following title is substituted for the title of the Regulation respecting the procedure of the professional inspection committee of chemists (R.R.Q., 1981, c. C-15, r. 7):

"Regulation respecting the professional inspection committee of the Ordre des chimistes du Québec".

2. Paragraph *d* of section 1.01 is struck out.

3. The following section is substituted for section 1.02:

"**1.02** The professional inspection shall cover the records, books and registers kept by a chemist in the practice of his profession and the medications, poisons, products, substances, apparatus and equipment relating to the practice of that profession:

It shall also cover the documents or reports in which that chemist collaborated in the records, books and registers kept by his colleagues or his employer, including an establishment within the meaning of the Act respecting health services and social services (R.S.Q., c. S-5) or a laboratory within the meaning of the Public Health Protection Act (R.S.Q., c. P-35), and any property that has been entrusted to him by a client."

4. The following section is substituted for section 2.01:

"**2.01** The committee is composed of seven members appointed by the Bureau from among the chemists entered on the roll of the Order for at least three years. The quorum shall be three members.

The members shall take office upon their appointment and shall remain in office until their death, resignation, replacement or striking off the roll."

5. The words "of a chemist's records" are struck out in section 4.03.

6. Section 4.07 is revoked.

7. The following section is substituted for section 5.03:

"**5.03** An investigator may order the chemist, his employer, his mandatary or his agent to give him access to the records, books, registers and other items referred to in section 1.02."

8. Section 5.04 is revoked.

9. The following section is substituted for section 5.08:

"**5.08** Section 4.06 applies to an inquiry held under this Division."

10. The following sections are substituted for sections 6.01 and 6.02:

"**6.01** Where the committee, after study of the investigator's report, has reason to believe that it is not expedient to recommend to the Bureau that it should take any of the measures prescribed in section 113 of the Code, it shall so notify the Bureau and the chemist in question within 15 days following its decision.

6.02 Where the committee, after study of the investigator's report, has reason to believe that it is expedient to recommend to the Bureau that it should take one of the measures provided for in section 113 of the Code, it shall notify, within the same time period, the secretary of the Bureau and the chemist in question and shall allow the latter to be heard."

11. The following Schedule is substituted for Schedule 1:

SCHEDULE 1

(s. 4.03)

ORDRE DES CHIMISTES DU QUÉBEC PROFESSIONAL INSPECTION COMMITTEE

Notice of inspection

Notice is hereby given, within the framework of the general supervision program for the practice of the profession, that an investigator from our committee will inspect the records, books, registers, medications, poisons, products, substances, apparatus and equipment relative to the practice of your profession, on 19 at o'clock.

The investigator will call upon you at
SIGNED AT this 19

The professional inspection committee

Per:
(Secretary of the committee)

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

5395

Draft Regulation

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

Regulation respecting the application of the Health Insurance Act (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 application of the Health Insurance Act (Amendment), the text of which appears below, may be made by 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 Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec), G1S 2M1.

MARC-YVAN CÔTÉ,
Minister of Health and Social services

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

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

1. The Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r. 1), amended by the Regulations made by Orders in Council 3397-81 dated 9 December 1981 (Suppl., p. 84), 1125-82 dated 12 May 1982 (Suppl., p. 105), 1181-82 dated 19 May 1982 (Suppl., p. 106), 1712-82 dated 13 July 1982 (Suppl., p. 107), 1789-82 dated 12 August 1982, 2448-82 dated 27 October 1982, 2546-82 dated 10 November 1982, 2630-82 dated 17 November 1982, 2678-82 dated 24 November 1982, 3018-82 and 3019-82 dated 21 December 1982, 13-83 and 14-83 dated 12 January 1983, 165-83 dated 2 February 1983, 539-83 dated 23 March 1983, 692-83 and 693-83 dated 13 April 1983, 763-83 dated 20 April 1983, 1771-83 dated 1 September 1983, 1828-83 dated 7 September 1983, 937-84 dated 11 April 1984, 1374-84 and 1375-84 dated 13 June 1984, 1513-84 dated 27 June 1984, 1769-84 and 1770-84 dated 8 August 1984, 1813-84 dated 16 August 1984, 1893-84 dated 22 August 1984, 2051-84 dated 19 September 1984, 2298-84 dated 17 October 1984, 2751-84 dated 12 December 1984, 321-85 dated 21 February 1985, 661-85 dated 3 April 1985, 944-85 dated 22 May 1985, 1119-85 dated 12 June 1985, 1516-85 dated 17 July 1985, 2276-85 and 2277-85 dated 31 October 1985, 2494-85 dated 27 November 1985, 445-86 dated 9 April 1986, 654-86 dated 14 May 1986, 1179-86 dated 30 July 1986, 1538-86 dated 8 October 1986, 1730-86 dated 19 November 1986, 1936-86 dated 16 December 1986, 1026-87 dated 23 June 1987, 1258-87 and 1259-87 dated 12 August 1987, 1556-87 dated 7 October 1987, 1656-87 dated 28 October 1987, 1834-87 dated 2 December 1987, 1936-87 dated 16 December 1987, 424-88 dated 23 March 1988, 618-88 and 619-88 dated 27 April 1988, 841-88 dated 1 June 1988, 950-88 dated 15 June 1988, 1550-88 dated 12 October 1988, 1634-88 dated 26 October 1988, 1823-88 dated 7 December 1988, 1887-88 and 1888-88 dated 14 December 1988, 1980-88 dated 21 December 1988, 922-89 and 924-89 dated 14 June 1989, 967-89 dated 21 June 1989, 1214-89 dated 26 July 1989, 1600-89 dated 10 October 1989, 224-90 dated 21 February 1990, 512-90 dated 11 April 1990, 858-90 dated 20 June 1990, 860-90 dated 20 June 1990, 861-90 dated 20 June 1990, 862-90 dated 20 June 1990, 1027-90 dated 11 July 1990,

1473-90 dated 10 October 1990 and 1735-90 dated 12 December 1990, is further amended by substituting the following for paragraph 1 of section 22:

"(1) any surgical service provided for the purpose of transsexualism unless that service is provided in a hospital centre and upon the recommendation of the head of the clinical department responsible for transsexualism services at the Hôtel-Dieu de Montréal or at the Montreal General Hospital, and upon the recommendation of a psychiatrist practising in one of those two hospital centres."

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.
5393

Draft Regulation

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

Pharmacists**— Code of ethic
— 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 "Code of ethics of pharmacists (Amendment)", adopted by the Bureau of the Ordre des pharmaciens du Québec, the text of which appears below, may be submitted for approval 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 President of the Office des professions du Québec, Mr. Thomas J. Mulcair, complexe de la place Jacques-Cartier, 320, rue Saint-Joseph Est, 1^{er} étage, Québec (Québec), G1K 8G5. All comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions. They may also be forwarded to the Order that adopted the Regulation and to interested persons, departments or agencies.

All comments received by the President of the Office des professions du Québec following the publication of the Draft Regulation in the *Gazette officielle du Québec* of 12 September 1990 will be taken into consideration and processed in the same manner as if they had been made following this publication.

THOMAS J. MULCAIR,
President of the Office
des professions du Québec

Code of ethics of pharmacists (Amendment)

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of pharmacists (R.R.Q., 1981, c. P-10, r. 5) is amended by the insertion, after section 4.03.01, of the following subdivision:

"§4. Incompatible sales

4.04.1 The sale of tobacco being incompatible with the practice of their profession, pharmacists shall not sell, directly or indirectly, including through third parties or by way of an artificial person, tobacco in a pharmacy or in premises adjacent to a pharmacy."

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