

# Gazette officielle du Québec

(English Edition)

Part 2

Laws and  
Regulations

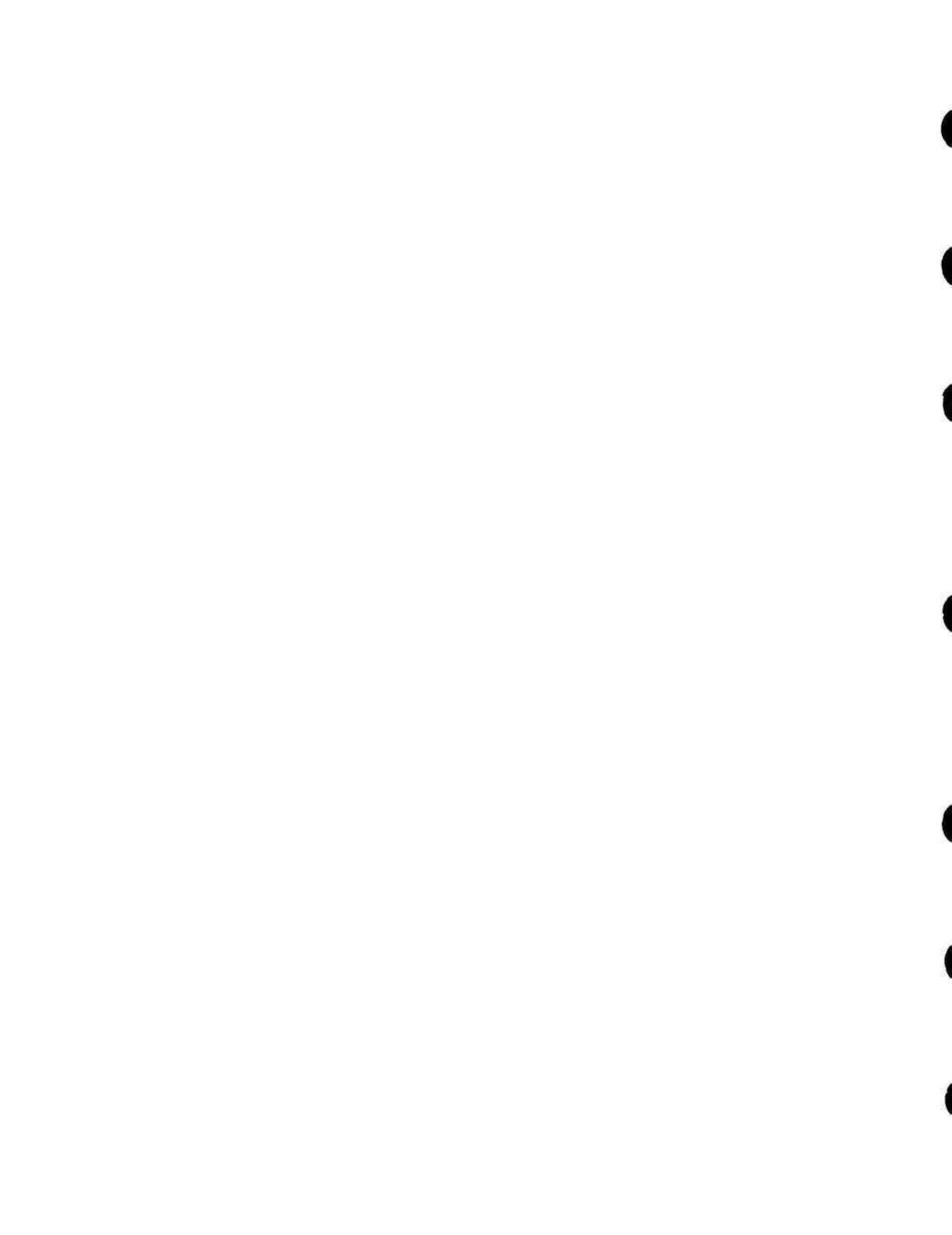
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28 September

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No. 40

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Part 2    Laws and  
              Regulations

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The *Gazette officielle du Québec* (Laws and Regulations) is published under the authority of the Act respecting the Ministère des Communications (R.S.Q., c. M-24) and the Regulation respecting the *Gazette officielle du Québec* (O.C. 3333-81 dated 2 December 1981 amended by O.C. 2856-82 dated 8 December 1982 and O.C. 1774-87 dated 24 November 1987).

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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. 1386-88, 14 September 1988**

Crop Insurance Act  
(R.S.Q., c. A-30)

## Insurance of Strawberry and Raspberry Fields — Regulation

Insurance of Strawberry and Raspberry Fields Regulation

WHEREAS under section 59 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, allow the producers of a category of commercial crop to insure under an individual plan;

WHEREAS under section 25 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, determine the period during which the insurance shall be in force;

WHEREAS under section 25 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, fix the final dates for the harvest;

WHEREAS under section 53 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, fix the final date for alteration of an agricultural program;

WHEREAS under paragraph *d* of section 74 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, classify the categories of insurable crops;

WHEREAS under paragraph *e* of section 74 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, determine the conditions of eligibility of a producer to an individual plan;

WHEREAS under paragraph *h* of section 74 of the Crop Insurance Act (R.S.Q., c. A-30), the Régie des assurances agricoles du Québec may, by regulation, determine the terms and conditions of payment of indemnities;

WHEREAS at a meeting on 6 July 1988, the Régie des assurances agricoles du Québec may, adopted the Draft Regulation attached hereto;

WHEREAS under section 12 of the Regulation Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as prescribed in section 8 of the Act, where the authority approving it is of the opinion that the urgency of the situation requires it;

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

WHEREAS under sections 13 and 18 of the Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of publication and such coming into force:

The changes made in the Draft Regulation make it possible to ensure the production of certified strawberry and raspberry plants and to indemnify insured persons in a more equitable manner. In order that producers may benefit from the changes from the 1989 insurance year and that for that purpose crop insurance contracts may be underwritten not later than 1 November 1988, it is urgent that the Regulation take effect without further delay;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Insurance of Strawberry and Raspberry Fields Regulation, attached hereto, be made.

BENOÎT MORIN,

*Clerk of the Conseil exécutif*

## Insurance of Strawberry and Raspberry Fields Regulation

Crop Insurance Act  
(R.S.Q., c. A-30, ss. 59 and 74)

### DIVISION I DEFINITIONS

1. In this Regulation, unless otherwise indicated by the context, "actual yield" means the yield determined by individual appraisal; (rendement réel)

"average yield" means the yield per hectare determined by the Régie pursuant to the third paragraph of section 47 of the Act; (rendement moyen)

"insurable value" means the total yield multiplied by the unit price fixed by the Régie; (valeur assurable)

"insured value" means the quantity of the harvest corresponding to 80 % of the total yield; (rendement assuré)

"raspberry field planted with Élite plants" means a plantation of Élite raspberry plants intended to produce Foundation plants over a two-year period; (framboisière en culture de plants Élite)

"raspberry field planted with Foundation plants" means a plantation of Foundations raspberry plants intended to produce certified plants over a two-year period; (framboisière en culture de plants Fondation)

"strawberry field planted with Élite plants" means a plantation of Élite strawberry plants intended to produce Foundation plants; (fraisière en culture de plants Élite)

"strawberry field planted with Foundation plants" means a plantation of Foundation strawberry plants intended to produce certified plants; (fraisière en culture de plants Fondation)

"total yield" means the average yield multiplied by the number of insured hectares; (rendement total).

## DIVISION II INSURABLE CATEGORIES

2. The following categories of crops are insurable:

- (1) strawberry fields in their first year of planting;
- (2) strawberry fields in their first year of production;
- (3) strawberry fields in their second year of production and thereafter;
- (4) strawberry fields planted with Élite or Foundation plants intended for production of certified plants;
- (5) raspberry fields in their first and second years of planting;
- (6) raspberry fields in production;
- (7) raspberry fields planted with Élite or Foundation plants intended for production of certified plants.

## DIVISION III PROTECTION

3. All categories of crops are insured against the harmful effects of the forces of nature mentioned in sections 24 and 59 of the Act.

4. The insurance covers 80 % of the total yield.

## DIVISION IV ELIGIBILITY

5. A producer wishing to insure his strawberry field or raspberry field must comply with section 60 of the Act and apply to the Régie before one of the following dates:

(1) 1 November of the year preceding that for which the insurance is to provide coverage, for:

- (a) strawberry fields and raspberry fields in production;
- (b) raspberry fields in their first and second years of planting;
- (c) raspberry fields planted with Élite or Foundation plants intended for the production of certified plants;

(2) 30 April of the year for which the insurance is to provide coverage, for:

- (a) strawberry fields being planted;
- (b) strawberry fields planted with Élite or Foundation plants intended for the production of certified plants.

The minimum insurable area for each category is one-half hectare.

6. The categories of insured crop must be cultivated in accordance with a crop plan agreeing with the techniques recommended by the Conseil des productions végétales du Québec.

Strawberry fields and raspberry fields planted with Élite or Foundation plants intended for production of certified plants must be cultivated in accordance with the standards prescribed by the certification program for raspberry fields and strawberry fields of the ministère de l'Agriculture, des Pêcheries et de l'Alimentation.

7. The Régie shall inspect the insurable areas before issuing an insurance certificate to a producer, in order to calculate the average field of the various categories of crop.

## DIVISION V OPERATION

8. Insurance coverage shall be provided each year during one of the following periods:

(1) from 1 November of the year preceding the insurance year until the end of the harvest period for:

- (a) strawberry fields and raspberry fields in production;
- (b) raspberry fields in the second year of cultivation of Élite plants and in the second year of cultivation of Foundation plants;

(2) from the beginning of planting in the open field until 31 October for:

- (a) strawberry fields being planted;
- (b) raspberry fields in the first year of planting;
- (c) raspberry fields in the first year of cultivation of Élite plants and in the first year of cultivation of Foundation plants;

(3) from 1 November of the year preceding the insurance year until 31 October for raspberry fields in the second year of planting;

(4) from the beginning of planting in the open field until the harvest, without going beyond the final date of harvest of the following year for strawberry fields planted with Élite plants and Foundation plants intended for production of certified plants. For the purposes of this paragraph, the final dates of harvest depending on the region are as follows:

Regions	Final Date of Harvest
01 Rimouski	5 June
02 Québec	1 June
03 Beauce	1 June
04 Nicolet	25 May
05 Sherbrooke	25 May
06 Saint-Hyacinthe, excluding the municipalities of Saint-Nazaire-d'Acton P, Saint-Théodore-d'Acton P, Acton Vale V, Saint-André-d'Acton P, Sainte-Christine P	15 May
For the municipalities of Saint-Nazaire-d'Acton P, Saint-Théodore-d'Acton P, Acton Vale V, Saint-André-d'Acton P, Sainte-Christine P	25 May
07 Longueuil	15 May
08 Hull	25 May
09 Abitibi-Témiscamingue	5 June
10 Repentigny	20 May
11 Trois-Rivières	25 May
12 Saguenay-Lac Saint-Jean	5 June
14 Saint-Jean-sur-Richelieu	15 May

9. A producer may make alterations to his cultivated and insured fields by informing the Régie.

Notice of an alteration of a farming program must be in writing. A notice given orally must be confirmed in writing by the producer.

10. The final date mentioned in section 53 of the Act before which a producer may give notice of an alteration to a farming program shall be 1 July of the insurance year.

**11.** When a producer ascertains that a crop has incurred damage from an insured cause, he shall inform the Régie as soon as possible so that the Régie's representative can take note of the cause and make an appraisal while the crop is still standing.

The producer shall send a notice of damage on each occasion when damage occurs. A notice of damage given orally must be confirmed in writing by the insured person as soon as possible. A certificate of damage issued by a representative of the Régie following receipt of the notice of damage shall replace confirmation in writing by the insured person.

**12.** A notice of damage shall indicate the crop affected, the probable cause and extent of the damage and the date on which it occurred.

#### DIVISION VI INDEMNITY PROCEDURES

**13.** The Régie shall have an individual appraisal of the crop made by an inspector for the purpose of calculating the actual yield of the damaged crop.

**14.** Individual appraisals shall be made by sampling the crop in the field.

**15.** Where the method of sampling the crop in the field cannot be used or does not yield the required results, the Régie may appraise the crop by any other method enabling it to check or evaluate the loss.

**16.** A producer who carries out emergency measures in accordance with the second paragraph of section 56 of the Act is entitled to compensation only to the extent that the measures were authorized in advance by the Régie.

Upon receipt of a report that the measures authorized by the Régie have been carried out and submission of vouchers, the Régie shall pay compensation for the area in question, based on the following maximum amounts:

- (1) 1 100 \$ per hectare for replanting strawberry plants;
- (2) 1 870 \$ per hectare for replanting raspberry plants;
- (3) 335 \$ per hectare for replanting Élite strawberry plants;
- (4) 1 445 \$ per hectare for replanting Foundation strawberry plants;
- (5) 795 \$ per hectare for replanting Élite raspberry plants;
- (6) 4 335 \$ per hectare for replanting Foundation raspberry plants.

**17.** A producer is entitled to an indemnity where the appraisal indicates a loss of more than 20 %.

The indemnity to which a producer is entitled after a loss of yield caused by the harmful effect of the forces of nature covered by sections 24 and 59 of the Act is calculated on the aggregate difference between the insured yield and the actual yield, whose value is determined on the unit price fixed by the Régie.

The indemnity may not in any case exceed the insured value.

**18.** A producer is entitled to an indemnity where an insured crop is damaged by the forces of nature covered by the insurance to the point of requiring, in the opinion of the Régie, abandonment of the crop on all or part of the area affected.

To be entitled to the indemnity mentioned in the first paragraph, a producer must destroy the damaged crop when the Régie authorizes abandonment of the area in question.

The amount of the indemnity in such case shall be 80 % of the insurable value for the area in question, less the sum of the costs not incurred for operations not carried out, including costs of harvesting saved and products not used to produce the damaged crop.

**19.** Where the Régie ascertains, after making an individual appraisal, that an insured person's crop is damaged by hail before reaching maturity over an area equal to or greater than 0,5 undivided hectares, it may make an agreement with the producer to apply an adjustment stage and to indemnify him for the loss of yield for the damaged area in accordance with section 63 of the Act, without waiting for the actual yield at the end of the growing season. The area for which such indemnity is paid shall cease to be insured for the current year.

**20.** Except for strawberry fields or raspberry fields planted with Élite or Foundation plants intended for production of certified plants, any crop for which an indemnity has been paid and which has not reached full term shall be subject to a reduced indemnity for harvesting costs saved.

The rate of reduction is as follows:

- (1) strawberry fields in production: 13 % of the insurable value;
- (2) raspberry fields in production: 17 % of the insurable value.

#### DIVISION VII FINAL

**21.** This Regulation replaces the Regulation respecting the insurance of strawberry fields and raspberry fields (R.R.Q., 1981, c. A-30, r. 9).

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

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Gouvernement du Québec

**O.C. 1397-88, 14 September 1988**

Police Act  
(R.S.Q., c. P-13)

**Identification of vehicles of the Sûreté du Québec**

**— Revocation**

By-law respecting identification of vehicles of the Sûreté du Québec (Revocation)

WHEREAS under subparagraph c of section 18 of the Police Act (R.S.Q., c. P-13), the Commission de police, by by-law, may determine what equipment may be installed in the motor vehicles used by the members of the Sûreté du Québec;

WHEREAS under that section, the Commission de police made a By-law respecting identification of vehicles of the Sûreté du Québec (Revocation);

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

WHEREAS it is expedient to approve the By-law, without amendment, as it appears attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Public Security:

THAT the By-law attached hereto be approved.

BENOÎT MORIN,

*Clerk of the Conseil exécutif*

**By-law respecting identification of vehicles of the Sûreté du Québec (Revocation)**

Police Act  
(R.S.Q., c. P-13, s. 18, subpar. c)

1. The By-law respecting identification of vehicles of the Sûreté du Québec (R.R.Q., 1981, c. P-13, r. 9), is revoked.

2. This By-law comes into force, after its approval by the Government, on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

M.O., 1988

An Act respecting municipal taxation  
(R.S.Q., c. F-2.1)

**Order of the Minister of Municipal Affairs dated 12  
September 1988**

**Computing of the median ratio of the values on the  
assessment roll to the actual real estate values of  
assessment units**

— Amendments

Regulation respecting rules for computing the median ratio of the values on the assessment roll to the actual real estate values of assessment units (Amendment)

WHEREAS under paragraph 5 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), the Minister of Municipal Affairs may by regulation prescribe rules to determine the median proportion of the actual real estate value of units of assessment or of the actual rental value of places of business or premises that corresponds to the values entered on the real estate roll or roll of rental values, respectively, of a municipal corporation; define categories of municipal corporations and establish separate rules for each category; prescribe that the assessor must, for the purpose of determining the median proportion, use the list of sales or of leases, as the case may be, furnished by the Minister; provide that the assessor may amend the list for reasons that conform to the rules enacted under this paragraph; prescribe that the operations for computing the median proportion, including, as the case may be, the amendments to the list of sales or leases, must be returned on a form furnished by the Minister, which must be returned to him once it is completed within the time limit he fixes;

WHEREAS the Minister of Municipal Affairs made the Regulation respecting rules for computing the median ratio of the values on the assessment roll to the actual real estate values of assessment units (M.O. of 17 August 1983, *Gazette officielle du Québec*, Part 2, 31 August 1983, pages 3229 to 3231);

WHEREAS it is expedient to amend that Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Draft Regulation entitled "Regulation respecting rules for computing the median ratio of the values on the assessment roll to the actual real estate values of assessment units (Amendment)" was published in the *Gazette officielle du Québec* of 29 June 1988 on page 2387 together with a notice mentioning that it may be made by the Minister of Municipal Affairs upon the expiry of 45 days from that publication and that any person may send his comments in writing to the Minister before the expiry of that time period;

WHEREAS no comments on the Draft Regulation were received before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation without amendment.

THEREFORE, the Regulation respecting rules for computing the median ratio of the values on the assessment roll to the actual real

estate values of assessment units (Amendment), attached hereto, is made.

Québec, 12 September 1988

PIERRE PARADIS,  
*Minister of Municipal Affairs*

**Regulation respecting rules for computing the  
median ratio of the values on the assessment roll  
to the actual real estate values of assessment  
units (Amendment)**

An Act respecting municipal taxation  
(R.S.Q., c. F-2.1, s. 263, par. 5)

1. The Regulation respecting rules for computing the median ratio of the values on the assessment roll to the actual real estate values of assessment units, made by a Minister's Order dated 17 August 1983 published on pages 3229 to 3231 of Part 2 of the *Gazette officielle du Québec* dated 31 August 1983, is amended:

(1) by substituting the following for the first paragraph of section 3:

"3. The sales primarily admissible for the purposes of computing the median ratio are those that were made during the second fiscal year preceding the fiscal year to which the roll applies, subject to sections 5 to 7."

(2) by inserting the following after the first paragraph of section 3:

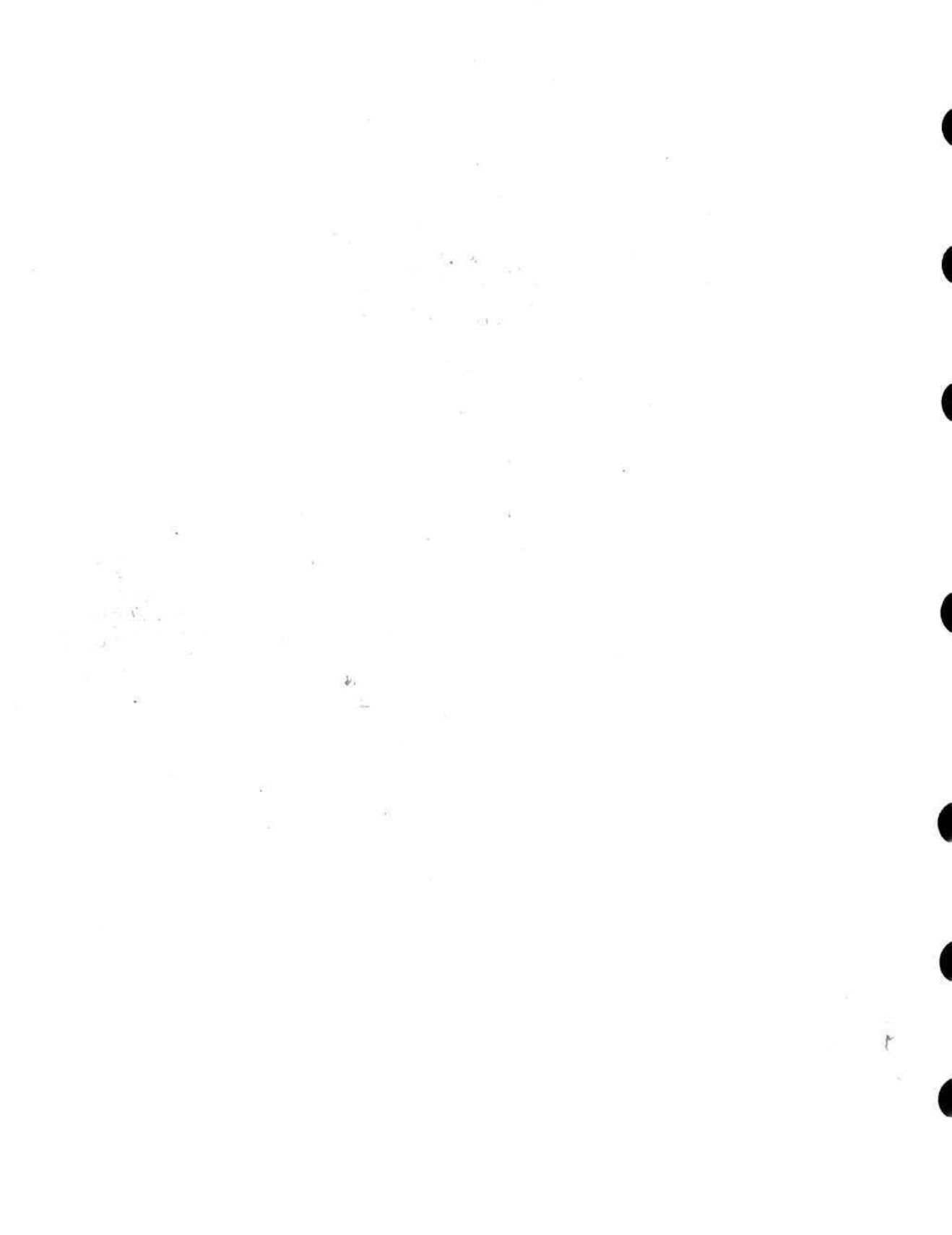
"A sale made for "one dollar and other consideration", a sheriff's sale, a sale made under the authority of a municipality, a municipal corporation or a school board for failure to pay municipal or school taxes or any other sale of the same kind shall not be considered for the purposes of the first paragraph."

2. Paragraph 1 of section 1 applies with respect to a roll made for any fiscal year from 1989, in the case of a municipal corporation forming part of the Communauté urbaine de Montréal, and from 1990 in the case of any other municipal corporation.

Paragraph 2 of section 1 applies with respect to a roll made for any fiscal year from 1989.

3. 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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# Draft Regulations

## Draft Regulation

Environment Quality Act  
(R.S.Q., c. Q-2)

### Prevention of water pollution in livestock operations — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), and with section 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the "Regulation respecting the prevention of water pollution in livestock operations (Amendment)", the text of which appears below, may be made by the Government at the expiry of 60 days following this publication.

Any person having comments to make is asked to transmit them in writing, before the expiry of the 60-day period, to the Minister of the Environment, 3900, rue Marly, 6<sup>e</sup> étage, Sainte-Foy (Québec), G1X 4E4.

CLIFFORD LINCOLN,  
Minister of the Environment

### Regulation respecting the prevention of water pollution in livestock operations (Amendment)

Environment Quality Act  
(R.S.Q., c. Q-2, s. 20, s. 22, s. 31, pars. a, b, c, d, e and f, s. 70, 1<sup>er</sup> par., subpars. c, d and k, ss. 109.1 and 124.1)

1. The Regulation respecting the prevention of water pollution in livestock operations (R.R.Q., 1981, c. Q-2, r. 18), amended by the Regulations made by Orders in Council 1536-84 dated 27 June 1984 and 257-87 dated 18 February 1987, is further amended in section 1:

(1) by inserting the following after paragraph b:

"(b.1) "duckboard": a false floor composed entirely or partly of laths spaced so that animal excrement accumulates under the false floor;"

(2) by adding, after the word "manure" in paragraph c, the words "or semi-liquid manure";

(3) by substituting the following for paragraph f:

"(f) "contaminated water": water which has been in contact with manure or semi-liquid manure or manure liquid or which contains manure or semi-liquid manure or manure liquid;"

(4) by inserting the following after paragraph g:

"(g.1) "operation on manure": a method of managing animal excrement which consists in using bedding in sufficient quantity that the manure liquid, excluding waste water from a dairy, represents less than 65 % of the manure volume;"

"(g.2) "operation on semi-liquid manure": a method of managing animal excrement producing semi-liquid manure or where manure liquid, excluding waste water from a dairy, represents more than 65 % of the manure volume;"

(5) by substituting the following for paragraph i:

"(i) "manure": a mixture of solid and liquid animal excrement with bedding subjected to the action of microorganisms which initiate decomposition;"

(6) by the deleting paragraph j;

(7) by substituting the following for paragraph l:

"(l) "solid manure": a part of manure from which the manure liquid has been removed;"

(8) by inserting the following after paragraph l:

"(l.1) "semi-liquid manure": a mixture of solid and liquid animal excrement produced by animals kept in areas not covered with straw or on duckboards;"

(9) by substituting the following for paragraph p:

"(p) "water source": a spring, a ditch that is recorded or qualifying for recording, a creek, a river, a lake, an ocean, a gulf, a swamp having an area of not less than 10 000 square metres or a pond, except for a water reserve intended exclusively for protection against fire;"

(10) by inserting the following after paragraph p:

"(p.1) "manure liquid": the liquid part flowing from manure and composed mainly of animal urine and contaminated water;"

(11) by adding the following after paragraph s:

"(t) "zone of concentration": territory included in the municipalities listed in Schedule 1 not having sufficient area on which to spread manure or semi-liquid manure in accordance with the Regulation."

2. In section 2 the words "or semi-liquid manure" are inserted after the word "manure".

3. In section 4 the words "or semi-liquid manure" are inserted after the word "manure".

4. The second paragraph of section 7 is deleted.

5. In section 8 the words "or semi-liquid manure" are inserted after the word "manure".

6. The following is substituted for section 9:

"9. Exclusions: The obligation to obtain a certificate of authorization under section 22 of the Act and section 2 of this Regulation does not apply to an increase in the number of animal units where the increase is equal to or less than 20 %, to a maximum of 20 animal units, in relation to the number of animal units in the operation on 10 June 1981; nor does it apply to non-commercial livestock operations having fewer animals than the limits prescribed in Schedule A."

7. The following is substituted for section 10:

"10. Limited activities: It is forbidden in the zones of concentration indicated in Schedule 1 to construct or install a new livestock operation, to enlarge or to increase the number of animal units in a breeding operation, unless the person has been the owner or lessee for a period of not less than ten years of all the areas required for spreading all the manure, semi-liquid manure and manure liquid produced, in accordance with the provisions of section 40.

The first paragraph does not apply where the person in charge of a livestock operation assembles in one livestock operation, without increasing the number of animal units, animals that he is

already raising in other operations located within the boundaries of the same local municipality, provided that he cease using those operations for breeding.”.

**8.** The following is substituted for section 10.1:

**“10.1 Breeding of hogs:** No certificate of authorization for a livestock operation intended for the breeding of hogs may be issued in respect of a building or group of buildings for which a production right has been redeemed by the government as part of a program of voluntary reduction of hog production in the Assomption river basin.”.

**9.** The following is substituted for section 11:

**“11. Standards for siting:** It is forbidden to establish a new livestock operation or to undertake an extension, an increase in the number of animal units or the construction or modification of a manure or semi-liquid manure storage site:

(a) less than 300 metres from any well or spring used to supply a public waterworks system;

(b) less than 75 metres from a privately owned well other than that of the applicant;

(c) less than 30 metres from a water side;

(d) in a flood plain subject to flooding occurring not less often than once in 20 years.

Any expansion or construction or alteration in a manure storage place related to an existing livestock operation must be carried out at a distance from the reference points mentioned in paragraphs a, b and c, or placed on the side of the livestock operation farthest from the reference points, unless undulating terrain makes it impossible, or the works meet the standards prescribed by those paragraphs.

In the case of an existing livestock operation not respecting the standards for locating mentioned in the first paragraph, a manure storage place may be constructed or altered without meeting the standards prescribed by that paragraph, provided that it is not closer to the reference points mentioned in that paragraph than the existing manure pile.”.

**10.** Sections 12 and 13 are revoked.

**11.** In section 14, the reference “in section 11” is substituted for “in sections 11 and 12”.

**12.** In section 15, the reference “in section 11” is substituted for “in sections 11 and 12”.

**13.** The following is substituted for section 16:

**“16. Rebuilding and restarting of operations:** If, subsequent to a fortuitous accident, a livestock operation originally established under the Act and any applicable regulation is rebuilt within 36 months, the standards prescribed by section 11 do not apply.

Such rebuilding must be done in the same place or farther from the reference points mentioned in this Division.

The same condition applies where, after an interruption of less than 36 months, a person resumes the operation of a livestock operation which, if it had been set up after 21 December 1972, had already received a certificate of authorization.

A livestock operation that has thus been rebuilt or restored must shelter the same type of livestock and a number of animal units not exceeding that which it contained before it was destroyed or operation ceased, without prejudice to the right to apply for a certificate of authorization for an extension, a change in the type of livestock or an increase in the number of animal units.

To avail himself of the exceptions mentioned in the first, second and third paragraphs, a person must have the areas required for spreading manures and semi-liquid manures as prescribed by section 40.”.

**14.** In the heading of Division IV, the words “and semi-liquid manure” are added after the word “manure”.

**15.** In section 17, the words “semi-liquid manure” are added after the word “manure”.

**16.** The following is inserted after section 17:

**“17.1 Dumping:** No person may dump solid manure, semi-liquid manure or manure liquid into a water site, a well, a private well or a spring supplying a public water system.”.

**17.** In Section 18, the words “semi-liquid manure” are inserted after the word “manure”.

**18.** In section 19:

(1) the words “or semi-liquid manure” are inserted in the second line after the word “manure”;

(2) the words “semi-liquid manure” are inserted in the fourth line after the word “manure”.

**19.** In Section 20:

(1) the words “or semi-liquid manure” are inserted in subparagraph a of the first paragraph after the word “manure”;

(2) the following is substituted for subparagraph b of the first paragraph:

“(b) raising on bedding, that is, a building for livestock where the animals are in open housing and on the floor of which manure accumulates on the floor until the end of the breeding period. That manure must be removed after a period of accumulation of not less than six weeks.”.

(3) the words “or semi-liquid manure” are inserted in the third paragraph after the word “manure”.

**20.** In section 21:

(1) the following is substituted for the first paragraph:

**“Agreements:** An agreement for manure or semi-liquid manure storage or disposal that has been entered into between the person responsible for a livestock operation and another person to obtain a certificate of authorization must initially and on renewal, be in writing, notarial, registered and for a minimum duration of 5 years.”;

(2) by substituting the number “5” for the number “2” in the second paragraph;

(3) by adding the following paragraph at the end of the section:

“The area mentioned must be situated less than 10 kilometres from the building for which the certificate application is made.”.

**21.** In section 22, the words “or semi-liquid manure” are inserted after the word “manure”.

**22.** The following is inserted after section 22:

**“22.1 Management agencies:** An agreement with a management agency may not be used to obtain the issue of a certificate of authorization covering a new operation, an extension, a change in the type of livestock or an increase in the number of animal units.”.

**23.** In section 23, the words “or semi-liquid manure” are inserted after the word “manure”.

**24.** In the heading of Division V the words "and semi-liquid manure" are added after the word "manure".

**25.** In section 24, the words "or semi-liquid manure" are added in the third and fifth lines after the word "manure".

**26.** In section 25:

(1) in the first paragraph, before the word "manure" the word "solid" is struck out;

(2) the third, fourth, fifth and sixth paragraphs are struck out.

**27.** In section 26, the second paragraph is struck out.

**28.** In section 27, in the first line, the words "manure and semi-liquid manure" are substituted for the word "manure".

**29.** In section 28:

(1) in the first paragraph, the words "or semi-liquid manure" are inserted after the word "manure";

(2) in the second paragraph, the words "of manure, semi-liquid manure" are inserted after the words "no leakage of";

(3) in the last paragraph, the words "or of semi-liquid manure" are inserted after the word "manure".

**30.** The following is substituted for section 30:

"**30. Capacity:** The person responsible for a storage site shall ensure that it is designed to collect all manure, semi-liquid manure and manure liquid produced by his livestock operation, all contaminated water and all dairy waste water for a minimum period of 200 consecutive days, unless the person responsible has made an agreement for a duration of not less than 5 years with a management of overflow manure, semi-liquid manure and manure liquid agency authorized by the government, subject to the provisions of section 22.1."

**31.** In section 31:

(1) the words "or semi-liquid manure" are inserted in the first line after the word "manure";

(2) the words "semi-liquid manure," are inserted after the word "allows".

**32.** In section 32:

(1) the words "or semi-liquid manure" are inserted in the first paragraph after the word "manure";

(2) the words "semi-liquid manure" are substituted for the words "liquid manure" wherever they appear in the second paragraph.

**33.** In section 33, the words "or semi-liquid manure" are inserted after the word "manure".

**34.** In section 34, the words "or semi-liquid manure" are inserted after the word "manure", wherever it appears."

**35.** In section 35:

(1) the following is substituted for the part preceding subparagraph a:

"In a cultivated field, the person responsible for a livestock operation may, after transporting it there, pile solid manure from:"

(2) in subparagraph b, the number "35" is substituted for the number "50";

(3) the third paragraph is struck out;

(4) in the fourth paragraph, the word "solid" is inserted before the word "manure";

(5) in the fifth paragraph, the word "solid" is inserted before the word "manure".

**36.** In section 36, the words "or semi-liquid manure" are inserted after the word "manure" wherever it appears.

**37.** In section 37, the words "or semi-liquid manure" are inserted after the word "manure".

**38.** In the heading of Division VI, the words "and semi-liquid manure" are added after the word "manure".

**39.** In section 38, the words "or semi-liquid manure" are added after the word "manure".

**40.** The following is substituted for section 39:

"**39. Fréquence:** The person responsible for a livestock operation shall see that the manure or the semi-liquid manure from such livestock operation shall be spread evenly at least once a year on cultivated, grazing or uncultivated herbaceous land, depending on the need for fertilizer."

**41.** The following is substituted for section 40:

"**40. Management of manure and semi-liquid manure:** The area of cultivated, grazing or uncultivated herbaceous land required for management of the manure and semi-liquid manure shall be calculated by reckoning an area of 0,35 hectares for each animal unit belonging to the person responsible for a livestock operation at the time of the issue of a certificate of authorization including those for which a certificate has been requested, and 0,30 hectares per animal unit where a certificate has not been requested.

The area required in accordance with the first paragraph must belong to the person responsible for the livestock operation or be leased or belong to a third party who agrees to spread the manure himself or who allows the person responsible for the livestock operation to spread manure on the land.

In the case of a lease, it must be made in writing, notarial and registered, and have a minimum term of 10 years.

Where manure or semi-liquid manure is spread on the land of a third party in accordance with the second paragraph, the person responsible for the livestock operation must possess at all times the documents mentioned in the third paragraph. Section 21 applies, *mutatis mutandis* to those documents. In all cases, the cultivated areas required must be located less than 10 kilometres from the buildings mentioned in the application for a certificate.

The area may be reduced if the person responsible has made an agreement having a term of not less than 5 years with a management of overflow manure and semi-liquid manure agency authorized by the government, subject to the provisions of section 22.1."

**42.** The following is substituted for section 42:

"**42. Spreading period:** No manure or semi-liquid manure shall be spread between 1 November and 1 April or on frozen or snow-covered ground."

**43.** The following is substituted for section 43:

"**43. Proximity of water:** No manure or semi-liquid manure shall be spread in water or on ground, less than 30 metres from a protected watercourse, well or spring supplying a waterworks system, or a water bottling plant or on ground less than 5 metres from a private well or less than 5 metres from a water site, a ditch or a water reserve for fire fighting, or in such a way that it runs off towards any such point."

44. In section 44, the words "or semi-liquid manure" are substituted for the word "manure" wherever it appears.

45. The following is inserted after section 44:

"44.1 Spreading standards: The maximum quantity of untreated semi-liquid manure that may be spread is 60 cubic metres per hectare where the operator does not have a fertilization plan prepared by an agronomist."

46. In section 46, the words "semi-liquid manure," are inserted after the words "manure liquid."

47. The following Division is inserted after section 46:

#### "DIVISION VII.1 PENALTIES

46.1 Offences: Any person contravening the provisions of sections 17.1, 42 and 44.1 commits an offence and is liable to, in addition to costs:

(a) in the case of a natural person, a minimum fine of five thousand dollars and a maximum fine of ten thousand dollars for a first offence and a minimum fine of ten thousand dollars and a maximum fine of twenty-five thousand dollars for a subsequent offence, or in all cases, both imprisonment and a fine;

(b) in the case of a corporation or a cooperative, a minimum fine of ten thousand dollars and a maximum fine of fifty thousand dollars in the case of a first offence and a minimum fine of twenty-five thousand dollars and a maximum fine of one hundred thousand dollars in the case of any subsequent offence."

48. Section 47 is revoked.

49. In section 48, the words "and semi-liquid manure" are inserted after the word "manure".

50. The following is inserted after section 48:

"48.1 Dairy waste water: Waste water from the cleaning of equipment used in milking or in storage of milk on the farm must be stored with the semi-liquid manure or the manure liquid, unless it has received a treatment authorized by the Deputy Minister in accordance with section 22 or 32 of the Act."

51. In section 49:

(1) the words "or semi-liquid manure" are inserted after the word "manure" in the third line;

(2) the words "or semi-liquid manure" are inserted after the word "manure" in the sixth line.

52. The following section is added after section 51:

"52. Time limit: The person responsible for a livestock operation who on (enter the date of coming into force of this Regulation) does not have, as prescribed by section 40, the area of land required for management of manure and semi-liquid manure must comply with section 40 within three years."

53. The following is substituted for Schedule A:

#### "SCHEDULE A (s. 9)

##### APPLICATION THRESHOLD

Category of livestock	Threshold for applying section 22 of the Act and section 2 of the Regulation (in animal units)
Hogs	1
Cows or horses	2
Fowl or turkeys	0,1
Rabbits	0,1
Fur-bearing animals	0

54. Schedules D, E, F, G and H are revoked.

55. The following Schedule I is added:

#### "SCHEDULE I (S. 10)

##### LIST OF MUNICIPALITIES FORMING ZONES OF CONCENTRATION

Ange-Gardien (village)  
 Honfleur (undesignated)  
 La Malbaie (town)  
 Pointe-du-Lac (undesignated)  
 Roxton Pond (parish)  
 Saint-Aimé-des-Lacs (undesignated)  
 Saint-Alphonse (parish)  
 Saint-Ange-Gardien (parish)  
 Saint-Anselme (parish)  
 Saint-Antoine-de-la-Rivière-du-Loup (parish)  
 Saint-Bernard (parish)  
 Saint-Bernard (village)  
 Saint-Boniface-de-Shawinigan (village)  
 Saint-Damien (parish)  
 Saint-Dominique (village)  
 Saint-Elzéar-de-Beauce (undesignated)  
 Saint-Étienne-des-Grès (parish)  
 Saint-Félix-de-Valois (parish)  
 Saint-Henri (undesignated)  
 Saint-Hilarion (parish)  
 Saint-Irénée (parish)  
 Saint-Jean-de-Matha (parish)  
 Saint-Lambert-de-Lauzon (parish)  
 Saint-Malachie (parish)  
 Saint-Narcisse-de-Beaurivage (parish)  
 Saint-Nazaire-d'Acton (parish)  
 Saint-Patrice-de-Beaurivage (undesignated)  
 Saint-Paul-d'Abbotsford (parish)  
 Saint-Paulin (parish)  
 Saint-Roch-de-l'Achigan (parish)  
 Saint-Roch-Ouest (undesignated)  
 Saint-Sylvestre (parish)  
 Saint-Urbain (parish)  
 Saint-Valérien-de-Milton (township)

Sainte-Claire (undesignated)  
Sainte-Hénédine (parish)  
Sainte-Marguerite (parish)  
Sainte-Sophie (undesignated)  
Saints-Anges (parish)  
Saints-Gervais-et-Protais (parish)  
Taschereau-Fortier (undesignated)".

**56.** Agricultural land. This Regulation applies in particular to a reserved area and to an agricultural region established in accordance with the Act to preserve agricultural land (R.S.Q., c. P-41.1).

**57.** When it been made by the Government, this Regulation comes into force on the fifteenth day following the date of publication in the *Gazette officielle du Québec* of its final text or on a later date indicated therein.

3722

## Draft Regulation

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

### 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 respecting the application of the Health Insurance Act (Amendment)", the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any 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<sup>e</sup> étage, Québec (Québec), G1S 2M1.

THÉRÈSE LAVOIE-ROUX,  
*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)

**I.** 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, 1937-87 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 and 950-88 dated 15 June 1988, is further amended by substituting the following for paragraph *D* of section 31:

"(D) Surgery:

- Removal of foreign body from oral cavity or maxilla
- Removal of teeth, dental fragments or foreign body by anarthrostomy

- Surgical exposure, for orthodontic purposes, of tooth whose crown is covered with bony tissue
- Incision and drainage of abscess
- Osteitis treatment
  - alveolitis
  - osteomyelitis
- Excision and curettage of intraosteal cyst or granuloma
- Biopsy
- Excision of tumor
- Mandibulectomy
- Maxillectomy
- Complete lowering of the floor of the mouth
- Extension of mucous folds
- Excision of genial apophyses
- Excision of mylohyoid ridge
- Reinsertion of mylohyoid muscle
- Alveolectomy
- Tuberoplasty
- Alveoplasty
- Excision of hyperplastic tissue
- Excision of excess mucous membrane
- Excision of torus
- Treatment of salivary glands
- Closure of buccosinus opening
- Frenectomy
- Gingivectomy in the case of hyperplastic gingivitis resulting from absorption of medicinal substance
  - Operculectomy
  - Haemorrhage control
  - Repair of laceration of soft tissue
  - Complete avulsion of inferior dental nerve
  - Avulsion of a branch of trigeminal nerve
  - Neural transposition and decompression
  - Alcoholization of a branch of trigeminal nerve
  - Infiltration of a branch of trigeminal nerve for diagnostic purposes
    - Emergency tracheotomy
    - Palatine fissure
    - Cheiloplasty (reconstruction of lip)
    - Partial glossectomy for orthodontic purposes
    - Bone graft
    - Taking of graft
    - Reduction of fractures
      - zygomatic arch
      - zygomatic arch or malar bone, or both
      - nose
      - maxilla
      - mandible
      - condyle
      - orbit
      - alveolar bone
    - Immobilization of tooth loosened by trauma
    - Reimplantation of completely exfoliated tooth
    - Insertion of splints
      - intra- or periosteal (stem or wire for pericranial suspension)
      - acrylic prosthesis or cap splint attached to maxilla or teeth
      - arch
      - pericranial device

- Removal of splints
  - intra- or periosteal: stem or wire for pericranial suspension or pericranial device, or both
  - acrylic prosthesis or cap splint attached to maxilla or teeth
  - arch
  - pins, plates or screws for osteosynthesis
- Treatment of temporomandibular articulation
  - luxation
  - meniscectomy
  - condylectomy
  - temporomandibular arthroplasty
  - coronoidectomy
  - infiltration of temporomandibular articulation
- Osteotomy
  - maxilla
  - mandible
  - interdental
- Corticotomy
  - Repositioning or lessening of symphysis menti
  - Emergency opening of pulp chamber (emergency endodontia)"

**2.** The following is substituted for paragraph *G* of section 35:

"(G) Surgery

- Extraction of teeth
- Excision of roots

However, the surgical services listed above are considered insured for any beneficiary less than 13 years of age and for any beneficiary 13 years of age and over who has a valid claim booklet issued in accordance with section 71.1 of the Act.

- Removal of foreign body from oral cavity or maxilla
- Removal of teeth, dental fragments or foreign body by anarthrostomy
  - Surgical exposure, for orthodontic purposes, of tooth whose crown is covered with bony tissue
  - Incision and drainage of abscess
- Osteitis treatment
  - alveolitis
  - osteomyelitis
- Excision and curettage of intraosteal cyst or granuloma
- Biopsy
- Excision of tumor
- Mandibulectomy
- Maxillectomy
- Complete lowering of the floor of the mouth
- Extension of mucous folds
- Excision of genial apophyses
- Excision of mylohyoid ridge
- Reinsertion of mylohyoid muscle
- Alveolectomy
- Tubero-plasty
- Alveoplasty
- Excision of hyperplastic tissue
- Excision of excess mucous membrane
- Excision of torus
- Treatment of salivary glands
- Closure of buccosinus opening
- Frenectomy
- Gingivectomy in the case of hyperplastic gingivitis resulting from absorption of medicinal substance

- Operculectomy
- Haemorrhage control
- Repair of laceration of soft tissue
- Complete avulsion of inferior dental nerve
- Avulsion of a branch of trigeminal nerve
- Neural transposition and decompression
- Alcoholization of a branch of trigeminal nerve
- Infiltration of a branch of trigeminal nerve for diagnostic purposes

- Emergency tracheotomy
- Palatine fissure
- Cheiloplasty (reconstruction of lip)
- Partial glossectomy for orthodontic purposes
- Bone graft
- Taking of graft
- Reduction of fractures
  - zygomatic arch
  - zygomatic arch or malar bone, or both
  - nose
  - maxilla
  - mandible
  - condyle
  - orbit
  - alveolar bone
- Immobilization of tooth loosened by trauma
- Reimplantation of completely exfoliated tooth
- Insertion of splints
  - intra- or periosteal (stem or wire for pericranial suspension)
  - acrylic prosthesis or cap splint attached to maxilla or teeth
  - arch
  - pericranial device
- Removal of splints
  - intra- or periosteal: stem or wire for pericranial suspension or pericranial device, or both
  - acrylic prosthesis or cap splint attached to maxilla or teeth
  - arch
  - pins, plates or screws for osteosynthesis
- Treatment of temporomandibular articulation
  - luxation
  - meniscectomy
  - condylectomy
  - temporomandibular arthroplasty
  - coronoidectomy
  - infiltration of temporomandibular articulation
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  - maxilla
  - mandible
  - interdental
- Corticotomy
  - Repositioning or lessening of symphysis menti
  - Emergency opening of pulp chamber (emergency endodontia)"

**3.** The following is substituted for paragraph *G* of section 36:

"(G) Surgery:

- Extraction of teeth
- Excision of root
- Removal of foreign body from oral cavity or maxilla

- Removal of teeth, dental fragments or foreign body by anthrostomy
- Surgical exposure, for orthodontic purposes, of tooth whose crown is covered with bony tissue
- Incision and drainage of abscess
- Osteitis treatment
  - alveolitis
  - osteomyelitis
- Excision and curettage of intraosteal cyst or granuloma
- Biopsy
- Excision of tumor
- Mandibulectomy
- Maxillectomy
- Complete lowering of the floor of the mouth
- Extension of mucous folds
- Excision of genial apophyses
- Excision of mylohyoid ridge
- Reinsertion of mylohyoid muscle
- Alveolectomy
- Tubero-plasty
- Alveoplasty
- Excision of hyperplastic tissue
- Excision of excess mucous membrane
- Excision of torus
- Treatment of salivary glands
- Closure of buccosinusual opening
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- Gingivectomy in the case of hyperplastic gingivitis resulting from absorption of medicinal substance
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- Repair of laceration of soft tissue
- Complete avulsion of inferior dental nerve
- Avulsion of a branch of trigeminal nerve
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- Removal of splints
  - intra- or periosteal: stem or wire for pericranial suspension or pericranial device, or both
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  - mandible
  - interdental
- Corticotomy
  - Repositioning or lessening of symphysis menti
  - Emergency opening of pulp chamber (emergency endodontia)"

4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.  
3721

**Draft Regulation**

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

**Regulation****— 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 Hospital Insurance Act (Amendment), the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any 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<sup>e</sup> étage, Québec (Québec), G1S 2M1.

THÉRÈSE LAVOIE-ROUX,  
*Minister of Health and Social Services*

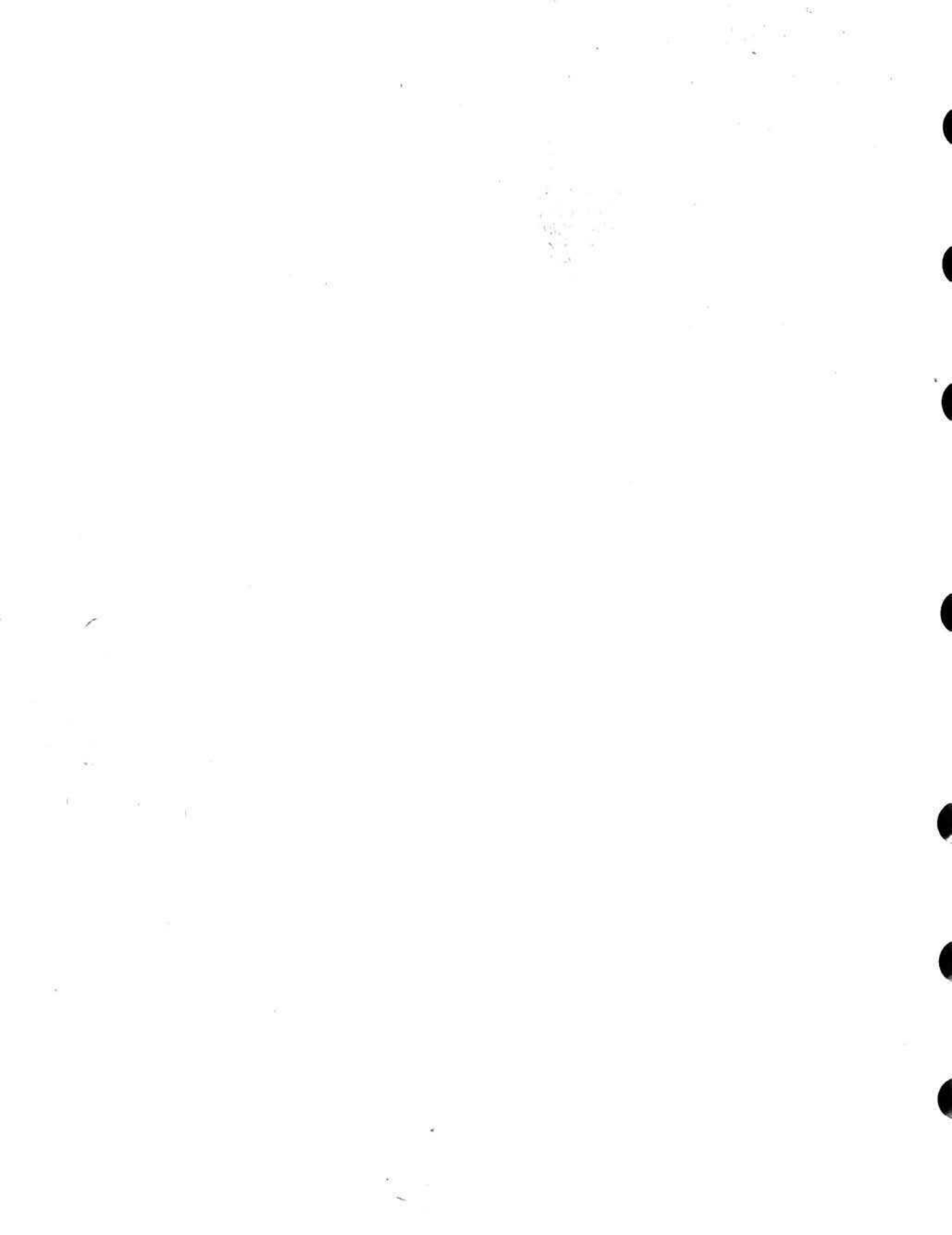
**Regulation respecting the application of the  
Hospital Insurance Act (Amendment)**

Hospital Insurance Act  
(R.S.Q., c. A-28, s. 8)

1. The Regulation respecting the application of the Hospital Insurance Act (R.R.Q., 1981, c. A-28, r. 1), amended by the Regulations made by Orders in Council 1036-82 dated 28 April 1982 (Suppl., p. 80), 1180-82 dated 19 May 1982 (Suppl., p. 81), 1490-82 dated 23 June 1982 (Suppl., p. 82), 1314-83 dated 22 June 1983, 1523-83 dated 2 August 1983, 1321-84 dated June 1984, 1768-84 dated 8 August 1984, 197-86 dated 26 February 1986 and 1257-87 dated 12 August 1987, is further amended by adding the following to the part preceding paragraph *a* of section 3:

"and, in the latter case, to the extent that they are insured services for the purposes of subparagraph *b* of the first paragraph of section 3 of the Health Insurance Act or for the purposes of the second paragraph of section 3 of the Act."

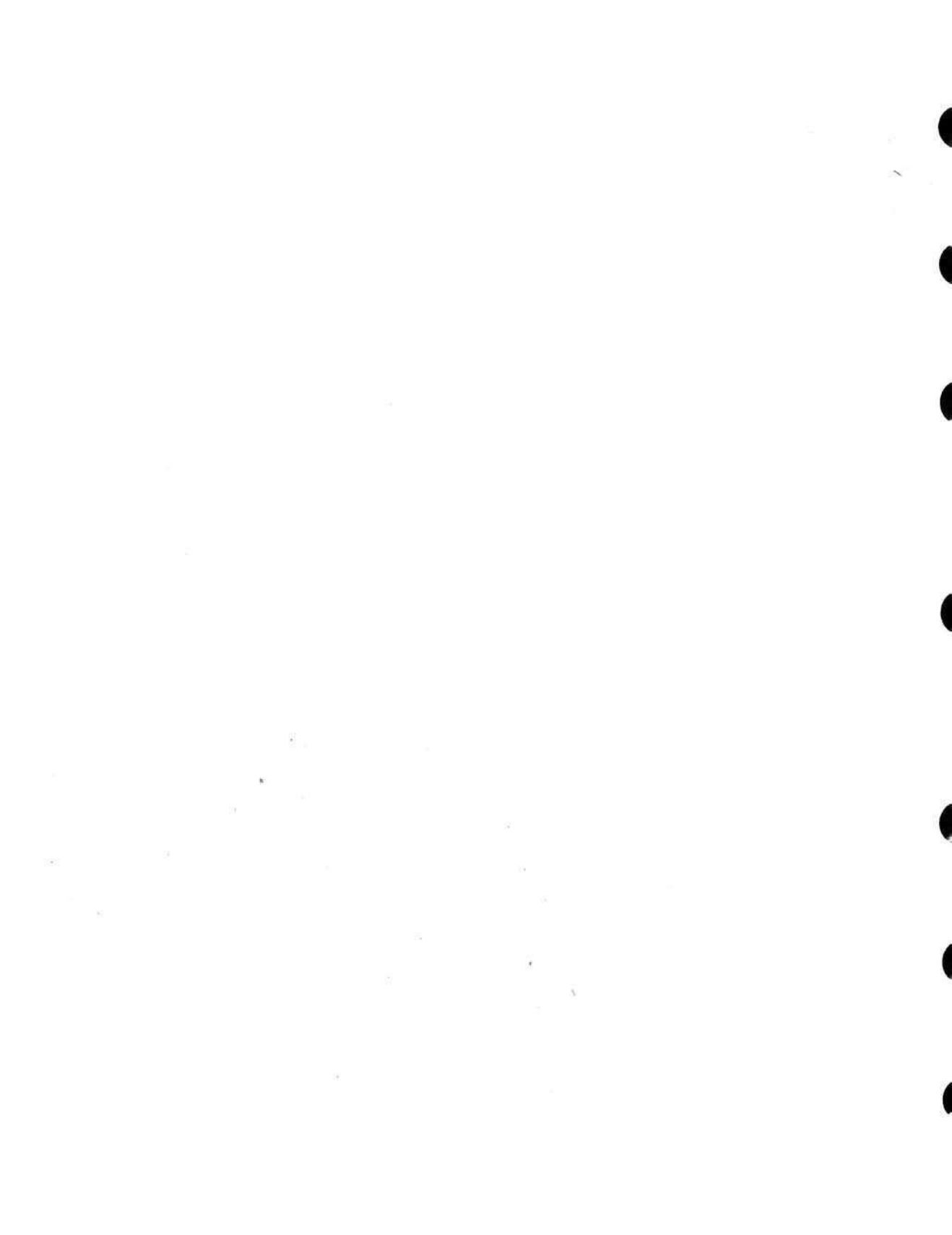
2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.



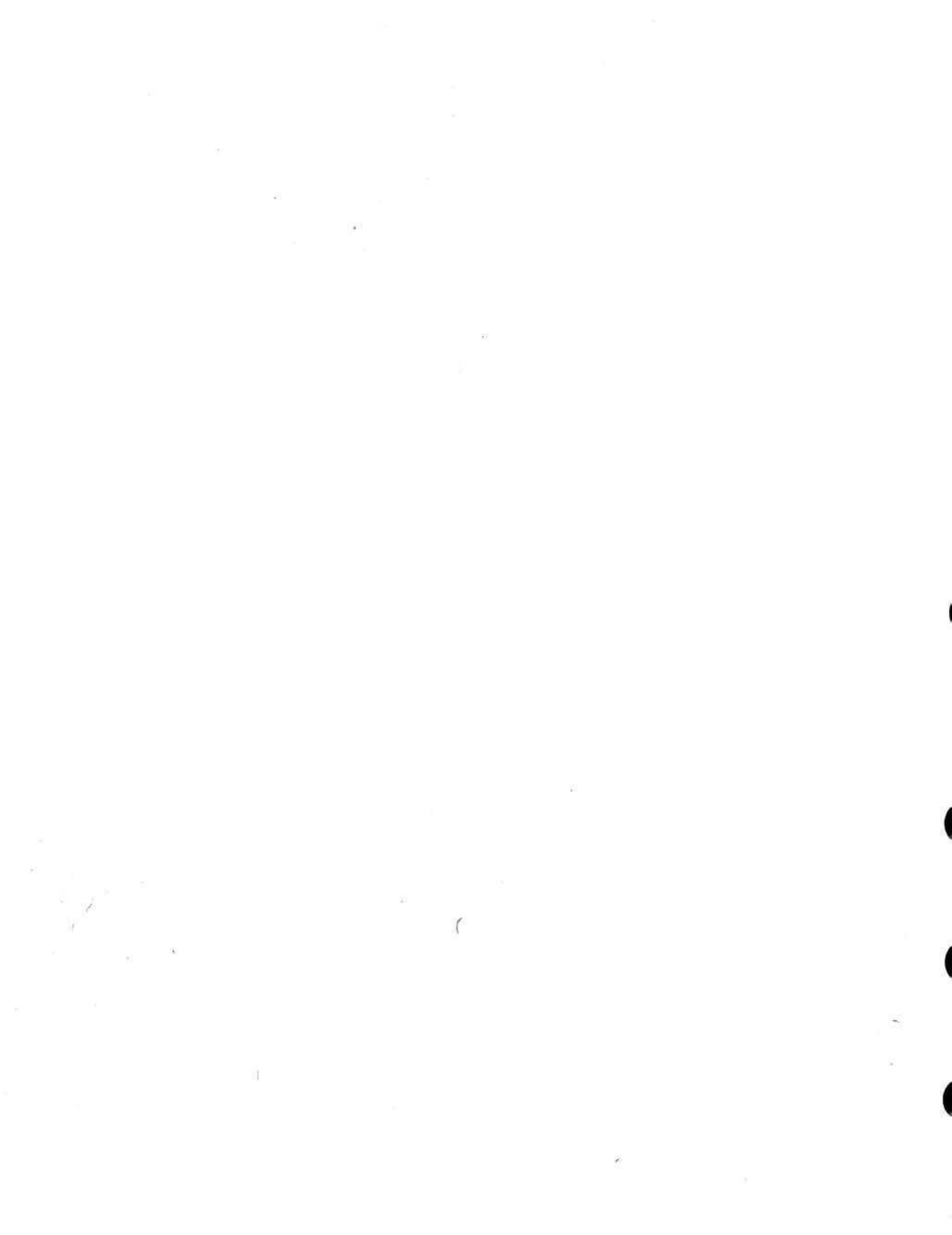
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Abbreviations: A: Abrogated, N: New, M: Modified

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