

Gazette officielle du Québec

(English Edition)

Part 2
Laws and
Regulations

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Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 123
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1° Acts assented to, before their publication in the annual collection of statutes;

2° proclamations of Acts;

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

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

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

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Coming into force of Acts

Gouvernement du Québec

O.C. 1796-90, 19 December 1990

An Act to amend the Retail Sales Tax Act and other fiscal legislation
(1990, c. 60)

— **Coming into force**

CONCERNING the coming into force of the provisions of An Act to amend the Retail Sales Tax Act and other fiscal legislation

WHEREAS Bill 89, tabled in the National Assembly on 15 November 1990, has been assented to and has become the Act to amend the Retail Sales Tax Act and other fiscal legislation;

WHEREAS the Act amends various Québec fiscal laws imposing consumption taxes in order, particularly, to take into account the implementation of the goods and services tax by the federal government, and contains, on the one hand, the measures required for the implementation of the first stage of the reform of consumption taxes, namely, the transition period starting on 1 January 1991 and which shall lead, on 1 January 1992, to the complete application of the reform, and contains, on the other hand, the measures required to enable Québec to administer the goods and services tax from 1 January 1992;

WHEREAS federal Bill C-62 containing the provisions relative to the implementation of the goods and services tax has been assented to;

WHEREAS section 63 of the Act to amend the Retail Sales Tax Act and other fiscal legislation provides that the provisions of the Act will come into force on the date or dates fixed by the Government;

WHEREAS it is expedient for the Government to fix the date on which the provisions of the Act to amend the Retail Sales Tax Act and other fiscal legislation will come into force;

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

THAT the provisions of the Act to amend the Retail Sales Tax Act and other fiscal legislation come into force on 1 January 1991.

BENOÎT MORIN,
Clerk of the Conseil exécutif

4861



Regulations

Gouvernement du Québec

O.C. 1793-90, 19 December 1990

An Act respecting income security
(R.S.Q., c. S-3.1.1)

Regulation

— Amendments

CONCERNING the Regulation amending the Regulation respecting income security

WHEREAS pursuant to section 91 of the Act respecting income security (R.S.Q., c. S-3.1.1), the Government enacted by Order in Council 922-89 of 14 June 1989 the Regulation respecting income security;

WHEREAS it is expedient to further amend the Regulation;

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

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 that has enacted it is of the opinion that the urgency of the situation so requires;

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 the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments prescribed in the Regulation attached to this Order in Council shall apply as of 1 January 1991, the PWA program providing for the payment of benefits on an annual basis;

— instalments for these benefits shall be paid from the month of January 1991 on the basis of the indexed wage scales pursuant to the regulation attached to this Order in Council;

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

THAT the Regulation amending the Regulation respecting income security, attached to this Order in Council, be enacted.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting income security

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, par. 1, subpar. 30 and 33.1, and par. 2)

1. The Regulation respecting income security enacted by Order in Council 922-89 of 14 June 1989, and amended by the Regulations enacted by Orders in Council 1917-89 of 13 December 1989, 1051-90 of 18 July 1990, 1733-90 and 1734-90 of 12 December 1990, is once again amended:

1. by replacing, in the first paragraph of section 93, the amounts « \$10 768 », « \$11 689 », « \$8 245 » and « \$9 108 »

by the amounts « \$11 274 », « \$12 246 », « \$8 631 » and « \$9 540 » respectively;

2. by replacing, in the second paragraph, the amount « \$1 068 » by the amount « \$1 116 »;

3. by replacing, in the third paragraph, the amount « \$281 » by the amount « \$305 ».

2. Section 93.2 of the Regulation is amended by replacing the amounts « \$1 008 » and « \$636 » by the amounts « \$1 056 » and « \$660 » respectively.

3. Sections 1 and 2 take effect from 1 January 1991.

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

4855

Gouvernement du Québec

O.C. 1797-90, 19 December 1990

Taxation Act
(R.S.Q., c. I-3)

Regulation

— Amendment

Regulation respecting the Taxation Act (Amendment)

WHEREAS under subparagraph *f* of the first paragraph of section 1086 of the Taxation Act (R.S.Q., c. I-3), the Government may make regulations to generally prescribe the measures required for the application of the Act;

WHEREAS the Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r. 1) was made under that Act;

WHEREAS it is expedient to amend the Regulation in order to implement a measure announced by the Minister of Finance of Québec in the Budget Speech of 16 May 1989 respecting the issue of an information slip attesting to the ownership of a savings bond, coupon bond or interest coupon when it is cashed in;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without prior publication as prescribed in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or repealed by the Regulation warrants the lack of prior publication and such coming into force;

WHEREAS under section 27 of the Regulations Act, a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS under the second paragraph of section 1086 of the Taxation Act, the regulations made under that Act may, once

published and if they so provide, apply to a period prior to their publication, but not prior to the taxation year 1972;

IT IS ORDERED, on the recommendation of the Minister of Revenue:

THAT the Regulation attached hereto entitled "Regulation respecting the Taxation Act (Amendment)" be made.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation respecting the Taxation Act (Amendment)

Taxation Act
(R.S.Q., c. I-3, s. 1086, 1^{er} par., subpar. f)

1. The Regulation respecting the Taxation Act (R.R.Q., 1981, c. I-3, r. 1), amended by the Regulations made by Orders in Council 3211-81 dated 25 November 1981 (Suppl., p. 767), 3438-81 dated 9 December 1981 (Suppl., p. 789), 144-82 dated 20 January 1982 (Suppl., p. 790), 1544-82 dated 23 June 1982 (Suppl., p. 792), 2823-82 dated 1 December 1982, 2962-82 dated 15 December 1982, 227-83 dated 9 February 1983, 500-83 dated 17 March 1983, 2486-83 dated 30 November 1983, 2727-84 dated 12 December 1984, 2847-84 dated 19 December 1984, 491-85 dated 13 March 1985, 2508-85 dated 27 November 1985, 2509-85 dated 27 November 1985, 2583-85 dated 4 December 1985, 544-86 dated 23 April 1986, 1239-86 dated 13 August 1986, 1811-86 dated 3 December 1986, 1812-86 dated 3 December 1986, 7-87 dated 7 January 1987, 1472-87 dated 23 September 1987, 1875-87 dated 9 December 1987, 421-88 dated 23 March 1988, 615-88 dated 27 April 1988, 838-88 dated 1 June 1988, 1076-88 dated 6 July 1988, 1549-88 dated 12 October 1988, 1745-88 dated 23 November 1988, 1746-88 dated 23 November 1988, 1747-88 dated 23 November 1988, 1819-88 dated 7 December 1988, 1038-89 dated 28 June 1989, 1344-89 dated 16 August 1989, 1764-89 dated 15 November 1989, 140-90 dated 7 February 1990, 223-90 dated 21 February 1990, 291-90 dated 7 March 1990 and 1666-90 dated 28 November 1990, is further amended by inserting the following sections after section 1086R7.2:

"1086R7.3 Every financial institution making a payment for interest accrued after the redemption, assignment or any other transfer of a bond, debenture or similar security, other than an income bond or income debenture, shall, unless the payment is made to another financial institution, file a return in the prescribed form not later than the fifteenth day of the month following the month during which the payment is made and shall remit to the beneficiary, at the time of payment, two copies of the return concerning him.

For the purposes of this section, a financial institution includes a taxpayer contemplated in paragraphs a to f of section 250.3 of the Act.

1086R7.4 Every person authorized to redeem Québec or Canada savings bonds who pays in respect of any of those bonds a cash bonus, payment of which was not planned at the time of the issue of the bond, shall file a return in the prescribed form not later than the fifteenth day of the month following the month during which the payment is made and shall remit to the beneficiary, at the time of payment, two copies of the return concerning him."

2. This Regulation has effect from 1 October 1989.

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

4858

Gouvernement du Québec

O.C. 1798-90, 19 December 1990

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

Financial administration — Amendment

Regulation respecting financial administration (Amendment)

WHEREAS under the first paragraph of section 55 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), the Government may make a regulation to prescribe the manner in which and the time and place at which a certificate of ownership must be issued;

WHEREAS the Regulation respecting fiscal administration (R.R.Q., 1981, c. M-31, r. 1) was made under that Act;

WHEREAS it is expedient to amend the Regulation in order to implement a measure announced by the Minister of Finance of Québec in the Budget Speech of 16 May 1989 respecting the issue of an information slip attesting to the ownership of a savings bond, coupon bond or interest coupon when it is cashed in;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without prior publication as prescribed in section 8 of that Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established, amended or repealed by the Regulation warrants the lack of prior publication and such coming into force;

WHEREAS under section 27 of the Regulations Act, a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS under section 55 of the Act respecting the Ministère du Revenu; a regulation made under that section may, once published and if it so provides, apply to a period preceding its publication;

IT IS ORDERED, on the recommendation of the Minister of Revenue:

THAT the Regulation attached hereto entitled "Regulation respecting financial administration (Amendment)" be made.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation respecting financial administration (Amendment)

An Act respecting the Ministère du Revenu
(R.S.Q., c. M-31, ss. 55 and 97)

1. The Regulation respecting financial administration (R.R.Q., 1981, c. M-31, r. 1), amended by the Regulations made by Orders in Council 80-82 dated 13 January 1982 (Suppl., p. 909), 499-82 dated 3 March 1982 (Suppl., p. 910), 1408-84 dated 13 June 1984, 1876-84 dated 16 August 1984, 2728-84 dated 12 December 1984, 251-85 dated 6 February 1985, 1863-85 dated 11 September 1985, 2584-85 dated 4 December 1985, 1240-86 dated 13 August 1986, 1270-86 dated 20 August 1986, 1930-86 dated 16 December 1986, 1725-88 dated 16 November 1988 and 879-89 dated 7 June 1989, is further amended by inserting the following after section 34R2:

"DIVISION V.1 CERTIFICATE OF OWNERSHIP

55R1 A debtor or a paying agency to whom the certificate of ownership required by section 54 of the Act is furnished must issue it to the Minister not later than the fifteenth day of the month following the month during which the coupon, share warrant or cheque is negotiated."

2. This Regulation has effect from 1 October 1989.

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

4859

Gouvernement du Québec

O.C. 1799-90, 19 December 1990

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

Tax exemptions to certain international governmental bodies, to certain employees and members of their families

Regulation respecting tax exemptions granted to certain international governmental bodies and to certain of their employees and members of their families

WHEREAS under section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), the Government may make regulations in particular to exempt from the duties prescribed by a fiscal law, under the conditions which it prescribes, prescribed international bodies, their head officers and their employees and the members of their families;

WHEREAS it is expedient to make a regulation in order to prescribe the tax exemptions and the conditions under which they will be granted to international governmental bodies, to their employees and to the members of their families, as well as the bodies to which they will be granted;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published under section 8 of that Act if the authority making it is of the opinion that the fiscal nature of the norms established, amended or repealed therein warrants it;

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

the fiscal nature of the norms established, amended or repealed therein warrants it;

WHEREAS in the opinion of the Government, the fiscal nature of the norms established by the Regulation justifies the absence of prior publication and such coming into force;

WHEREAS in accordance with section 27 of the Regulations Act, a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made or approved expressly provides therefor;

WHEREAS under section 97 of the Act respecting the Ministère du Revenu, every regulation made under that Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein, and every regulation published under section 96 of that Act may, once published and if it so provides, apply to a period prior to its publication but not prior to the taxation year 1972.

IT IS ORDERED, on the recommendation of the Minister of Revenue and the Minister of International Affairs:

THAT the Regulation respecting tax exemptions granted to certain international governmental bodies and to certain of their employees and members of their families, attached hereto, be made.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation respecting tax exemptions granted to certain international governmental bodies and to certain of their employees and members of their families

An Act respecting the Ministère du Revenu
(R.S.Q., c. M-31, s. 96, par. b and s. 97)

1. This Regulation applies to any international governmental body or subsidiary thereof listed in Schedule I.

It also applies to any employee of any such body who:

(1) is registered with the Ministère des Affaires internationales;

(2) is not a Canadian citizen;

(3) is required to reside in Canada owing to his duties;

(4) lived outside Canada immediately before taking up his duties; and

(5) does not operate a business in Canada and holds no office or employment in Canada other than his duties with the body.

2. A body mentioned in section 1 is exempted from duties imposed under the Land Transfer Duties Act (R.S.Q., c. D-17).

3. A body or an individual mentioned in section 1 is exempted from duties imposed under the following Acts:

(1) the Taxation Act (R.S.Q., c. I-3);

(2) the Telecommunications Tax Act (R.S.Q., c. T-4).

The body or individual is also exempted from duties imposed under the Retail Sales Tax Act (R.S.Q., c. I-1) in respect of purchases of electricity and leasing of a telecommunications apparatus or of telephone service.

4. Subject to the second paragraph of section 3, a body or an individual mentioned in section 1 is exempted, by reimbursement

and upon submission of vouchers to the Ministère du Revenu, from duties imposed under the following Acts:

- (1) the Retail Sales Tax Act (R.S.Q., c. I-1);
- (2) the Tobacco Tax Act (R.S.Q., c. I-2);
- (3) the Fuel Tax Act (R.S.Q., c. T-1); and
- (4) the Meals and Hotels Tax Act (R.S.Q., c. T-3).

5. Notwithstanding section 4, an individual mentioned in section 1 is exempted, on the conditions prescribed by section 6, from payment of duties imposed under the Retail Sales Tax Act or the Meals and Hotels Tax Act, where the value of the transaction does not exceed \$5 000.

The exemption from payment of duties imposed under the Retail Sales Tax Act applies only, in respect of purchases of alcohol, if the purchases are made at branches of the Société des alcools du Québec designated by the Minister of International Affairs.

6. An individual wishing to avail himself of section 5 must, at the time of the transaction:

- (1) present to the agent the identification issued to him jointly by the Ministère des Affaires internationales and the Ministère du Revenu;
- (2) sign the bill in the presence of the agent after the agent has recorded thereon the customer's name and address and the identification number appearing on the identification.

In the case of purchases of alcohol, an individual may also avail himself of section 5 by sending to any branch of the Société des alcools du Québec designated by the Minister of International Affairs an order form bearing his initials and the seal of the body to which he belongs.

7. The exemptions prescribed by sections 3, 4 and 5 also apply to the spouse of an individual mentioned in section 1, where the spouse:

- (1) is registered with the Ministère des Affaires internationales;
- (2) is not a Canadian citizen; and
- (3) does not operate a business in Canada and holds no office or employment in Canada.

8. A member of the family who resides with an individual mentioned in section 1 and who is not the spouse of the individual, is exempted from duties imposed under the Taxation Act, where the member of the family:

- (1) has not been legally admitted to Canada to reside permanently in Canada;
- (2) is not a Canadian citizen; and
- (3) does not operate a business in Canada and holds no office or employment in Canada.

9. Where a body or an individual does not meet the conditions for exemption from duties imposed under the Taxation Act at a particular time in a taxation year, the tax payable by him on his taxable income for that year is the amount represented by the proportion that the number of days in the year during which the body or individual does not meet those conditions is of the total number of days in the year.

10. Section 999.1 of the Taxation Act applies to a body that is a corporation and that ceases to meet the conditions for exemption from duties imposed under that Act.

11. This Regulation has effect from 13 June 1988 in respect of the Institut de l'Énergie des pays ayant en commun l'usage du français, its employees and the members of their families. In respect of that body, its employees and the members of their families, the exemption from duties imposed under the Taxation Act, provided for in sections 3, 7 and 8, applies from the taxation year 1988.

12. This Regulation has effect from 18 September 1989 in respect of the United Nations Educational, Scientific and Cultural Organization, its employees and the members of their families. In respect of that organization, its employees and the members of their families, the exemption from duties imposed under the Taxation Act, provided for in sections 3, 7 and 8, apply from the taxation year 1989.

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

SCHEDULE I

(s. 1)

INTERNATIONAL GOVERNMENTAL BODIES OR SUBSIDIARIES THEREOF

1. Institut de l'Énergie des pays ayant en commun l'usage du français;
2. United Nations Educational, Scientific and Cultural Organization (UNESCO).

4860

Gouvernement du Québec

O.C. 1800-90, 19 December 1990

An Act respecting health services and social services (R.S.Q., c. S-5)

Regulation

— Amendment

Regulation respecting the application of the Act respecting health services and social services (Amendment)

WHEREAS under section 159 of the Act respecting health services and social services (R.S.Q., c. S-5), the Government shall determine, by regulation, the contribution that may be required for the beneficiaries who are sheltered in an establishment;

WHEREAS under section 161.1 of the same Act, the Government may, in a regulation made under section 159, prescribe the automatic indexing of all or part of the amounts fixed in the regulation, in accordance with the Pension Index established in conformity with section 117 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9);

WHEREAS the Regulation respecting the application of the Act respecting health services and social services (R.R.Q., 1981, c. S-5, r. 1) contains provisions respecting the contribution of an adult sheltered in an establishment and the automatic indexing of the amounts fixed in the Regulation;

WHEREAS it is expedient to abolish, in that Regulation, the automatic indexing of the *per diem* payable to a hospital centre for an adult;

WHEREAS under the last paragraph of section 173 of the Act respecting health services and social services, a regulation respecting the indexing of an amount contemplated in section 159 of the Act need not be published beforehand;

WHEREAS under section 18 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under that section, the reason justifying such coming into force shall be published with the regulation;

WHEREAS in the opinion of the Government, the urgency owing to the following circumstances justifies such coming into force;

— the automatic indexing of the *per diem* payable to a hospital centre for an adult must be abolished effective from 1 January 1991;

— pursuant to the Regulation respecting the application of the Act respecting health services and social services, that indexing would automatically occur on 1 January 1991.

IT IS ORDERED, therefore, upon the recommendation of the Minister of Health and Social Services:

THAT the Regulation respecting the application of the Act respecting health services and social services (Amendment), attached hereto, be made.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation respecting the application of the Act respecting health services and social services (Amendment)

An Act respecting health services and social services (R.S.Q., c. S-5, ss. 159, 161.1 and 173, last paragraph)

1. The Regulation respecting the application of the Act respecting health services and social services (R.R.Q., 1981, c. S-5, r. 1), amended by the Regulations made by Orders in Council 3411-81 dated 9 December 1981 (Suppl., p. 1183), 456-82 dated 3 March 1982 (Suppl., p. 1184), 613-82 dated 17 March 1982 (Suppl., p. 1188), 614-82 dated 17 March 1982 (Suppl., p. 1189), 685-82 dated 24 March 1982 (Suppl., p. 1191), 2076-82 dated 15 September 1982, 128-83 dated 26 January 1983, 476-83 dated 17 March 1983, 883-83 and 884-83 dated 4 May 1983, 1315-83 dated 22 June 1983, 1879-83 dated 21 September 1983, 2593-83 dated 14 December 1983, 642-84 dated 21 March 1984, 1127-84 dated 16 May 1984, 1320-84 dated 6 June 1984, 1373-84 dated 13 June 1984, 1426-84 dated 20 June 1984, 1632-84 dated 11 July 1984, 2050-84 dated 19 September 1984, 2809-84 dated 19 December 1984, 1039-89 dated 28 June 1989 and 967-90 dated 4 July 1990, is further amended by revoking the second paragraph of section 360.

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec* and has effect from 1 January 1991.

4857

Order of the Minister of Municipal Affairs dated 12 December 1990

Payment of taxes in instalments — Amendment

Regulation respecting the payment of taxes in instalments (Amendment)

WHEREAS under paragraph 4 of section 263 of the Act respecting municipal taxation (R.S.Q., c. F-2.1), amended by section 7 of chapter 68 of the Statutes of Québec of 1989, the Minister of Municipal Affairs may make regulations to fix the amount that the total municipal real estate tax due in one account must attain to entitle the debtor to pay his taxes in two or more instalments;

WHEREAS the Minister of Municipal Affairs made the Regulation respecting the payment of taxes in instalments (M.O. dated 7 September 1983);

WHEREAS it is expedient to amend that Regulation;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the proposed regulation entitled Regulation respecting the payment of taxes in instalments (Amendment) was published in the *Gazette officielle du Québec* dated 26 September 1990 on page 2483 with a notice that it may be made by the Minister of Municipal Affairs upon the expiry of 45 days following that publication and that any interested person having comments to make may send them in writing to the Minister before the expiry of the 45-day period;

WHEREAS no comment was received concerning the proposed Regulation before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation without amendment;

THEREFORE, the Regulation respecting the payment of taxes in instalments (Amendment), attached hereto, is made.

Québec, 12 December 1990

CLAUDE RYAN,
Minister of Municipal Affairs

Regulation respecting the payment of taxes in instalments (Amendment)

An Act respecting municipal taxation (R.S.Q., c. F-2.1, s. 263, par. 4 and 1989, c. 68, s. 7)

1. The Regulation respecting the payment of taxes in instalments, made by Minister's Order dated 7 September 1983 and amended by the Regulation made by Minister's Order dated 11 September 1985, is further amended by revoking sections 2 to 10.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.
4856



Draft Regulations

Draft Regulation

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

Agrologists

— Tariff of professional — Revocation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Tariff of professional fees of agrologists (revocation), made by the Office des professions 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, Mr. Thomas J. Mulcair, complexe de la place Jacques-Cartier, 320, rue Saint-Joseph Est, 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 concerned as well as to the persons, departments and agencies concerned.

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

Tariff of professional fees of agrologists (revocation)

Professional Code
(R.S.Q., c. C-26, s. 12, subpar. u and s. 13)

1. The Tariff of professional fees of agrologists approved by Order in Council 1954-88 dated 21 December 1988 is revoked.
2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. 4852

Draft Regulation

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

Bar

— Cessation of practice of members

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 cessation of practice of members of the Barreau du Québec", made by the General Council of the Barreau 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 cessation of practice of members of the Barreau du Québec

Professional Code
(R.S.Q., c. C-26, s. 91)

DIVISION I SCOPE

1. This Regulation applies to the disposal of records, books and registers kept by members of the Barreau du Québec who cease to practise their profession.

It does not apply to members who cease to practise their profession while in the employ of a natural or legal person, a partnership or a government.

DIVISION II PRACTICE IN PARTNERSHIP

2. A member of the Bar who practises his profession in a real partnership and who voluntarily ceases to practise, who accepts a position that prevents him from completing the mandates entrusted to him or who finds himself in one of the situations of involuntary cessation of practice provided for in section 6 may transfer his records, books and registers to one of his partners and must then notify his clients in writing of the name of the transferee.

If it is impossible for the member to notify his clients, the obligation to notify is that of the transferee.

3. A member of the Bar who practises his profession in a real partnership may also provide for the transfer, upon his death, of his records, books and registers to one of his partners.

Immediately after the member's death, the transferee shall notify the clients involved of the member's death and of the transfer of their records.

4. A member of the Bar who ceases to practise his profession in a real partnership and who does not transfer his records, books and registers to one of his partners is subject to Division III.

DIVISION III PRACTICE FOR ONE'S OWN ACCOUNT

§1. Voluntary cessation

5. A member of the Bar who practises his profession alone or in a nominal partnership and who voluntarily ceases to practise or accepts duties that prevent him from completing the mandates

entrusted to him must transfer his records, books and registers to a member of the Bar.

He must, within 30 days following the appointed date for his cessation of practice or for the taking up of his duties, notify his clients and the syndic in writing of the date from which he will cease to practise or will take up his duties and of the name of the member of the Bar who has agreed to be his transferee.

§2. Involuntary cessation

6. The syndic shall take possession of the records, books and registers of a member of the Bar who practises his profession alone or in a nominal partnership and whose permit has been revoked, who has been disbarred, who has become disqualified or who is unable to act.

The syndic shall also take possession of the records, books and registers in respect of which a member may not act because of a limitation or suspension of his right to practise.

7. The syndic shall also take possession of the records, books and registers of a member of the Bar who practised his profession alone or in a nominal partnership and who dies without having provided for the transfer of his records, books and registers.

If the member provided for a transfer in case of death, the transferee must, immediately after the member's death, notify the clients and the syndic in writing of the date of death, of the transfer of their records and of their right to obtain a new advocate or to take back their records within the period indicated by the transferee.

If the transfer provided for in case of death may not be effected, the syndic shall take possession of the records of the deceased member.

8. Before giving notice under section 9, the syndic shall transfer to a member of the Bar the records of which he took possession under section 6 or 7, where the protection of clients' interests so requires.

9. Where the syndic takes possession of the records, books and registers of a member of the Bar, he must immediately give every client notice in writing of:

1° the taking of possession of the client's records and the reason therefor;

2° the transfer of the client's records to another member of the Bar designated by the syndic, if such is the case;

3° the period during which the client may take back his records or, in the case of a transfer, may agree to the transfer or take back his records;

4° the address, telephone number and office hours of the syndic.

10. The syndic may also have a notice of his taking possession of the records, books and registers of a member of the Bar published in a newspaper available in the region where the member practised his profession.

That notice shall indicate that the syndic has taken possession of the records, books and registers of a designated member of the Bar, the period during which clients may take back their records and the address, telephone number and office hours of the syndic.

DIVISION IV PRESERVATION OF RECORDS

11. A syndic who takes possession of the records, books and registers of a member of the Bar and a member to whom such records are transferred must preserve for at least five years records not taken back by clients.

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

4854

Draft Regulation

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

Casket

— Levy

— Amendments

Notice is hereby given that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the attached "Regulation amending the Levy Regulation of the Comité paritaire de l'industrie du cercueil" may be made by the government at the expiry of a 45-day time limit from this publication.

All comments concerning this draft regulation must be forwarded in writing, within this limit, to Mr. Marius Dupuis, Acting Deputy Minister, ministère du Travail, 425, rue Saint-Amable, 2^e étage, Québec (Québec), G1R 5M3.

MARIUS DUPUIS,
Acting Deputy Minister

Regulation amending the Levy Regulation of the Comité paritaire de l'industrie du cercueil

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

1. The Levy Regulation of the Comité paritaire de l'industrie du cercueil, approved by Order in Council 2626-85 of 11 December 1985 and amended by Orders in Council 1225-87 of 5 August 1987 and 616-90 of 2 May 1990, is further amended by replacing sections 2 and 3 by the following:

"2. Professional employers shall remit to the Comité paritaire de l'industrie du cercueil an amount equal to 0,25 % of their payroll for the employees governed by the Decree.

3. Employees shall remit to the Parity Committee an amount equal to 0,25 % of their wages."

2. Once it is approved by the government, this Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

4853

Draft Regulation

Professional Code
(1973 c. 43)

Continuation in force of the tariff of certain extra judicial fees of advocates

Notice is hereby given, in accordance with sections 10, 11 and 13 of the Regulations Act (R.S.Q., c. R-18.1) that the Regulation respecting the continuation in force of the tariff of certain extra-

judicial fees of advocates, the text of which appears below, may be made by the Government upon the expiry of 15 days following this publication.

Under section 12 of the Regulations Act, a proposed regulation may be made at the expiry of a shorter period than the 45 days provided for in section 11 of the Act because of the urgency due to the following circumstances:

it is necessary to bring the Draft Regulation into force as soon as possible, since the Regulation currently in force ceases to have effect on 1 January 1991.

Any person having comments to make is asked to transmit them in writing, before the expiry of the 15-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 any professional corporation as well as to the persons, departments and agencies concerned.

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

Regulation respecting the continuation in force of the Tariff of certain extrajudicial fees of advocates

Professional Code
(1973, c. 43, s. 262)

Act to amend the Bar Act
(1973, c. 44, s. 81)

1. The period during which the Tariff of certain extrajudicial fees of advocates (R.R.Q., c. B-1, r. 14) remains in force is:

(1) extended by 12 months, from 1 January 1990 to 1 January 1992;

(2) fixed at 215 months, from 1 January 1974 to 1 January 1992.

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

4851

Draft Regulation

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

Dental technicians — Election to the Bureau

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 elections to the Bureau of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec", made by the Bureau of the Corporation professionnelle des techniciens et techniciennes dentaires 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 elections to the Bureau of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec

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

DIVISION I INTERPRETATION AND SCOPE

1. This Regulation governs the election of the president and the directors of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec.

2. In this Regulation, the word "region" means one of the regions within the meaning of the Regulation dividing Québec into regions for the purposes of elections to the Bureau of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec.

3. Articles 6 and 7 of the Code of Civil Procedure (R.S.Q., c. C-25) respecting non-judicial days apply to this Regulation.

4. Where the president is elected by a vote of the elected directors, he shall be elected at the first meeting of the Bureau that follows the taking of office of the directors.

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

DIVISION II DUTIES OF THE SECRETARY AND DESIGNATION OF THE SCRUTINEERS

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 person designated for that office by the Bureau.

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

DIVISION III CLOSING OF POLLS

8. The polls shall close on the first Friday of the month of April at 6 p.m.

DIVISION IV TAKING OF OFFICE

9. The president and the directors elected or declared elected by unanimous consent take office at the first meeting of the Bureau held after the annual general meeting.

DIVISION V TERMS OF OFFICE

10. The president and the directors are elected for a four-year term.

DIVISION VI PROCEDURES PRECEDING THE VOTE

11. 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 the Professional Code as well as a nomination paper similar to that in Schedule I.

Where the election of the president is held by a general vote of the members of the Corporation, the secretary shall send during the same period to all the members the notice described in the preceding paragraph as well as a nomination paper similar to that in Schedule II.

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

13. A member shall not sign more nomination papers than there are positions of directors to be filled for his region. A signature appearing on a number of nomination papers in excess of the number of positions of directors to be filled shall be struck off all nomination papers.

14. The secretary shall accept immediately any nomination paper that is complete and is delivered to him not less than thirty days before the date fixed for closing the poll. He shall then issue or send to the candidate an acknowledgment of receipt similar to that in Schedule III as evidence of the candidacy. The time limit for accepting nomination papers, on the last day when they may be accepted by the secretary, shall be 6 p.m.

15. In addition to the documents prescribed by section 69 of the Professional Code, the secretary shall send the following documents to each member entitled to vote in the regions where a director is to be elected:

(1) a brief curriculum vitae and a photograph of each candidate running for the office of director in that region, where such candidate has attached to his nomination paper a curriculum vitae on a sheet measuring not more than 22 cm by 28 cm and a photograph measuring not more than 50 mm by 70 mm;

(2) a notice similar to that in Schedule IV informing the elector about the method of voting and using the envelopes, and indicating the time by which the envelopes must be received by the Corporation.

Where the election of the president is held by a general vote of the members of the Corporation, the secretary shall send to all the members of the Corporation entitled to vote a brief curriculum vitae and a photograph of each candidate for the position of president where such candidate has attached to his nomination paper a curriculum vitae on a sheet measuring not more than 22 cm by 28 cm and a photograph measuring not more than 50 mm by 70 mm.

16. Ballot papers for the position of president must be similar to that appearing in Schedule V. They must be reproduced on official stationery of the Corporation and must provide the following particulars:

- (1) the year of the election;
- (2) the names in full of the candidates in alphabetical order of surnames.

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

17. Ballot papers for a director's position must be similar to that in Schedule VI. They must be reproduced on official stationery of the Corporation and must provide the following particulars:

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

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

18. The secretary shall issue a new ballot paper to a member who has damaged, spoiled, erased or lost his ballot paper or who did not receive one, and who so declares using a form of oath or solemn affirmation similar to that in Schedule VII.

DIVISION VII VOTING

19. After voting, an elector shall insert his ballot paper into the corresponding inner envelope. He shall seal the inner envelope and insert it into the outer envelope, which he shall seal and send to the secretary.

20. Upon receipt of the outer envelopes arriving before the closing of the poll, the secretary shall record the names of the electors, enter on the envelopes the date and time of receipt and his initials, and shall deposit them in a sealed ballot box.

DIVISION VIII PROCEEDINGS FOLLOWING VOTING

21. At the time fixed for the closing of the poll, the secretary shall affix the last seals on the ballot boxes where the counting of the votes is not carried out immediately after the closing of the poll.

The scrutineers are entitled to be present when the seals are affixed to the ballot boxes.

22. The secretary and the scrutineers shall take the oath or make the solemn affirmation in a form similar to that in Schedule VIII.

23. After the closing of the poll and not later than the tenth day following that date, the secretary shall count the votes at the head office of the Corporation in the presence of the scrutineers and, if they so wish, the candidates or their representatives.

The scrutineers and the candidates or their representatives 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.

24. The secretary shall reject without opening them, 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 preceding 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 position, 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 the name of the Corporation and, where applicable, that on which are written the words "BALLOT PAPER-PRESIDENT" and the name of the Corporation. 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 and any ballot papers not inserted in inner envelopes.

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) that contains more marks than the number of positions to be filled;
- (2) that is not certified by the secretary or was not provided by him;
- (3) that bears any mark allowing the elector to be identified;
- (4) that is marked elsewhere than in the square or squares reserved for voting;
- (5) that has not been marked;
- (6) on which the voter cast a vote otherwise than as prescribed by section 71 of the Code;
- (7) that is damaged, spoiled or erased.

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 with respect to the validity of a ballot paper and shall give a ruling immediately.

The secretary's decision as to the validity of a ballot paper is final.

30. After counting the ballot papers, the secretary shall draw up over his signature a statement of the poll similar to that in Schedule IX for the election of directors and, where applicable, for the election of a president. He shall declare elected to the positions of directors the candidates who obtained the greatest number of votes in each region, considering the number of positions to be filled, and, where applicable, he shall declare elected to the position of president the candidate who obtained the most votes for that position.

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 winning candidates have been declared elected, the secretary shall place in separate envelopes the valid ballot papers, the rejected ballot papers and the unused ballot papers, and all the envelopes, including those rejected in accordance with this Regulation.

He shall then seal the envelopes. The secretary and the scrutineers shall write their initials on the seals.

The envelopes shall be kept for one year, 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. He shall table a copy of the report at the first meeting of the Bureau and at the annual general meeting of the members following the election.

DIVISION IX FINAL

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

SCHEDULE I (ss. 11 and 12)

NOMINATION PAPER FOR ELECTION OF A DIRECTOR IN THE REGION

We, the undersigned, member in good standing of the Corporation professionnelle des techniciens et techniciennes dentaires 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	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.

Enclosed is:

- my curriculum vitae (on one page measuring not more than 22 cm by 28 cm);
- my photograph (measuring not more than 50 mm by 70 mm).

In witness whereof, I have signed at _____, this _____ day of _____ 19 _____.

(Signature)

SCHEDULE II (ss. 11 and 12)

NOMINATION PAPER FOR ELECTION OF A PRESIDENT

We, the undersigned, members in good standing of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec, nominate as a candidate for the forthcoming election of a president of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec, _____ (name), _____ (address).

Full name of member	Permit number	Address of the place where the member principally practises his profession	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 techniciens et techniciennes dentaires du Québec.

You will find enclosed:

- my curriculum vitae (on one page measuring not more than 22 cm by 28 cm);
- my photograph (measuring not more than 50 mm by 70 mm).

In witness whereof, I have signed at _____

_____ this _____ day of _____ 19 _____.

(Signature)

SCHEDULE III

(s. 14)

ACKNOWLEDGMENT OF RECEIPT OF NOMINATION PAPERS FOR THE OFFICE OF PRESIDENT OR DIRECTOR OF THE CORPORATION PROFESSIONNELLE DES TECHNICIENS ET TECHNICIENNES DENTAIRES DU QUÉBEC

(Date) _____

Mr., Mrs., Miss

Dear Sir or Madam:

We acknowledge receipt of your nomination papers for election to the office of _____ of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec.

The poll shall close at _____ o'clock on _____ (date). The counting of the votes shall take place at _____ o'clock on _____ (date).

Secretary

SCHEDULE IV

(s. 15)

NOTICE INFORMING ELECTORS:

- ON THE METHOD OF VOTING AND USING THE ENVELOPES;
- OF THE TIME LIMIT WITHIN WHICH THE ENVELOPES MUST BE RECEIVED BY THE CORPORATION

(Date) _____

TO ALL MEMBERS OF THE CORPORATION
PROFESSIONNELLE DES TECHNICIENS ET
TECHNICIENNES DENTAIRES DU QUÉBEC

Dear Sir or Madam:

As mentioned in section 15 of the Regulation respecting elections to the Bureau of the Corporation professionnelle des techniciens et techniciennes dentaires du Québec, the curriculum vitae and the photograph of each candidate for the position of _____ of the Corporation, the ballot paper and the envelopes required for the election are enclosed.

After voting, insert your ballot paper into the envelope identified for the purpose, either "BALLOT PAPER-PRESIDENT" or "BALLOT PAPER-DIRECTOR". Then place the envelope or envelopes inside the one identified as "Election", and sign the last envelope at the place reserved for that purpose.

It is very important:

- to seal all your envelopes, since otherwise your envelopes will be rejected;

- to enclose only your ballot papers in the envelopes, since those that are rejected will not be opened.

We remind you that the poll closes at _____ o'clock, on _____ (date). The counting of the votes shall take place at _____ o'clock, on _____ (date).

Secretary

SCHEDULE V

(s. 16)

BALLOT PAPER FOR THE OFFICE OF PRESIDENT
BALLOT PAPER

Year: 19 _____

Candidates nominated for the office of PRESIDENT

- _____
- _____
- _____

Closing of poll at _____ o'clock, on _____ (date).

Secretary

SCHEDULE VI

(s. 17)

BALLOT PAPER FOR THE OFFICE OF DIRECTOR OF
THE _____ REGION

BALLOT PAPER

Year: 19 _____ Region: _____

Number of positions to be filled in the region: _____

Candidates nominated for the office of DIRECTOR

_____ _____ _____

Closing of poll at _____ o'clock, on _____ (date).

Secretary**SCHEDULE VII**

(s. 18)

OATH OR SOLEMN AFFIRMATION CERTIFYING THAT A
BALLOT PAPER WAS DAMAGED, SPOILED, LOST OR NOT
RECEIVED

(Date) _____

I, the undersigned, _____,
a member in good standing of the Corporation professionnelle des
techniciens et techniciennes dentaires du Québec, (swear or sol-
emnly affirm) that I _____ (damaged,
spoiled, lost, or did not receive) a ballot paper for the election for
the office of _____
(president or director) of the Corporation professionnelle des
techniciens et techniciennes dentaires du Québec and that another
ballot paper was issued to me by the secretary of the Corporation.

In witness whereof, I have signed at _____
this _____, this _____
day of _____ 19 _____.

Signature of member_____
Signature of member

Sworn before me, at _____
this _____ day of _____ 19 _____

Commissioner for oaths for the judi-
cial district of __________
Signature of secretary**SCHEDULE VIII**

(s. 22)

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 profession-
nelle des techniciens et techniciennes dentaires 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 purpose
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 _____ 19 _____.

Signature of member_____
Signature of member

Sworn before me, at _____
this _____ day of _____ 19 _____

Commissioner for oaths for the judi-
cial district of __________
Signature of secretary**SCHEDULE IX**

(s. 30)

STATEMENT OF THE POLL

Election to the office of (president or director) of the Corpora-
tion professionnelle des techniciens et techniciennes dentaires du
Québec

Region (where applicable) _____

Number of electors _____

Number of valid ballots	
Number of rejected ballots	
Number of outer envelopes rejected	
Number of inner envelopes rejected	
	TOTAL
Number of votes cast for	
Number of votes cast for	
Number of votes cast for	
Number of votes cast for	

Signature of scrutineers: _____

Given under my seal, at _____
this _____ day of _____ 19 _____

Signature

Election Secretary

4850

Draft Regulation

Forest Act

(R.S.Q., c. F-4.1 and 1990, c. 17)

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 unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants, the text of which appears below, may be made by the Minister 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 Mr. Bernard Harvey, Associate Deputy Minister (Forests), Ministère de l'Énergie et des Ressources, 5700, 4^e Avenue Ouest, 3^e étage, Charlesbourg (Québec), G1H 6R1.

ALBERT CÔTÉ,

Minister for Forests

Regulation respecting unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants

Forest Act

(R.S.Q., c. F-4.1, ss. 5 and 72)

(1990, c. 17)

1. The unit rates for the stumpage value of standing timber in forests in the public domain specified in Schedule I are applicable, in each forest tariffing zone indicated therein, to the calculation of the dues payable by the holder of a forest management permit for the supply of a wood processing plant for the 1991-1992 fiscal year.
2. This Regulation replaces the Regulation respecting unit rates applicable to the calculation of dues for forest management permits for the supply of wood processing plants made by Minister's Order 90-F-00079 of the Minister for Forests dated 1 April 1990, published in the *Gazette officielle du Québec* of 4 April 1990.
3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I

(s. 1)

UNIT RATES FOR THE STUMPAGE VALUE OF STANDING TIMBER IN FORESTS IN THE PUBLIC DOMAIN BY FOREST TARIFFING ZONE FOR THE 1991-1992 FISCAL YEAR

Species	Quality	Zones	Stumpage value (\$/m ³)													
			1	2	3	4	5	6	7	8	9	10	11	12	13	14
Fir, spruce, jack pine, tamarack	Poles		12,85	14,20	12,00	9,90	8,85	7,65	9,70	9,35	11,85	8,05	8,40	7,85	9,90	10,20
	Saw-timber and pulp		8,90	9,85	8,40	6,85	5,90	4,60	6,35	5,60	7,35	6,10	5,75	5,30	6,00	5,60
White pine	Saw-timber and vener-timber		13,55	14,15	11,85	9,95	7,40	7,20	12,55	10,80	11,00	6,25	8,05	8,00	10,40	9,80
Red pine	Poles		17,90	19,75	17,10	14,30	10,55	9,40	15,50	13,95	16,15	10,40	9,40	9,40	12,20	11,35
	Saw-timber		10,05	10,90	9,35	7,10	5,45	5,45	9,30	8,40	8,95	6,15	5,65	5,45	8,20	7,80
Hemlock, cedar	Saw-timber		4,65	5,10	4,45	3,75	3,25	2,90	3,90	3,30	4,20	3,35	2,65	1,95	2,30	1,95
Other softwoods	Pulp		2,40	2,75	2,30	1,70	1,50	1,50	1,85	1,65	2,15	1,55	1,60	1,45	1,20	1,20
Oak, cherry, walnut	Vener-timber		28,25	25,95	23,55	15,95	15,30	15,30	26,15	20,75	24,95	15,30	15,30	15,30	15,30	15,30
	Saw-timber		15,05	13,35	12,25	8,05	5,95	5,95	13,95	10,90	13,15	5,95	5,95	5,95	7,85	6,35
Yellow birch, basswood	Vener-timber		21,15	22,65	18,95	15,85	9,25	5,65	17,50	14,20	15,30	11,85	11,10	8,80	13,60	12,65
	Saw-timber		10,60	11,35	9,55	8,00	4,70	4,90	8,80	7,15	7,70	5,95	5,65	4,50	6,85	6,35
White birch, maple, ash, elm ironwood	Vener-timber		19,80	21,25	17,75	14,85	8,70	9,00	16,40	13,15	14,20	10,95	10,35	8,60	12,60	11,50
	Saw-timber		5,35	7,35	5,90	5,35	3,80	3,15	3,85	3,10	3,75	3,60	3,45	2,95	2,95	2,90
Poplar/aspen	Saw-timber and vener-timber		3,75	4,35	3,65	2,70	2,40	1,75	2,45	2,05	2,60	1,95	1,80	1,60	2,00	2,00
	Pulp		1,50	1,70	1,50	1,35	1,25	1,20	1,25	1,25	1,50	1,00	1,20	1,15	1,10	1,55
Other hardwoods	Saw-timber		4,35	5,25	4,45	4,00	3,45	2,95	3,45	2,85	3,30	3,20	3,15	2,60	2,75	2,55
All hardwoods (except poplar/aspen)	Pulp		2,40	2,75	2,30	1,70	1,50	1,50	1,85	1,65	2,15	1,55	1,60	1,45	1,20	1,55

Species	Quality	Zones	Stumpage value (\$/m ³)													
			15	16	17	18	19	20	21	22	23	24	25	26	27	28
Fir, spruce, jack pine, tamarack	Poles Saw-timber and pulp		8,75	9,15	9,10	3,60	7,10	5,00	7,65	7,20	5,25	4,30	1,45	2,25	2,35	1,05
			5,45	6,35	6,45	1,55	4,00	3,45	5,25	4,95	3,55	2,95	0,95	1,45	1,05	0,60
White pine	Saw-timber and vener-timber		8,85	7,80	7,55	5,80	5,80	5,70	6,85	6,55	5,75	3,55	2,00	3,10	2,95	1,80
Red pine	Poles Saw-timber		10,90	12,25	11,10	9,40	9,40	9,40	9,40	9,40	9,40	9,40	9,40	9,40	9,40	9,40
			7,00	6,80	6,40	5,45	5,45	5,45	5,45	5,45	5,45	5,45	5,45	5,45	5,45	5,45
Hemlock, cedar	Saw-timber		2,20	3,35	2,75	1,40	1,25	1,70	1,70	1,65	1,45	0,90	0,60	0,85	0,75	0,60
Other softwoods	Pulp		1,15	1,15	1,35	1,40	0,90	1,55	1,20	1,15	1,15	0,65	0,60	0,85	0,75	0,60
Oak, cherry, walnut	Veneer-timber Saw-timber		15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30	15,30
			6,85	5,95	5,95	5,95	5,95	5,95	5,95	5,95	5,95	5,95	5,95	5,95	5,95	5,95
Yellow birch, basswood	Veneer-timber Saw-timber		12,25	12,20	10,75	5,65	5,65	5,65	5,65	7,40	5,65	5,65	5,65	5,65	5,65	5,65
			6,15	6,15	5,45	2,90	2,90	2,90	2,90	3,80	2,90	2,90	2,90	2,90	2,90	2,90
White birch, maple, ash, elm, ironwood	Veneer-timber Saw-timber		11,35	11,25	10,00	6,65	6,35	7,50	7,30	6,95	6,50	3,90	2,55	3,95	3,70	2,40
			2,85	2,70	3,10	2,50	1,95	2,85	2,50	2,35	2,25	1,35	0,95	1,45	1,35	0,90
Poplar/aspen	Saw-timber and vener-timber Pulp		1,95	1,90	1,90	1,55	1,35	1,70	1,70	1,40	1,25	0,75	0,60	0,85	0,75	0,60
			1,00	1,10	1,10	1,05	0,85	1,45	0,95	0,90	1,05	0,55	0,55	0,85	0,75	0,60
Other hardwoods	Saw-timber		2,50	2,50	2,85	1,40	1,60	1,90	2,30	2,20	1,75	1,20	0,65	0,85	0,75	0,60
All hardwoods (except poplar/aspen)	Pulp		1,15	1,15	1,35	1,05	0,90	1,55	1,20	1,15	1,15	0,65	0,60	0,85	0,75	0,60

4865

Draft Regulation

Forest Act

(R.S.Q., c. F-4.1 and 1990, c. 17)

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 value of silvicultural treatments, the text of which appears below, may be made by the Minister 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 Mr. Bernard Harvey, Associate Deputy Minister (Forests), ministère de l'Énergie et des Ressources, 5700, 4^e Avenue Ouest, 3^e étage, Charlesbourg (Québec), G1H 6R1.

ALBERT CÔTÉ,
Minister for Forests

Regulation respecting the value of silvicultural treatments

Forest Act

(R.S.Q., c. F-4.1, ss. 73.1 and 73.3)
(1990, c. 17, s. 11)

1. The silvicultural treatments described in Schedule I shall be accepted as payment of the dues prescribed by the Minister responsible for the application of the Forest Act for the 1991-1992 fiscal year.
2. The values of such silvicultural treatments are those established in Schedule II.
3. This Regulation replaces the Regulation respecting the value of silvicultural treatments made by Order 90-F-00078 of the Minister for Forests on 1 April 1990, published in the *Gazette officielle du Québec* of 4 April 1990.
4. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I

(s. 1)

SILVICULTURAL TREATMENTS ACCEPTED FOR THE 1991-1992 FISCAL YEAR**DIVISION I****ALL FOREST AREAS**

1. Site preparation: site preparation comprises the following five operations:

- (1) scarifying: loosening the soil to promote natural or artificial regeneration of desired species of trees;
- (2) clearing: windrowing or piling non-commercial trees and logging debris to facilitate the planting of seedlings or the passage of a scarifier;
- (3) winter shear blading: clearing frozen ground with a shear-blade-equipped crawler tractor in order to eliminate all vegetation and reduce excessive thickness of organic matter;
- (4) ploughing and harrowing: loosening the soil by means of a plough and a harrow to promote the planting of tolerant hardwoods or hybrid poplars;
- (5) prescribed burning: the intentional burning of residual fuel left in a cut-over area after the felling of commercial timber

carried out in weather conditions that enable fire to spread freely within the selected area.

2. Planting: the setting in the soil of cuttings, sets, bare-root seedlings or container seedlings, in order to produce timber.

3. Release treatment: the controlling of competing vegetation by spraying herbicides registered for forestry such as glyphosate, or by mechanical means such as brush cutters, chain saws or shears, in order to promote the natural or artificial regeneration of desired species.

4. Pre-commercial thinning: the felling of trees that impede the growth of potential crop trees in a young stand by regularizing the spacing between each selected tree.

5. Commercial thinning: the felling or harvesting of commercial species in an even-aged stand that has not yet reached logging age, in order to accelerate the diameter growth of the remaining trees and to improve the quality of the stand.

6. Drainage: digging ditches in order to lower soil humidity by collecting surface runoff water and seepage in order to improve tree growth and to promote the establishment of natural and artificial regeneration.

DIVISION II**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF SOFTWOODS**

7. Pine seeding: the aerial or ground seeding of jack pine seed or the seeding of jack pine or white pine in funnels.

DIVISION III**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF SOFTWOODS, WHITE PINE AND RED PINE**

8. Natural regeneration reinforcement planting: the planting of seedlings where natural regeneration is insufficient on an area of land to obtain a number of evenly distributed trees of a desired commercial species on that area of land.

DIVISION IV**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF TOLERANT HARDWOODS, WHITE PINE AND RED PINE**

9. Selection and improvement cutting: the felling or harvesting of trees selected individually or in small groups in a young uneven-aged high forest in order to obtain a structure conducive to selection. This type of cutting requires harvesting that takes into account all diameter classes in a stand.

10. Selection cutting: the periodic felling or harvesting of trees selected individually or in small groups in an uneven-aged high forest in order to obtain or maintain a balanced selection structure. This type of cutting requires harvesting that takes into account all diameter classes in the stand.

11. Enrichment planting: the introduction or increase in the number of white pines in a stand.

DIVISION V**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF SOFTWOODS, TOLERANT HARDWOODS, WHITE PINE AND RED PINE**

12. Progressive seed cutting: the felling or harvesting of trees at the time of the first of a number of successive regeneration cuts in a stand that has reached logging age, thus permitting the

opening of the forest cover, the elimination of dominated trees, and the establishment of natural regeneration from seeds produced by dominant trees left as seed-bearers.

13. Clear-strip cutting: the felling or harvesting of all trees of all species that have reached a diameter of 10 centimetres or more at a height of 1.30 metres above the highest ground level, in strips no more than 60 metres wide and leaving an uncut strip at least equal to the width of the strip harvested. In a forest area intended mainly for the production of northern white cedar, the harvesting diameter shall be that prescribed in the management permit and the width of the strip harvested must not exceed 25 metres.

14. Fertilization: the application of chemical or organic fertilizers to increase the production capacity of the soil.

DIVISION VI SILVICULTURAL TREATMENTS FOR THE PROTECTION OF FOREST RESOURCES

15. Harvesting in wooded strips: the individual selection and harvesting of trees in a stand constituting a wooded strip on

ground having a gradient of less than 40 %. That harvesting shall concern one-third of the trees of all species that have a diameter of 10 centimetres or more at a height of 30 centimetres above the highest ground level, where the forest cover density exceeds 60 %. The trees selected shall be evenly distributed throughout the stand.

16. Strip cutting: the felling or harvesting of all trees that have reached the harvesting diameter prescribed in the management permit in strips no more than 60 metres wide and leaving an uncut strip at least equal to the width of the strip harvested.

17. Selection cutting: the periodic felling or harvesting of trees selected individually or in small groups in an uneven-aged high forest in order to obtain or maintain a balanced selection structure. This type of cutting requires harvesting that takes into account all diameter classes in the stand.

18. Checkerboard cutting: the felling or harvesting of all trees that have reached the harvesting diameter prescribed in the management permit in areas not exceeding 0.36 hectares, while leaving intact between each logging or harvesting area a stand covering an area at least equal to that logging or harvesting area.

SCHEDULE II

(s. 2)

VALUE OF SILVICULTURAL TREATMENTS ACCEPTED AS PAYMENT OF DUES

DIVISION I

ALL FOREST AREAS

I. SITE PREPARATION	
- Scarifying	
Anchor chains	\$ 95/ha
Shark-fin barrels and chains	\$240/ha
Hydraulic cone trenchers (Wadell type)	\$210/ha
Hydraulic disk trenchers (TTS hydraulic and Donaren types)	\$175/ha
Bracke	\$120/ha
Bracke mounds	\$140/ha
"V" blade + bracke or disk trencher	\$300/ha
Disk trencher (TTS type)	\$120/ha
Cutter-type portable scarifier, mattock	\$255/1 000 microsities
Forest harrows (Rome and Crabe types)	
Single pass	\$165/ha
Double pass	\$320/ha
Létourneau tree crusher	\$165/ha
- Winter clearing with a shear-blade-equipped crawler tractor	\$350/ha
- Clearing	
Rake-equipped crawler tractor	\$345/ha
Rake-equipped skidder	\$285/ha
Modified "V" blade models C and H	\$140/ha
- Ploughing and harrowing	
Forest plough (Lazure type) + forest harrow (Rome and Crabe types)	\$900/ha
- Prescribed burning	\$325/ha

2.	PLANTING		
	- With site preparation		
	Bare root stock	Conventional size	\$185/1 000 seedlings
		Large size	\$205/1 000 seedlings
	Container stock	67 cavities:	\$150/1 000 seedlings
		45 cavities or cuttings:	\$165/1 000 seedlings
	- Without site preparation		
	Bare root stock	Conventional size	\$210/1 000 seedlings
		Large size	\$230/1 000 seedlings
	Container stock	67 cavities:	\$175/1 000 seedlings
		45 cavities:	\$190/1 000 seedlings
3.	RELEASE TREATMENT		
	- Mechanical		
	Coniferous or boreal forest zone		\$565/ha
	Mixed and hardwood forest zones		\$605/ha
	- Herbicides		
	Ground spraying		\$355/ha
	Aerial spraying		\$195/ha
4.	PRE-COMMERCIAL THINNING		
	- Pure or mixed jack pine stands		\$360/ha
	- Other softwood stands and mixed stands with softwood dominance		\$695/ha
	- Intolerant hardwood stands and mixed stands with intolerant hardwood dominance		\$555/ha
	- Tolerant hardwood stands and mixed stands with tolerant hardwood dominance		\$745/ha
5.	COMMERCIAL THINNING		
	- Softwoods		\$270/ha
	- Hardwoods		\$205/ha
6.	DRAINAGE		
	Cleared areas (without prior felling)		\$1,20/m
	Wooded areas (with prior felling)		\$1,55/m

DIVISION II**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF SOFTWOODS**

7.	PINE SEEDING		
	- Aerial seeding		\$ 30/ha
	- Ground seeding		\$120/ha
	- Funnels		\$230/1 000 seeded microsites

DIVISION III**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF SOFTWOODS, WHITE PINE AND RED PINE**

8.	NATURAL REGENERATION REINFORCEMENT PLANTING		
	Bare root stock	Conventional size	\$270/1 000 seedlings
		Large size	\$290/1 000 seedlings
	Container stock	67 cavities:	\$220/1 000 seedlings
		45 cavities:	\$240/1 000 seedlings

DIVISION IV**FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF TOLERANT HARDWOODS, WHITE PINE AND RED PINE**

9.	SELECTION AND IMPROVEMENT CUTTING	\$165/ha
10.	SELECTION CUTTING	\$205/ha
11.	ENRICHMENT PLANTING	\$365/1 000 seedlings

DIVISION V

FOREST AREAS INTENDED MAINLY FOR THE PRODUCTION OF SOFTWOODS, TOLERANT HARDWOODS, WHITE PINE AND RED PINE

12.	PROGRESSIVE SEED CUTTING	
	- Softwoods	\$270/ha
	- Hardwoods	\$205/ha
13.	CLEAR-STRIP CUTTING	\$185/ha
14.	FERTILIZATION	
	- Softwood stands and mixed stands with softwood dominance	\$270/ha
	- Tolerant hardwood stands	\$270/ha

DIVISION VI

SILVICULTURAL TREATMENTS FOR THE PROTECTION OF FOREST RESOURCES

15.	HARVESTING IN WOODED STRIPS	
	- Softwoods	\$205/ha
	- Hardwoods	\$185/ha
16.	STRIP CUTTING	\$185/ha
17.	SELECTION CUTTING	\$205/ha
18.	CHECKERBOARD CUTTING	\$185/ha

4864

Draft Regulation

Dairy Products and Dairy Products Substitutes Act
(R.S.Q., c. P-30)

Operating permits for dairies

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 operating permits for dairies, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Agriculture, Fisheries and Food, 200-A, chemin Sainte-Foy, 12^e étage, Québec (Québec), G1R 4X6.

YVON PICOTTE,

Minister of Agriculture, Fisheries and Food

Regulation respecting operating permits for dairies

Dairy Products and Dairy Products Substitutes Act
(R.S.Q., c. P-30, s. 42, pars. d and f)

1. There are 3 categories of operating permits for dairies:

(1) a category 1 permit, where the operation involves, during a calendar year, not less than one million litres of milk, on the basis of the data furnished by the holder and verified by the Régie des marchés agricoles et alimentaires du Québec;

(2) a category 2 permit, where the operation involves, during a calendar year, less than one million litres of milk, on the basis of the data furnished by the holder and verified by the Board;

(3) a category 3 permit, where the operation involves only the cutting or packing of cheese, butter or other dairy products, the manufacturing of dairy products without conversion of milk or the treatment and conversion of goat's milk.

2. For the year 1991-1992, the cost payable for the issue or renewal of an operating permit for a dairy is fixed at:

- (1) \$550 for a category 1 permit;
- (2) \$110 for a category 2 permit;
- (3) \$110 for a category 3 permit.

Thereafter, those amounts shall be adjusted at 1 April each year in accordance with the rate of increase of the general consumer price index for Canada for the period ending on 31 December of the preceding year as determined by Statistics Canada.

The duties adjusted in the manner prescribed shall be decreased to the nearest dollar where they include a fraction of a dollar lower than \$0.50; they shall be increased to the nearest dollar where they include a fraction of a dollar equal to or greater than \$0.50.

For the purposes of this section, the Board shall publish each year, as soon as they known, the table of new duties in the *Gazette officielle du Québec*.

3. The permit expires annually on 31 March.

It shall be renewed upon payment to the Board, before 31 March and by means of a postal money order or a cheque payable to the Minister of Finance, of the cost prescribed in section 2.

4. This Regulation replaces the Regulation respecting operating permits for dairies (Order in Council 163-89, 15 02 89, 121, G.O. Part 2, p. 1135).

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

4863

Erratum

Supplemental Pension Plans Act
(1989, c. 38)

Regulation

— Erratum

Gazette officielle du Québec, Part 2, Laws and Regulations,
Vol. 122, No. 33 dated 15 August 1990

Regulation respecting supplemental pension plans
(O.C. 1158-90, 8 August 1990)

On page 2321, in subparagraph *b* of paragraph 3 of section 9,
insert the letter *b* in the parentheses.

On page 2323, in the second paragraph of section 21, in the
fourth line, strike out the repetition of the words "provided that it
does not exceed the percentage".

On page 2324, in paragraphe 1 of section 30, in the second
line, substitute the word "accept" for the word "except".

On page 2324, in paragraph 2 of section 30, in the tenth line,
strike out the words "or by reason of the election with his
spouse".

On page 2325, in the definition "'pension benefits'" of section
33, in the third and fourth lines, strike out the words "or the
elections exercised by the pension plan".

On page 2328, in paragraph 13 of section 57, in the fifth line,
substitute the word "case" for the word "same".

4862

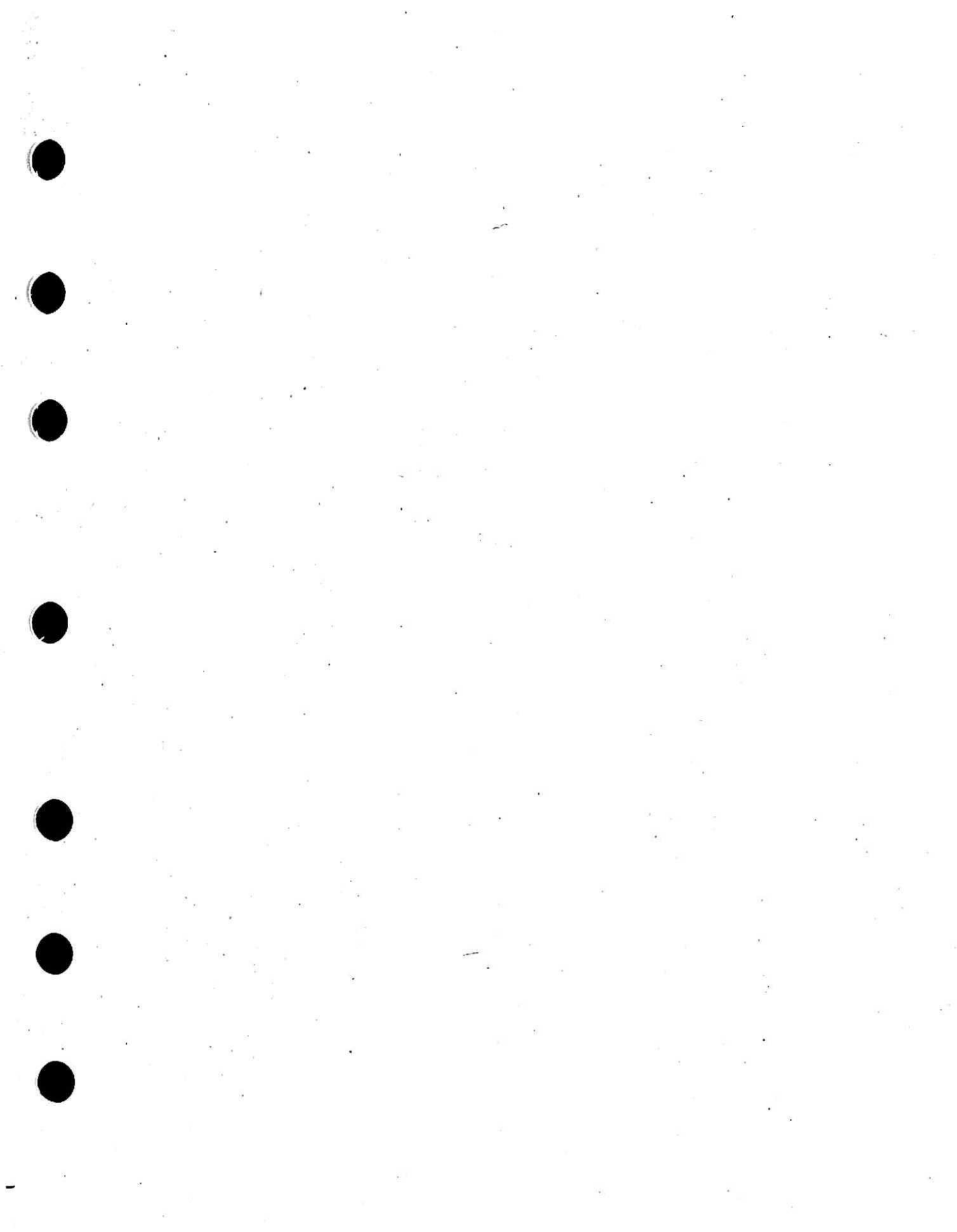


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