

1992, chapter 21
**AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS
CONCERNING THE APPLICATION OF THE ACT
RESPECTING HEALTH SERVICES AND SOCIAL SERVICES
AND AMENDING VARIOUS LEGISLATION**

Bill 15

Introduced by Mr Marc-Yvan Côté, Minister of Health and Social Services

Introduced 14 May 1992

Passage in principle 2 June 1992

Passage 23 June 1992

Assented to 23 June 1992

Coming into force: on the dates fixed by the Government, except the provisions of sections 1, 10 to 16, 21, 41 to 45, 53 to 55, 57, 58, 62 to 67, the provisions of sections 619.1, 619.5 to 619.7, 619.16, 619.17, 619.47 and 619.69 to 619.71 enacted by section 68, and the provisions of paragraph 3 of section 101 and of sections 105, 111, 112, 115, 376, 377, 379, 380 and 382 to 386, which come into force on 23 June 1992

— 30 September 1992: ss. 104, 381
G.O., 1992, Part 2, p. 4535

— 1 October 1992: ss. 2 to 9, 17 to 20, 22 to 40, 46 to 52, 56, 59 to 61, 68 [ss. 619.2 to 619.4, 619.8 to 619.15, 619.18 to 619.46, 619.48 to 619.68], 69 to 77, 79 to 81, 83 to 100, 101 (par. 1, 2, 4), 102, 103, 106 to 110, 114, 116 to 299, 300 (par. 1, 2), 311 (par. 1), 320 (par. 2), 322, 327 (par. 1), 328, 329 (par. 2), 330, 333 to 364, 370 to 375
G.O., 1992, Part 2, p. 4535

Acts amended:

Civil Code of Lower Canada

Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1)

Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)

Financial Administration Act (R.S.Q., chapter A-6)

Act respecting financial assistance for students (R.S.Q., chapter A-13.3)

Act respecting family assistance allowances (R.S.Q., chapter A-17)

Archives Act (R.S.Q., chapter A-21.1)

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

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

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

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Acts amended (cont'd):

Charter of the French language (R.S.Q., chapter C-11)
Cities and Towns Act (R.S.Q., chapter C-19)
Highway Safety Code (R.S.Q., chapter C-24.2)
Code of Civil Procedure (R.S.Q., chapter C-25)
Labour Code (R.S.Q., chapter C-27)
Municipal Code of Québec (R.S.Q., chapter C-27.1)
Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34)
Act respecting public inquiry commissions (R.S.Q., chapter C-37)
Public Curator Act (R.S.Q., chapter C-81)
Act respecting collective agreement decrees (R.S.Q., chapter D-2)
Dental Act (R.S.Q., chapter D-3)
Act respecting the development of Québec firms in the book industry (R.S.Q., chapter D-8.1)
Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2)
Act respecting school elections (R.S.Q., chapter E-2.3)
Election Act (R.S.Q., chapter E-3.3)
Fire Investigations Act (R.S.Q., chapter E-8)
Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1)
Act respecting municipal taxation (R.S.Q., chapter F-2.1)
Act respecting hours and days of admission to commercial establishments (R.S.Q., chapter H-2.1)
Taxation Act (R.S.Q., chapter I-3)
Nurses Act (R.S.Q., chapter I-8)
Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1)
Education Act (R.S.Q., chapter I-13.3)
Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14)
Act to ensure that essential services are maintained in the health and social services sector (R.S.Q., chapter M-1.1)
Medical Act (R.S.Q., chapter M-9)
Act respecting labour standards (R.S.Q., chapter N-1.1)
Notarial Act (R.S.Q., chapter N-2)
Optometry Act (R.S.Q., chapter O-7)
Pharmacy Act (R.S.Q., chapter P-10)
Act respecting the practice of midwifery within the framework of pilot projects (R.S.Q., chapter P-16.1)
Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29)
Youth Protection Act (R.S.Q., chapter P-34.1)
Public Health Protection Act (R.S.Q., chapter P-35)
Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01)
Mental Patients Protection Act (R.S.Q., chapter P-41)
Environment Quality Act (R.S.Q., chapter Q-2)
Act respecting the determination of the causes and circumstances of death (R.S.Q., chapter R-0.2)
Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2)
Act respecting the Québec Pension Plan (R.S.Q., chapter R-9)
Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)
Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12)
Regulations Act (R.S.Q., chapter R-18.1)
Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20)
Act respecting real estate tax refund (R.S.Q., chapter R-20.1)
Act respecting occupational health and safety (R.S.Q., chapter S-2.1)

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Acts amended (cont'd):

Public Buildings Safety Act (R.S.Q., chapter S-3)
Act respecting safety in sports (R.S.Q., chapter S-3.1)
Act respecting child day care (R.S.Q., chapter S-4.1)
Act respecting health services and social services (R.S.Q., chapter S-5)
Marine Products Processing Act (R.S.Q., chapter T-11.01)
Securities Act (R.S.Q., chapter V-1.1)
Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1)
Code of Penal Procedure (1987, chapter 96)
Act to amend the Public Health Protection Act (1990, chapter 55)
Act respecting health services and social services and amending various legislation (1991, chapter 42)
Act respecting the Conseil médical du Québec (1991, chapter 56)
Act respecting the Québec sales tax and amending various fiscal legislation (1991, chapter 67)
Act respecting the Conseil de la santé et du bien-être (1992, chapter 8)

Act repealed:

Act to extend the terms of office of certain directors of regional councils and public establishments in the health and social services sector (1991, chapter 22)



CHAPTER 21

An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation

[Assented to 23 June 1992]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Object

1. The object of this Act is to provide for the implementation of the Act respecting health services and social services and amending various legislation (1991, chapter 42) as amended by this Act.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES AND AMENDING VARIOUS LEGISLATION

1991, c. 42,
s. 19, am.

2. Section 19 of the Act respecting health services and social services and amending various legislation (1991, chapter 42) is amended by inserting the words “or a coroner in the exercise of his functions” after the word “court” in the third line of the first paragraph.

1991, c. 42,
s. 38, am.

3. Section 38 of the said Act is amended by replacing the words “the user and to the professional concerned” in the last paragraph by the words “the board of directors”.

1991, c. 42,
s. 39,
replaced

4. Section 39 of the said Act is replaced by the following section:

Decision

“39. The executive director shall advise the senior management officer of the board of directors’ decision, giving the reasons on which it is based, concerning the user’s complaint contemplated in section 38. The senior management officer shall inform the user and the professional concerned of the decision in writing.”

1991, c. 42,
s. 41, am.

5. Section 41 of the said Act is amended by adding, at the end, the following paragraph:

Information “In such cases, the senior management officer shall inform the user thereof, in writing.”

1991, c. 42,
s. 77, am. **6.** Section 77 of the said Act is amended by striking out the words “centre operated or” in the second line of the second paragraph.

1991, c. 42,
s. 89,
replaced
University
institute **7.** Section 89 of the said Act is replaced by the following section:

“89. The Minister, after consulting the Minister of Higher Education and Science, may, for any one medical discipline, designate as a university institute any centre operated by an institution which, in addition to carrying on the activities inherent in the mission of such a centre, participates in medical education, mainly in that medical discipline, under the terms of a contract of affiliation entered into under section 110, offers highly specialized or specialized medical services or services relating to family medicine, evaluates health technologies, and manages a research centre or research institute recognized by the Fonds de la recherche en santé du Québec.”

1991, c. 42,
s. 93, am. **8.** Section 93 of the said Act is amended by adding, at the end, the following paragraph:

Child and
youth
protection
centre “It may, lastly, entrust the institution which operates a child and youth protection centre in the region with the responsibility of offering, notwithstanding section 82, all or some of its services in a region where there is no institution operating such a centre.”

1991, c. 42,
s. 99.1,
added **9.** The said Act is amended by adding, after section 99, the following section:

Public
institution **“99.1** A public institution described in paragraph 1 of section 98 shall remain public even if the facilities it maintains no longer allow more than 20 persons to be lodged or if, by reason of the reorganization of the services it dispenses, it ceases to lodge more than 20 persons.”

1991, c. 42,
s. 125, am. **10.** Section 125 of the said Act is amended by replacing the word “Métropolitain” in the second line of the second paragraph by the word “Centre”.

1991, c. 42,
s. 131, am. **11.** Section 131 of the said Act is amended

(1) in the English text, by replacing the word “aid” in the thirteenth line of paragraph 2 by the word “assistant”;

(2) by inserting, after paragraph 3, the following paragraph:

“(3.1) three persons appointed by corporation members where the institution is a corporation designated by the Minister pursuant to section 139;”;

(3) by replacing the word and figures “1,3 and 4” in the second line of paragraph 6 by the words and figures “1 and 3 to 4”.

1991, c. 42,
s. 132, am. **12.** The English text of section 132 of the said Act is amended by replacing the word “aid” in the sixth line of paragraph 2 by the word “assistant”.

1991, c. 42,
s. 135, am. **13.** Section 135 of the said Act is amended by adding, at the end of the first paragraph, the following sentence: “No minor may vote at such a meeting”.

1991, c. 42,
s. 137, am. **14.** Section 137 of the said Act is amended by adding, at the end of the last paragraph, the words “, with the exception of appointments under paragraph 6 of each of sections 129 and 130, which shall be made within 30 days after the holding of the public meeting.”

1991, c. 42,
s. 139, am. **15.** Section 139 of the said Act is amended

(1) by replacing the word and figure “, 130 or” in the fifth line of the first paragraph by the words and figures “or 130, paragraph 3.1 of section 131 or paragraph 4 of section”;

(2) by replacing the words “have been financed otherwise than by funds from Government subsidies or” in the third and fourth lines of the second paragraph by the words “has been financed by funds other than funds provided, in whole or in part, by government subsidy or other than funds provided entirely by”.

1991, c. 42,
s. 154,
French
text, am. **16.** The French text of section 154 of the said Act is amended by replacing the word “par” in the sixth line of the second paragraph by the word “pas”.

1991, c. 42,
s. 170, am. **17.** Section 170 of the said Act is amended by adding, at the end, the words: “, except the powers assigned to the members of a corporation designated by the Minister pursuant to section 139, which may be exercised in accordance with the provisions of subdivision 5 of this division.”

1991, c. 42,
ss. 181.1
and 181.2,
added **18.** The said Act is amended by inserting, immediately after section 181, the following heading and sections:

“§ 5.—*Representation of the members of certain corporations*

Board of
governors,
board of
delegates

“181.1 The members of a corporation designated by the Minister pursuant to section 139 may, by by-law, form a board of governors or a board of delegates to represent them, and determine the composition, the rules of internal management and the functions and duties of such a board, as well as the method of appointment, the term of office, and the method of dismissal of a governor or delegate.

Applica-
bility

The first paragraph of section 168 applies, adapted as required, to governors or delegates and to the minutes of their meetings.

Notices

Notices which must be sent to members of the corporation are validly sent if addressed to the board of governors or delegates.

By-law

“181.2 The by-law made pursuant to section 181.1 may provide that the exercise of the powers assigned to the members of the corporation under sections 129 to 132, 179, 180, 262.1, 327, 330 and 550 may be entrusted to the board of governors or delegates.”

1991, c. 42,
s. 182, am.

19. Section 182 of the said Act is amended by replacing the word and figures “171 to 173, 190, 215, 216, 221, 222, 229, 230” in the second and third lines of the first paragraph by the words and figures “29, 38 to 41, 171 to 173, 188, 190, 192, 212, 214 and 216”.

1991, c. 42,
s. 186, am.

20. Section 186 of the said Act is amended

(1) by adding, at the end of the second paragraph, the following sentence: “However, in the case of an institution operating a residential and long-term care centre for which a council of physicians, dentists and pharmacists has been established pursuant to section 213, the organization plan must provide for the formation of a clinical department of general medicine, the formation of a medical service or the appointment of a physician responsible for medical care.”;

(2) by inserting, after the second paragraph, the following paragraph:

Exception

“The second paragraph does not apply where an institution operating a residential and long-term care centre is otherwise bound to form a clinical department of general medicine pursuant to section 185.”

1991, c. 42,
s. 193, am.

21. Section 193 of the said Act is amended by striking out the third and fourth paragraphs.

1991, c. 42,
Part II,
Title I,
Chap. III,
Div. III,
Subdiv. 5,
heading,
replaced

22. The heading of subdivision 5 of Division III of Chapter III of Title I of Part II of the said Act is replaced, in the English text, by the following heading:

“§ 5.—*Director of nursing care*”.

1991, c. 42,
ss. 206 to
208, am.

23. The English text of sections 206 to 208 of the said Act is amended by replacing the words “head of nursing” wherever they are found by the words “director of nursing care”.

1991, c. 42,
s. 209, am.

24. Section 209 of the said Act is amended

(1) by replacing the words “as soon as it operates a residential and long-term care centre” in the first and second lines of the first paragraph by the words “once it operates a residential and long-term care centre of 20 beds or more”;

(2) by inserting the words “a residential and long-term care centre of less than 20 beds,” after the word “operates” in the first line of the second paragraph.

1991, c. 42,
s. 219, am.

25. Section 219 of the said Act is amended by replacing the words “a centre” in the second line of the first paragraph by the words “one or more centres”.

1991, c. 42,
s. 223, am.

26. The English text of section 223 of the said Act is amended

(1) by replacing the words “nurse’s aid” in the first line of the first paragraph by the words “nursing assistants”;

(2) by replacing the words “nurse’s aid” in the third line of the first paragraph by the words “nursing assistant”;

(3) by replacing the words “nurse’s aid” wherever they occur in the second paragraph by the words “nursing assistant”;

(4) by replacing the words “nurse’s aid” in the first line of the last paragraph by the words “nursing assistants”.

1991, c. 42,
s. 224, am.

27. The English text of section 224 of the said Act is amended

(1) by replacing the words “nurse’s aid” in the third line of the first paragraph by the words “nursing assistants”;

(2) by replacing the words “head of nursing” wherever they occur in the first paragraph by the words “director of nursing care”.

1991, c. 42,
s. 225, am.

28. The English text of section 225 of the said Act is amended by replacing the words “nurse’s aid” in the first line by the words “nursing assistants”.

1991, c. 42,
s. 226, am.

29. The English text of section 226 of the said Act is amended by replacing the words “nurse’s aid” wherever they occur by the words “nursing assistant”.

1991, c. 42,
s. 259.1,
added

30. The said Act is amended by inserting, after section 259, the following section:

Remunera-
tion

“259.1 The physicians and dentists who render services, in a centre operated by an institution, for the carrying out of managerial functions determined by a government regulation under the first paragraph of section 506.1 shall be paid under a program of which the administration is entrusted to the Régie de l’assurance-maladie du Québec by the Government. Such services shall be remunerated in accordance with an agreement entered into under section 19 of the Health Insurance Act.”

1991, c. 42,
s. 262.1,
added

31. The said Act is amended by inserting, after section 262, the following section:

Alienation

“262.1 Any institution which is a corporation designated by the Minister pursuant to section 139 may, with no other formality than those prescribed in sections 180 and 260, alienate any immovable surplus to requirements where the acquisition or construction or the work carried out on the immovable has been financed with funds other than funds provided, in whole or in part, by government subsidy and other than funds provided entirely by public subscription, provided that such investment has not been the subject of a reimbursement or compensation.

Proceeds

The proceeds from the alienation of the immovable and the income arising from the proceeds may be transferred, notwithstanding subparagraph 4 of the first paragraph of section 265, to a foundation or a non-profit corporation referred to in section 271 to be used for any of the purposes mentioned in section 272, in accordance with that section, or, if the authorization obtained under section 260 so provides, to another non-profit corporation whose activities relate to the field of health and social services.

Special
fund

They may also be paid into a special fund of which the administration is entrusted to the members of the corporation, to be used for any of the purposes mentioned in section 272, in accordance with that section.

Rules The rules set out in the second and third paragraphs also apply to funds constituted by the members of a corporation before 23 June 1992 and which have traditionally been administered by those members.

Transfer Any immovable surplus to requirements may also be transferred, notwithstanding subparagraph 4 of the first paragraph of section 265, to a foundation or non-profit corporation referred to in section 271, or, if the authorization obtained under section 260 so provides, to another non-profit corporation whose activities relate to the field of health and social services.

“immovable surplus to requirements” For the purposes of this section, the words “immovable surplus to requirements” mean an immovable which the institution, the regional board concerned and the Minister foresee will not be used by the institution concerned for whatever purpose for the five ensuing years.”

1991, c. 42,
s. 283, am. **32.** Section 283 of the said Act is amended by replacing the words “allow for any budgetary transfers that may be required under a program” in the first and second lines of the second paragraph by the words “permit, subject to the applicable budgetary rules, the budgetary transfers that are required”.

1991, c. 42,
s. 299, am. **33.** Section 299 of the said Act is amended by replacing the word “On” in the first line of the first paragraph by the word “Before”.

1991, c. 42,
s. 319, am. **34.** Section 319 of the said Act is amended by inserting, after the second paragraph, the following paragraph:

Applicable provisions “The second paragraph, adapted as required, also applies to an institution referred to in section 129 where no board of directors has been formed in the territory where the head office of the institution is located to administer other institutions of the same nature having their head office in the territory, or where the regional board, taking into account the criteria set out in section 128, has recommended to the Minister that the future institution be considered separately from other similar institutions in the territory and that a board of directors be formed solely to administer that institution.”

1991, c. 42,
s. 340, am. **35.** Section 340 of the said Act is amended by replacing the words “regional medical commission” in the fourth line of paragraph 3 of the second paragraph by the words “regional medical commission established under section 367”.

1991, c. 42,
s. 350, am. **36.** Section 350 of the said Act is amended by adding, at the end, the following paragraph:

Capital
expenditure

“The regional board shall, in addition, be entrusted, on the conditions determined by the Minister, with the administration and financing of capital expenditure by a public institution in its region with respect to work authorized by the regional board in accordance with section 263, as well as expenses incurred by that institution for equipment”.

1991, c. 42,
s. 359, am.

37. Section 359 of the said Act is amended by striking out the words “established under section 367” in the fourth line of that part of the section preceding paragraph 1.

1991, c. 42,
s. 361, am.

38. Section 361 of the said Act is amended by striking out the words “established under section 367” in the third line of the first paragraph.

1991, c. 42,
s. 371, am.

39. Section 371 of the said Act is amended by adding, at the end, the following paragraph:

Public
health
program

“A regional board may entrust activities relating to the public health program to the institutions it determines, within the framework of its regional service organization plans and in accordance with the orientations determined by the Minister.”

1991, c. 42,
s. 375.1,
added

40. The said Act is amended by inserting, immediately after section 375, the following section:

Applicable
provisions

“375.1 Paragraph 2 of section 371 and section 372 do not apply in the case of the regional board established for the region Nord-du-Québec.

Responsibil-
ities

The responsibilities set out in sections 373 to 375 shall in that case be exercised by the public health director of any other regional board with which the regional board mentioned in the first paragraph has entered into an agreement for that purpose. This director or, where there is more than one, the director designated for that purpose by the regional board mentioned in the first paragraph shall also be a member, under subparagraph 4 of the second paragraph of section 367, of the regional medical commission established for the said regional board.”

1991, c. 42,
s. 397.1,
added

41. The said Act is amended by inserting, after section 397, the following section:

Members

“397.1 In the case of the regional board established for the region Nord-du-Québec, the number of members that may be elected under paragraph 1 of section 397 is ten.”

1991, c. 42,
s. 398, am.

42. Section 398 of the said Act is amended by replacing the word “Métropolitain” in the fourth line of the first paragraph by the word “Centre”.

1991, c. 42,
s. 405, am.

43. Section 405 of the said Act is amended by inserting the words “and the senior management officers” after the words “executive director” in the first line of subparagraph 3 of the second paragraph.

1991, c. 42,
s. 414, am.

44. Section 414 of the said Act is amended by striking out the third and fourth paragraphs.

1991, c. 42,
s. 421, am.

45. The first paragraph of section 421 of the said Act is amended

(1) by replacing subparagraph 1 by the following subparagraph :

“(1) 40 % of the members shall be persons elected by the public institutions from among the members of the boards of directors of such institutions, and persons elected by the private institutions from among the persons designated for that purpose by such institutions;”;

(2) by striking out the words “who represent the users of the services they offer or the members of their communities” in the fourth and fifth lines of subparagraph 2;

(3) by replacing the words “or, as the case may be,” in the fourth line of subparagraph 4 by the words “and, where applicable,”;

(4) by replacing the words “are represented” in the fifth line of subparagraph 4 by the words “, as well as municipalities that do not form part of either a regional county municipality or an urban community, are represented”.

1991, c. 42,
s. 431, am.

46. Section 431 of the said Act is amended by replacing the word “coordinate” in subparagraph 4 of the second paragraph by the words “see to the promotion of”.

1991, c. 42,
s. 454, am.

47. Section 454 of the said Act is amended by inserting the words “a person operating” after the words “financial allowance to” in the third line.

1991, c. 42,
s. 463, am.

48. Section 463 of the said Act is amended by replacing the words “related resource envelope” in the third line of the second paragraph by the words “resource envelope allocated to them”.

1991, c. 42,
s. 464, am.

49. Section 464 of the said Act is amended by striking out the words “in the form of a comprehensive envelope for each program” in the fourth and fifth lines of the first paragraph.

1991, c. 42,
s. 471, am.

50. Section 471 of the said Act is amended by adding, at the end of the first paragraph, the following subparagraph:

“(4) to carry out the activities mentioned in subparagraphs 1, 2 and 3 with respect to an institution governed by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5) or a regional council established under that Act.”

1991, c. 42,
s. 489, am.

51. Section 489 of the said Act is amended

(1) by replacing the word “centre” in the fourth line of the first paragraph by the words “facility maintained by an institution”;

(2) by replacing the word “centre” in the second line of subparagraph 1 of the second paragraph by the word “facility”.

1991, c. 42,
s. 505, am.

52. The English text of section 505 of the said Act is amended by replacing the word “practice” in the fourth line of paragraph 29 by the word “health”.

1991, c. 42,
s. 506, am.

53. Section 506 of the said Act is amended by replacing the word “centre” in the second line of paragraph 4 by the word “institution”.

1991, c. 42,
s. 506.1,
added

54. The said Act is amended by inserting, after section 506, the following section:

Remuner-
ated
services

“506.1 The Government may, by regulation, determine which services rendered by a physician or dentist in the carrying out of managerial duties in a centre operated by an institution may be remunerated in accordance with section 259.1.

Resource
envelope

The Government shall determine the resource envelope that will be used for the remuneration of the managerial duties referred to in the first paragraph, and the determination shall take into account the agreements referred to in section 259.1.”

1991, c. 42,
s. 507, am.

55. Section 507 of the said Act is amended by replacing the words “termination of employment, of non-renewal other than cases arising from proceedings for forfeiture of office,” in the fourth and fifth lines of the second paragraph by the words “dismissal, termination of employment or non-renewal of employment, except when arising from forfeiture of office, and for cases”.

1991, c. 42,
s. 510, am.

56. Section 510 of the said Act is amended by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) evaluating the access programs and suggesting modifications to them where expedient”.

1991, c. 42,
s. 522, am.

57. Section 522 of the said Act is amended by striking out paragraph 2.

1991, c. 42,
s. 527, am.

58. Section 527 of the said Act is amended by striking out the last sentence of the first paragraph.

1991, c. 42,
s. 544, am.

59. Section 544 of the said Act is amended by adding the following paragraph:

Activities

“The continued institution shall carry on its activities with respect to the same territory as that in which it had jurisdiction before the day of continuance, notwithstanding any contrary provision of this Act, but only until the provisions of sections 619.48 to 619.51 apply.”

1991, c. 42,
s. 551, am.

60. Section 551 of the said Act is amended by adding the following paragraph:

Private
institution

“Notwithstanding paragraph 1 of section 98, any institution constituted as a non-profit corporation before 1 June 1972 which engages in activities inherent in the mission of a local community service centre and which, on (*insert here the date of coming into force of section 551 of chapter 42 of the statutes of 1991*), holds a permit issued for that purpose, is also a private institution. Such an institution shall continue to be governed by the rules applicable to the financing of its activities during the fiscal year beginning on 1 April 1992 until 31 March 1993, on which date it must have entered into a financial agreement in accordance with section 475.”.

1991, c. 42,
ss. 554
and 555,
replaced

61. Sections 554 and 555 of the said Act are replaced by the following sections:

Termination

554. Every health and social services council established under the Act respecting health services and social services (R.S.Q., chapter S-5), as it read before the date of coming into force of this section, other than a council mentioned in section 620, shall cease to exist in its territory from the date of coming into force of this section, and the rights and obligations of that council shall become, without further formality, the rights and obligations of the regional board established under this Act which has its head office at the place where the council had its head office.

Succession **"555.** A regional board which succeeds a regional health and social services council pursuant to section 554 shall exercise all the functions that are assigned to it by this Act with respect to the same territory as the territory in which the council it succeeds had jurisdiction, notwithstanding any contrary provision of this Act, but, where the case arises, only until the provisions of sections 619.54 to 619.60 apply."

1991, c. 42,
s. 558, am. **62.** Section 558 of the said Act is amended by striking out paragraph 1.

1991, c. 42,
s. 599, am. **63.** Section 599 of the said Act is amended by adding, at the end, the following paragraph:

Vacancy "In cases where only two out of four positions can be filled pursuant to the third paragraph because there is no institution operating a child and youth protection centre in the region, the Minister shall appoint two other persons who shall also be considered to be persons elected by the population for the purposes of paragraph 1 of section 130."

1991, c. 42,
s. 601, am. **64.** Section 601 of the said Act is amended by replacing the word and figure " , 130 or" in the first sentence of the second paragraph by the words and figures "or 130, paragraph 3.1 of section 131 or paragraph 4 of section".

1991, c. 42,
s. 606, am. **65.** Section 606 of the said Act is amended by replacing the figure "99" in the second line of the first paragraph by the figure "99.1".

1991, c. 42,
s. 606.1,
added **66.** The said Act is amended by inserting, immediately after section 606, the following section:

Application **"606.1** Any interested person may file with the Commission des affaires sociales an application in contestation or annulment of any election held under this division or under sections 619.6 and 619.52.

Jurisdic-
tion Except with respect to matters pending on 14 May 1992, the Commission des affaires sociales has exclusive jurisdiction to hear such an application.

Presump-
tion Every application in contestation or annulment of an election filed under this section is deemed to be an application filed under paragraph *f* of section 21 of the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34).

Applicable
provisions

The second, third and fourth paragraphs of section 148 apply in such a case.”

1991, c. 42,
s. 614,
replaced

67. Section 614 of the said Act is replaced by the following sections:

Executive
director

“614. Every person who, on the date of coming into force of section 552, holds the position of executive director of an institution referred to in section 126, shall continue to hold that position until the expiry of his contract.

Executive
director

The same applies to every person holding the position of executive director of an institution which, pursuant to section 128, is administered by a board of directors formed solely for the administration of such institution.

Executive
director

“614.1 Every person who, on the date of coming into force of section 554, holds the position of executive director of a regional council which is succeeded by a regional board pursuant to that section shall continue to hold that position with that regional board until the expiry of his contract.

Appoint-
ment

“614.2 The boards of directors of the institutions contemplated in sections 119 to 125, except those referred to in the second paragraph of section 614, must, as soon as possible after 23 June 1992, appoint executive directors to the institutions concerned in accordance with the standards enacted by government regulation under section 507, subject to the following provisions:

(1) any competition held to select an executive director shall be open only to the executive directors of the institutions concerned, and to any person who, on 23 June 1992, has held for at least one year, on a temporary basis, one of the positions of executive director concerned or who, on 14 May 1992 has been hired under a written employment contract having a term of at least one year;

(2) the selection committee must include one member designated by the Minister and another member designated by the regional council concerned;

(3) the appointment of an executive director shall not take effect before the date of coming into force of section 552;

(4) the term of the employment contract of an executive director may not exceed three years.

Standards
applicable

“614.3 The standards determined by government regulation under section 507 for the selection, appointment, hiring, remuneration

and other terms of employment of executive directors shall apply in the following situations:

(1) where the position of executive director of an institution contemplated by section 614 or of a regional council contemplated by section 614.1 is vacant on 23 June 1992 or becomes vacant between that date and 1 April 1993;

(2) where the position to be filled is that of executive director of a regional board not contemplated by section 614.1;

(3) where, following the application of paragraph 1 of section 614.2, the board of directors has been unable to appoint an executive director.

Term However, the term of the employment contract of an executive director appointed under this section shall not exceed three years."

1991, c. 42,
ss. 619.1
to 619.71,
added

68. The said Act is amended by inserting, after Chapter II of Part VII, the following chapter:

"CHAPTER II.1

"OTHER TRANSITIONAL PROVISIONS

References "**619.1** Unless otherwise indicated, any reference to the Act respecting health services and social services in any section of this chapter is a reference to the Act respecting health services and social services (R.S.Q., chapter S-5) as it read before the date of coming into force of the section in which that Act is referred to.

Complaint
examination
procedure "**619.2** Institutions, regional boards and the complaints commissioner appointed under section 55 have until 1 April 1993, or any later date determined by the Government, to establish a complaint examination procedure in accordance with sections 29, 43, 57 and 73, and to perform any other obligations inherent in the implementation of that procedure.

Applicable
provisions Until that date, the following provisions apply with regard to users' complaints:

(1) Each regional board referred to in section 555 is responsible for receiving and hearing complaints from persons to whom an institution whose head office is situated in the territory in which the regional board has jurisdiction has not provided the health services and social services that this Act entitles them to receive, and making the recommendations it considers appropriate in this regard to the institution concerned and the Minister.

(2) Any complaint filed with a regional council in accordance with paragraph c of section 18 of the Act respecting health services and social services before the date of coming into force of this section shall continue to be heard by the regional board contemplated by paragraph 1, according to the procedure set out in that paragraph.

(3) The executive director of an institution which receives a recommendation from a regional board in accordance with paragraph 1 must, not later than 30 days after receiving the recommendation, notify the regional board in writing of the steps taken by the institution in dealing with the recommendation.

If the regional board considers that the rights of the complainant, or of any other persons who might at some time find themselves in the same situation as the complainant, may be put at risk by the attitude of the institution concerned, it may file a request with the Commission des affaires sociales which shall be dealt with in accordance with the Act respecting the Commission des affaires sociales.

(4) Notwithstanding the date fixed in the first paragraph and notwithstanding section 619.60, any regional board which has begun to examine a complaint in accordance with paragraph 1 or which has continued to examine a complaint in accordance with paragraph 2 must continue to examine that complaint according to the procedure set out in paragraph 1.

(5) The Commission des affaires sociales shall remain competent to hear requests filed by a regional council in accordance with section 19 of the Act respecting health services and social services, and shall be competent to hear requests filed by a regional board in accordance with the second paragraph of paragraph 3.

(6) Any complaint concerning a medical, dental or pharmaceutical act filed with an institution shall be studied by the discipline committee of the council of physicians, dentists and pharmacists of the institution set up in accordance with the regulations under the Act respecting health services and social services.

If the examination of such a complaint has not been completed on the date mentioned in the first paragraph, it shall be continued according to the same procedure.

“619.3 Within three months from 1 April 1993 or any later date determined by the Government, every public institution must bring any contract for professional services entered into in accordance with section 124 of the Act respecting health services and social services

into conformity with the provisions of section 108. Failure to do so shall render the contract invalid.

Contract of
affiliation

“619.4 Any contract of affiliation between an institution and an educational institution entered into in accordance with section 125 of the Act respecting health services and social services shall cease to be valid one year after the date of coming into force of section 110.

University
hospital
institute
or centre

“619.5 The Minister may designate a centre operated by an institution as a university hospital, university institute or affiliated university centre even if the institution has not, at the time of the designation, entered into a contract of affiliation in accordance with section 110.

Contract of
affiliation

However, the institution which operates a centre so designated must, to retain such designation, enter into a contract of affiliation not later than one year after the date of coming into force of section 110.

Appoint-
ment and
election

“619.6 Once the Minister has designated as a university hospital or university institute a centre operated by an institution, the university with which the institution is affiliated and the medical residents practising at the centre may proceed, in accordance with the regulations of the Minister made under section 597, with the appointment and election of the persons referred to in the second paragraph of section 133. The third paragraph of that section does not apply in that case.

Term of
office

The term of office of every person appointed or elected pursuant to this section shall end, notwithstanding section 149, at the same time as that of the other members of the board of directors.

Public
institu-
tions

“619.7 The corporations listed below shall not cease to be public institutions under the Act respecting health services and social services even if the facilities they maintained on 4 September 1991 no longer allowed more than 20 persons to be lodged therein or if, by reason of the reorganization of the services they dispensed, they had ceased to lodge more than 20 persons:

- (1) Services d'adaptation Osmose;
- (2) Centre d'apprentissage et de développement individuel de Québec (C.A.D.I.Q.);
- (3) Institut des sourds de Charlesbourg Inc.;
- (4) Clinique de réadaptation de Trois-Rivières Inc.;
- (5) Centre de réadaptation Estrie Inc.;

(6) Centre de réadaptation Constance-Lethbridge;

(7) Institut Raymond-Dewar;

(8) Le Relais Laval Inc.

Public
institu-
tions

The same applies to any corporation which, between 4 September 1991 and (*insert here the date of coming into force of section 99.1 of chapter 42 of the statutes of 1991*), finds itself in the same situation.

Presump-
tion

“619.8 The organization plan of an institution drawn up in accordance with sections 69 to 70.0.1 of the Act respecting health services and social services is deemed to be the organization plan that an institution is required to prepare under sections 183 to 187, and shall continue to apply until revised in accordance with those sections.

Revision

The Government shall fix the date from which every institution must undertake the revision of its organization plan in accordance with those sections.

Organiza-
tion plan

“619.9 The rules governing the use of resources drawn up by the head of a clinical department in accordance with section 71.1 of the Act respecting health services and social services are deemed to be the rules provided for under section 189 and shall continue to apply until they are revised to bring them into conformity with that section, where necessary.

Revision

The Government shall fix the date from which the head of the clinical department must undertake the revision of such rules in accordance with section 189.

Director
of nursing
care

“619.10 The director of nursing care of an institution shall continue to exercise his functions in accordance with the applicable provisions of the Act respecting health services and social services until 1 April 1993 or any later date determined by the Government. From that date, the director of nursing care shall carry out the functions enumerated in sections 207 and 208.

Appoint-
ment

Every institution which has no director of nursing care and which, pursuant to section 206, is required to appoint such a director shall proceed with the appointment before the date mentioned in the first paragraph.

Presump-
tion

“619.11 The beneficiaries' committee established by an institution in accordance with section 118.1 of the Act respecting

health services and social services is deemed to be the users' committee provided for under section 209 until 1 April 1993 or any later date determined by the Government. From that date, the composition of the committee must be as prescribed in section 209 and it shall carry out the functions enumerated in section 212.

Users'
committee

An institution which has no beneficiaries' committee and which, pursuant to section 209, is required to set up a users' committee must do so before the date mentioned in the first paragraph.

Council of
physicians,
dentists
and pharma-
cists

"619.12 The council of physicians, dentists and pharmacists constituted in an institution in accordance with section 111 of the Act respecting health services and social services, and its executive committee formed under section 113 of the said Act are deemed to be the council of physicians, dentists and pharmacists established under section 213 and the executive committee formed under section 217 until 1 April 1993 or any later date determined by the Government. From that date, the composition of the executive committee must be as prescribed in section 217 and the council of physicians, dentists and pharmacists shall then exercise the functions listed in sections 214 and 215.

Council of
physicians,
dentists
and pharma-
cists

An institution which has no council of physicians, dentists and pharmacists and for which, pursuant to section 213, such a council is established, shall ensure that the council is in a position to exercise its functions not later than the date mentioned in the first paragraph.

Council of
nurses,
nursing
assistants
committee
and multi-
disciplin-
ary council

"619.13 Every public institution shall ensure that the council of nurses, the nursing assistants committee and the multidisciplinary council, provided for in sections 219, 223 and 226 respectively, are in a position to exercise their functions not later than 1 April 1993 or any later date determined by the Government.

Clinical
staff
advisory
council

Until that date the clinical staff advisory council constituted in an institution in accordance with section 108 of the Act respecting health services and social services and its executive committee formed according to section 110 of that Act shall continue to exercise their functions.

Transfer of
records

On the date mentioned in the first paragraph, the records and other documents of the clinical staff advisory council and its executive committee shall be transferred to the council of nurses and to the multidisciplinary council and to their executive committees according to their respective requirements.

Plan of
action

"619.14 Every public institution or private institution under agreement must meet its obligation to prepare a plan of action for

personnel development in accordance with section 231 not later than 1 April 1993 or any later date determined by the Government.

Code of ethics **"619.15** Every institution must have adopted a code of ethics in conformity with section 233 and be in a position to give a copy of that code to each user who is an in-patient or who so requests not later than 1 April 1993 or any later date determined by the Government.

Effects **"619.16** The appointment of a physician, dentist or pharmacist, the status granted to them and the privileges granted to a physician or dentist in accordance with the Act respecting health services and social services on or before 14 May 1992 shall retain their effects until their dates of expiry.

Validity **"619.17** The appointment of a physician, dentist or pharmacist, the granting or renewal of the status of a physician, dentist or pharmacist and the granting or renewal of the privileges of a physician or dentist, if made after 14 May 1992, are valid only until 1 April 1993 or any later date determined by the Government.

Appoint-
ments,
status and
privileges Between the date of coming into force of sections 237 to 248 and the date mentioned in the first paragraph, such appointments shall be made and such status or privileges shall be granted or renewed in accordance with the rules which were applicable to the institution before the date of coming into force of the said sections.

Presump-
tion **"619.18** Every request for consultation made to a regional council pursuant to section 72 of the Act respecting health services and social services is deemed to be a request for advice presented to a regional board in accordance with section 260.

Presump-
tion The reply given by a regional council before the date of coming into force of this section to a request for consultation is deemed to be the advice given by the regional board under section 260.

Delegation
of powers **"619.19** The instrument by which the Conseil du trésor delegates certain of its powers to the Minister of Health and Social Services in accordance with decision C.T. 168454 dated 24 August 1988, made under section 73.1 of the Act respecting health services and social services, has the same force and effect as a deed of delegation under section 261.

Presump-
tion **"619.20** Any request for authorization presented to a regional council under the second or third paragraph of section 72 of the Act respecting health services and social services is deemed to be a request for authorization presented to a regional board in accordance with section 263.

Applicable provisions **“619.21** The provisions of sections 268 to 273 apply only from 1 April 1993 or from any later date determined by the Government. Until that date, the matters governed by those sections remain subject to the corresponding provisions, if any, of the Act respecting health services and social services and its statutory instruments.

Exception **“619.22** The provisions of section 277 do not apply to a gift made to a person mentioned in that section prior to 1 October 1992, or to a legacy having the same effect contained in a will that is valid prior to that date.

Applicable provisions **“619.23** The provisions of sections 278 to 280, 282 to 300, 350, 351, 386 to 395, 463 to 467, 475 and 476 have effect with regard to the fiscal year beginning on 1 April 1993. Until that date or any later date determined by the Government, public institutions, private institutions under agreement and regional boards shall continue to be governed by the rules applicable to the financing of their activities and to their financial resources during the fiscal year beginning on 1 April 1992.

Applicable provisions **“619.24** The provisions of Order 1103-87 dated 8 July 1987, under which each regional health and social services council constituted under the Act respecting health services and social services is entrusted with the responsibility of exercising, within its territory, the functions relating to the administration and the financing of certain capital expenditures as well as expenses incurred for equipment by the institutions of the health and social services network of Québec, described in the schedule attached to that Order, shall retain their effects, but the functions described therein shall be exercised by each of the regional boards referred to in section 554 until the fourth paragraph of section 350 applies fully.

Applicable provisions **“619.25** The provisions of the Act respecting health services and social services shall continue to apply to borrowings made before the date of coming into force of this section by an institution, a regional council or the Corporation d'hébergement du Québec to the extent that those provisions applied thereto before the amendments introduced by this Act, until the borrowings are repaid.

Presumption **“619.26** Any contract or agreement entered into under section 176 or 177 of the Act respecting health services and social services is deemed to be an agreement entered into under section 475, and any act performed pursuant to such a contract or agreement is deemed to have been performed pursuant to an agreement entered into in accordance with that section.

Applicable
provisions

“619.27 Until 1 April 1994 or any later date determined by the Government, the following provisions shall apply with regard to intermediate resources governed by this Act:

(1) Only those public institutions which, on 1 October 1992, already maintain a pavilion, group home or other resource in accordance with the applicable provisions of the Act respecting health services and social services, as well as any public institutions to which the responsibility for maintaining such resources is transferred, are deemed to be governed by section 301.

(2) Only the resources mentioned in subparagraph 1 are deemed to be intermediate resources for the purposes of section 302.

(3) The rules governing the organization and operation of the resources mentioned in subparagraph 1, the rules relating to the remuneration paid to them and the procedure of admission to their services shall continue to be applicable to them and be in lieu of any particular or measure provided for in sections 303 to 306.

Applicable
provisions

Until 1 April 1993 or any later date determined by the Government, the following provisions shall apply with regard to family-type resources governed by this Act:

(1) No public institution, other than an institution operating a child and youth protection centre, may be identified by a regional board to call upon the services of a family-type resource for the placement of adults under section 310 where the personnel required to assure the professional follow-up of that resource remains attached to the institution operating the child and youth protection centre.

(2) Every foster family within the meaning of the Act respecting health services and social services is deemed to be a family-type resource governed by section 311. Where such a foster family takes charge of adults, it shall be designated a “foster home” in accordance with the second paragraph of section 312.

(3) The categories of foster families, the rules relating to the scales of compensation paid to them, the rules governing their relation with social service centres and the procedure of access to foster family services under the Act respecting health services and social services shall remain applicable to family-type resources and, for the purposes of section 314, shall be in lieu of any particular or measure provided for in sections 303 to 306.

Applicable
provisions

“619.28 The provisions of sections 336 to 338 have effect with regard to the fiscal year beginning on 1 April 1994. Until that date

or any later date determined by the Government, community bodies shall continue to be governed by the rules applicable to the financing of their activities during the fiscal year beginning on 1 April 1992 and the rules applicable for the fiscal year 1993-94.

Presump-
tion

“619.29 The program of access to health services and social services in the English language for the English-speaking population prepared by a regional council in accordance with section 18.0.1 of the Act respecting health services and social services is deemed to be the program that a regional board must develop for the purposes of section 348, and it shall continue to apply until revised in accordance with that section.

Access to
services

Every institution to which are transferred some or all of the services which an institution mentioned in such a program was bound to make accessible in the English language for the English-speaking population shall continue to maintain access to those services as if it had been mentioned in the program until the program is revised.

Revision

The Government shall fix the date from which a regional board must undertake the revision of such a program in accordance with the said section.

Admission
of benefi-
ciaries

“619.30 The regional systems for the admission of beneficiaries established under section 18.1 of the Act respecting health services and social services, and the criteria for the admission of beneficiaries approved in accordance with that section shall remain in force in the territories and with regard to the institutions for which they were established or approved until replaced by mechanisms of access to services created in accordance with section 355 or by criteria of access to services approved in accordance with section 356.

Transfer
of users

“619.31 Every institution referred to in section 359 must, not later than six months after the date of coming into force of this section, submit its admission criteria and its policies on the transfer of users to its regional board for approval, in accordance with paragraph 1 of that section.

Transfer
of users

The admission criteria and the policies on the transfer of users established by the Conseil de la santé et des services sociaux de la région de Montréal Métropolitain pursuant to section 18.3 of the Act respecting health services and social services shall however remain in force in the territory for which they were established until the approval of new criteria and new policies in accordance with the first paragraph.

Community
health
department

“619.32 Notwithstanding any inconsistent provision of this Act, any institution operating a hospital centre where a community

health department is established in accordance with a regulation made pursuant to subparagraph i.6 of the first paragraph of section 173 of the Act respecting health services and social services shall continue to maintain that department for the territory in which it has jurisdiction; the relevant provisions of that Act and its statutory instruments shall continue to have effect in relation to the functions exercised by the department and by the head of the department as though they were provisions adopted under this Act, until 1 April 1993 or, if the regional board whose territory intersects the territory of any institution having a community health department is not in a position to assume, on that date, those of its functions which relate to public health through the implementation of a service organization plan for such matters, until any later date determined by the Government.

Operating
budget

“619.33 During the period determined in section 619.32, the part of the operating budget of any institution to which that section applies that is allotted to the functions of the community health department shall be protected; during that period, no program established for the department may be modified and no employee or health professional attached to the department may be reassigned or transferred by the institution except with the authorization of the regional board concerned.

“community
health
department”,
“head of the
community
health
department”

“619.34 In any regulation, order in council, order, contract or other document, the expressions “community health department”, “head of the community health department”, and “hospital centre having a community health department” shall designate the “public health director” or the “regional board” as the case may be or, where the context indicates otherwise, any other person designated by the Government.

Staffing
plan

“619.35 The regional medical and dental staffing plan of the institutions of a region prepared by a regional council in accordance with section 70.0.2 of the Act respecting health services and social services is deemed to be the medical staffing plan which a regional board must prepare for the purposes of section 377, and shall continue to apply until revised in accordance with that section.

Revision

The Government shall fix the date from which a regional board must undertake the revision of its plan in accordance with that section.

Non-profit
corporation

“619.36 Every non-profit corporation established before the date of coming into force of this section which, at that date, continues to represent the institutions of the region of a regional board in managing the procurement of goods and services, shall be subject to

the provisions of the fourth paragraph of section 383 without further formality.

By-laws **“619.37** The by-laws of a regional council creating the necessary committees for the pursuit of its objects pursuant to section 17 of the Act respecting health services and social services shall retain their effect wherever expedient. Where necessary, such by-laws are deemed to have been made pursuant to section 412. They shall remain in force in the territory for which they were made until amended, repealed or replaced by the regional board.

Permit **“619.38** Any permit issued to an institution in accordance with the Act respecting health services and social services shall remain valid until its expiry date. On that date, it must be renewed in accordance with this Act.

Appeal Any appeal brought before the Commission des affaires sociales under section 148 of the Act respecting health services and social services shall be continued in accordance with section 450.

Provisional
administra-
tion **“619.39** The provisional administration of an institution or regional council assumed by the Minister in accordance with section 163 or 163.1 of the Act respecting health services and social services shall continue to be exercised in accordance with the provisions of sections 490 to 498.

Presump-
tion Any investigator, administrator or controller designated by the Government in accordance with section 171 or 172 of the Act respecting health services and social services is deemed to have been designated pursuant to section 499, 500 or 501, as the case may be. He shall continue to perform his duties in accordance with the relevant provisions of this Act.

Presump-
tion **“619.40** Government orders made under section 3.1 of the Act respecting health services and social services are deemed to have been made under section 503 or 504 and shall remain valid until they have fulfilled their purpose or until they are replaced.

Contract Any contract entered into pursuant to such orders shall remain valid and the penal clauses it contains may be executed.

Orders,
regula-
tions or
decisions **“619.41** Subject to any special provisions enacted by this Act, all orders in council, orders or regulations made or decisions rendered by the Government, the Minister, or by another competent authority, pursuant to any provision of the Act respecting health services and social services, which are applicable to persons and bodies subject to this Act, shall remain applicable to those persons and bodies to the

extent that they are compatible with this Act, until they are repealed in accordance with this Act or until new orders in council, orders or regulations are made or new decisions are rendered pursuant to the corresponding provisions of this Act.

“regional council”,
“regional health and social services council”

The expression “regional council” or “regional health and social services council” as used in any text referred to in the first paragraph shall also designate a regional health and social services board established pursuant to this Act, unless otherwise indicated by context.

Applicable provisions

“619.42 Any provisions of the statutory instruments of other Acts which are applicable to persons and bodies subject to this Act shall remain applicable to them to the extent that they are compatible with this Act, until they are amended to replace the expressions used in those instruments, with the necessary adaptations, by the corresponding expressions of this Act.

Regulations or by-laws

“619.43 As soon as possible after the coming into force of section 619.42, the competent authority concerned shall make any necessary regulation or by-law in order to ensure the concordance of the expressions used in the statutory instruments of the Acts which come under its jurisdiction.

Publication

A regulation made under this section is not subject to the publication requirements prescribed by section 8 of the Regulations Act. It shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein, notwithstanding section 17 of the said Act. A regulation may, however, where it so provides, apply from any date not prior to the date of coming into force of section 619.42.

Presumption

“619.44 Every institution designated by a regulation made under the second paragraph of section 173 of the Act respecting health services and social services which is bound to make the health services and social services that it dispenses accessible in the English language to English-speaking persons is deemed to have been designated pursuant to section 508.

Access to services

Every institution to which are transferred all or some of the services which an institution designated by such a regulation is bound to make accessible in the English language to English-speaking persons shall continue to maintain access to those services as if it had been mentioned in the program of access referred to in section 619.29.

Applicable provisions

“619.45 The provisions of Order 636-87 dated 29 April 1987 under which the Minister of Manpower, Income Security and

Vocational Training exercises, under the direction of the Minister of Health and Social Services, those of the latter's functions which arise from sections 159 to 162 of the Act respecting health services and social services in relation to the contribution of adults sheltered in a hospital centre or reception centre, shall also apply to those of the Minister's functions which arise from sections 512 to 520.

Two-year
period

"619.46 For the purposes of the first paragraph of section 516, the calculation of the two-year period preceding the time when a user is provided with lodging or taken in charge may not begin before 23 June 1992.

First
members

"619.47 With respect to the appointment of the first members of the Centre de référence des directeurs généraux et des cadres,

(1) the words "representing the centres listed in section 79" in paragraph 1 of section 523 are replaced by the words "representing a majority of institutions belonging to the same category";

(2) the word "boards" in paragraph 5 of section 523 is replaced by the word "councils".

Child and
youth
protection
centre

"619.48 Any institution operating a child and youth protection centre which, pursuant to the second paragraph of section 544, carries on a part of its activities in a region in which it does not otherwise have jurisdiction must, when a new institution is established in accordance with section 318 to operate a child and youth protection centre in that region, cease to carry on any function in that region once the new institution is in a position to provide the services required in that region without interruption.

Plans

"619.49 The new institution, together with the continued institution referred to in section 544, shall establish a plan for the apportionment of the rights and obligations of the latter, as well as a plan for the transfer and integration of the personnel assigned to the functions which will devolve upon the new institution, in conformity with the transfer and integration standards and procedure contained in the applicable collective agreements or, in the case of personnel members who are not members of a certified association, those prescribed by government regulation; the plans shall be submitted to the Minister for approval.

Informa-
tion and
assistance

"619.50 The Minister shall ensure that the institutions concerned receive the necessary information and assistance for the implementation and execution of the plans referred to in section 619.49.

Disputes

He shall rule on any dispute between the institutions concerned, except disputes relating to the transfer and integration of employees who are members of a certified association within the meaning of the Labour Code or of employees for whom a government regulation already provides a specific recourse.

Rights and obligations

“619.51 On the date determined by the parties or, failing which, on the date fixed by the Minister, the rights and obligations of the institution referred to in section 544 shall become the rights and obligations of the new institution to the extent provided for in the plan for the apportionment of the rights and obligations established pursuant to section 619.49, and the acts performed by the institution referred to in section 544 shall bind the new institution as if it had performed them itself. Any proceedings to which the institution referred to in section 544 is a party may be continued without continuance of suit.

Employees

On the same date, the employees of the institution referred to in section 544 shall become the employees of the new institution, in accordance with the transfer and integration plan established for that purpose, subject to the rights and obligations of the institution referred to in section 544 and its employees, and subject to the provisions of the Labour Code in respect of employees within the meaning of that Code and the associations certified to represent them.

Board of directors

“619.52 In the three months following the date determined under section 619.51, the personnel of the new institution shall elect one of their number to the board of directors which administers the institution, pursuant to paragraph 2 of section 130, failing which the regional board shall make the appointment.

Term of office

The term of office of the person elected or appointed pursuant to this section shall end, notwithstanding section 149, at the same time as the term of the other persons referred to in paragraph 2 of section 130.

Ministerial authorizations

“619.53 All ministerial authorizations granted under the second paragraph of section 76 of the Act respecting health services and social services shall retain their effect where they still serve a purpose. Where they still serve a purpose, such authorizations are deemed to have been granted under section 553.

“regional board”, “new regional board”

“619.54 For the purposes of sections 619.55 to 619.60, the expression “regional board” shall designate a regional board which, pursuant to sections 554 and 555, carries on a part of its activities in respect of a territory in which it does not otherwise have jurisdiction,

and the expression “new regional board” shall designate the regional board established for that territory pursuant to section 339.

Termination of functions

“619.55 A regional board must cease to carry on its functions in respect of a territory in which it does not otherwise have jurisdiction as soon as the new regional board is in a position to provide the services required in its region without interruption.

Organization and operation

“619.56 The board of directors of the new regional board is entrusted with taking the necessary preliminary steps required for the organization and operation of that board in its territory from 1 April 1993 or, failing which, as soon as possible after that date.

Assistance

The board may, for that purpose, request assistance from the personnel of the regional board; it must, however, obtain its authorization.

Plans

“619.57 The new regional board shall establish with the regional board a plan for the apportionment of the rights and obligations of the latter and a plan for the transfer and integration of the personnel of the regional board who were assigned to the functions which will devolve upon the new regional board, in conformity with the transfer and integration standards and procedure set out in the applicable collective agreements or, in the case of personnel members who are not members of a certified association, those prescribed by government regulation; the plans shall be submitted to the Minister for approval.

Obligation

“619.58 No valid obligation may be contracted by the regional board concerning functions which will devolve upon the new regional board if its effect continues beyond the date fixed pursuant to section 619.56 or if it takes effect after that date, except with the authorization of the new regional board.

Request for authorization

During the period referred to in the first paragraph, the regional board must, each time it is bound to obtain the Minister’s authorization in a matter concerning all or some of the functions which will devolve upon the new regional board, forward to the new regional board a copy of the request for authorization; the new regional board may make any recommendation it considers appropriate in that respect to the Minister.

Information and assistance

“619.59 The Minister shall ensure that the regional boards concerned receive the information and assistance necessary for the implementation and execution of the plans established under section 619.57.

Disputes He shall rule on any dispute between the regional boards concerned, except disputes relating to the transfer and integration of employees who are members of a certified association within the meaning of the Labour Code or of employees for whom a government regulation already provides a specific recourse.

Rights and obligations **“619.60** On 1 April 1993, or, failing which, on the date fixed by the Minister, the rights and obligations of the regional board shall become the rights and obligations of the new regional board to the extent provided for in the plan for the apportionment of the rights and obligations established pursuant to section 619.57, and, subject to the first paragraph of section 619.58, the acts performed by the regional board shall bind the new regional board as if it had performed them itself. Any proceedings to which the regional board is a party may be continued without continuance of suit.

Employees On the same date, the employees of the regional board shall become the employees of the new regional board in accordance with the transfer and integration plan established for that purpose, subject to the rights and obligations of the regional board and its employees, and, with regard to those who are employees within the meaning of the Labour Code and the associations certified to represent them, subject to the provisions of the said Code.

Employees **“619.61** Every regional board has an obligation to hire, according to the conditions and procedure determined by the Minister, the employees whose functions are transferred to a regional board and to grant priority of employment to any person affected by the reorganization of the Ministère de la Santé et des Services sociaux who submits an application to the regional board and possesses the necessary qualifications required for filling an available position.

Date of effect These obligations shall take effect on the date determined by the Minister and shall remain in force until compulsory and priority hiring activities have been completed.

Regulations **“619.62** The Minister shall determine by regulation the conditions governing the transfer of non-union employees of the department who are hired by regional boards, and the conditions governing the transfer of union employees whose functions are not transferred to regional boards.

Transfer and promotion **“619.63** Any employee contemplated in section 619.61 may apply for a transfer to a position in the public service or may enter a competition for promotion to such a position pursuant to the Public Service Act (R.S.Q., chapter F-3.1.1). Section 35 of that Act applies to an employee who enters such a competition for promotion.

- Opinion **"619.64** Where an employee contemplated in section 619.61 applies for a transfer or enters a competition for promotion, he may apply to the Office des ressources humaines for an opinion on the classification that would be assigned to him in the public service. The opinion must take into account the classification held by the employee in the public service on the date of his departure and the experience and training acquired since being employed by the regional board.
- Classifi- In cases where an employee is transferred pursuant to section
cation 619.63, the deputy minister or the chief executive officer shall establish his classification in conformity with the opinion referred to in the first paragraph.
- Classifi- In cases where an employee is promoted pursuant to section
cation 619.63, his classification must take into account the criteria set out in the first paragraph.
- Employees **"619.65** Where the regional board ceases all or some of its
placed on activities or where there is a lack of work, any employee contemplated
reserve in section 619.61 is entitled to be placed on reserve in the public service with the classification he held before his date of departure.
- Classifi- In such cases, the Office des ressources humaines shall, where
cation appropriate, establish a classification for the employee, taking into account the criteria set out in the first paragraph of section 619.64.
- Employees **"619.66** Any person placed on reserve pursuant to section
placed on 619.65 shall remain an employee of the regional board until he is placed
reserve by the Office des ressources humaines.
- Appeal **"619.67** Subject to any recourse which may exist under a collective agreement, any employee contemplated in section 619.61 who is dismissed may appeal therefrom in accordance with section 33 of the Public Service Act.
- Exception **"619.68** The privileges granted under sections 619.63 to 619.67 do not apply to temporary employees of the department.
- Restriction The privileges may be exercised by a permanent employee only if he has worked for a regional board on a continuous basis.
- Employment **"619.69** Where the employment contract of the executive
contract director of an institution contemplated by section 614 or of a regional board contemplated by section 614.1 expires before 1 April 1993, the board of directors may renew it for a period not exceeding three years.
- Renewal Where an employment contract expires after that date, the board of directors may renew it only if the Centre de référence des

directeurs généraux et des cadres attests that the executive director meets the necessary requirements for holding his position as established at the time the classification of the position is determined.

Classifi-
cation

Notwithstanding the third paragraph of sections 193 and 414, no classification resulting from the procedure of re-evaluation of the classification of all positions of executive director, undertaken by the department before 23 June 1992, may be taken into account for the purposes of this section.

Renewal

“619.70 On the date of expiry of the employment contract of an executive director contemplated in section 614.2 or 614.3, the board of directors of the institution or the regional board, as the case may be, may renew that contract only if the Centre de référence des directeurs généraux et des cadres attests that he is qualified.

Transi-
tional
provisions

“619.71 The Government may, by regulation, adopt any other transitional provision allowing omissions to be corrected in order to ensure the application of this Act within the territory of any regional board established pursuant to section 339 not later than 1 April 1993 or on the date determined by the Government.

Publication

A regulation made under this section is not subject to the publication requirements prescribed by section 8 of the Regulations Act. It shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein, notwithstanding section 17 of the said Act. A regulation may, however, where it so provides, apply from any date not prior to the date of coming into force of this section.”

1991, c. 42,
s. 620, am.

69. Section 620 of the said Act is amended by adding, at the end, the words “and except to the extent that it concerns the emergency pre-hospitalization service contemplated in Division VI.1”.

“hospital”

70. The English text of the said Act is amended by replacing the word “hospital”, wherever it occurs and making any necessary changes, by the words “hospital centre”, where the word “hospital” designates a hospital centre.

CIVIL CODE OF LOWER CANADA

C.C.L.C.,
a. 1650.1,
am.

71. Article 1650.1 of the Civil Code of Lower Canada is amended by replacing the words “the Act respecting health services and social services (R.S.Q., c. S-5)” in the first paragraph by the words “in a facility maintained by an institution governed by the Acts respecting health services and social services”.

C.C.L.C.,
a. 1661, am. **72.** Article 1661 of the said Code is amended by replacing the words “reception centre contemplated in the Act respecting health services and social services (R.S.Q., c. S-5)” in the first paragraph by the words “an institution operating a rehabilitation centre, a residential and long-term care centre or a reception centre governed by the statutory laws respecting health services and social services.”

ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION
OF PERSONAL INFORMATION

c. A-2.1,
s. 7,
replaced **73.** Section 7 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1), amended by section 3 of chapter 57 of the statutes of 1990, is replaced by the following section:

Health and
social
services
institu-
tions **“7.** Health and social services institutions include public institutions governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42), private institutions governed by that Act which operate with sums of money from the consolidated revenue fund, regional boards established under that Act and the Corporation d’hébergement du Québec referred to in section 471 of that Act.

Health and
social
services
institu-
tions Health and social services institutions also include public institutions governed by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5), private institutions governed by that Act which operate with sums of money from the consolidated revenue fund and regional health and social services councils established under that Act.”

c. A-2.1,
s. 83, am. **74.** Section 83 of the said Act, amended by section 21 of chapter 57 of the statutes of 1990, is again amended by replacing the last two lines of the fourth paragraph by the words “him, contained in the record established by a health or social services institution referred to in the second paragraph of section 7”.

c. A-2.1,
s. 84.1, am. **75.** Section 84.1 of the said Act is amended by replacing the word “establishment” in the first line by the words “institution referred to in the second paragraph of section 7”.

c. A-2.1,
s. 87.1, am. **76.** Section 87.1 of the said Act is amended by replacing the word “establishment” in the first line of the first paragraph by the words “institution referred to in the second paragraph of section 7”.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

c. A-3.001,
s. 15, am. **77.** Section 15 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) is amended

(1) by replacing the words “A recipient within the meaning of the Act respecting health services and social services (chapter S-5)” in the first and second lines by the words “A user within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”;

(2) by adding, at the end, the following paragraph:

Beneficiary “The same applies in respect of a beneficiary within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5).”

c. A-3.001,
s. 150, am. **78.** Section 150 of the said Act is amended by replacing the words “the community health department established in a hospital centre or by the local community services centre” in the first, second and third lines of the third paragraph by the words “an institution within the meaning of the Act respecting health services and social services and amending various legislation or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons, as the case may be”.

c. A-3.001,
s. 162, am. **79.** Section 162 of the said Act is amended by replacing paragraph 2 by the following paragraph:

“(2) is lodged or hospitalized in a facility maintained by an institution governed by the Act respecting health services and social services and amending various legislation or by the Act respecting health services and social services for Cree and Inuit Native persons.”

c. A-3.001,
s. 164, am. **80.** Section 164 of the said Act is amended

(1) by replacing the words “sheltered in a reception centre within the meaning of the Act respecting health services and social services (chapter S-5), or who is hospitalized” in the third, fourth and fifth lines of that part of the section that precedes paragraph 1 by the words “lodged or hospitalized in a facility maintained by an institution referred to in paragraph 2 of section 162,”;

(2) by replacing the words “sheltered in a reception centre or hospitalized,” in the second and third lines of paragraph 3 by the words “lodged or hospitalized in a facility maintained by an institution”.

c. A-3.001,
s. 193, am.

81. Section 193 of the said Act is amended

(1) by replacing the words “is not available within a reasonable time in” in the second line of the second paragraph by the words “cannot be provided within a reasonable time by”;

(2) by replacing the words “establishment to” in the last line of the second paragraph by the words “institution so that he may”.

c. A-3.001,
s. 229, am.

82. Section 229 of the said Act is amended by replacing the words “the head of the community health department of a hospital centre” in the first and second lines by the words “the institution within the meaning of the Act respecting health services and social services and amending various legislation or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons, as the case may be,”.

FINANCIAL ADMINISTRATION ACT

c. A-6,
s. 69.6, am.

83. Section 69.6 of the Financial Administration Act (R.S.Q., chapter A-6), enacted by section 5 of chapter 66 of the statutes of 1990, is amended by replacing subparagraph 4 of the first paragraph by the following subparagraphs:

“(3.1) a public institution governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42), a regional board established under that Act, and the Corporation d’hébergement du Québec referred to in section 471 of that Act;

“(4) a public institution governed by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5) and a regional council established under that Act;”.

ACT RESPECTING FINANCIAL ASSISTANCE FOR STUDENTS

c. A-13.3,
s. 57, am.

84. Section 57 of the Act respecting financial assistance for students (R.S.Q., chapter A-13.3) is amended by inserting the words “and amending various legislation (1991, chapter 42), the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the seventeenth line of the last paragraph.

ACT RESPECTING FAMILY ASSISTANCE ALLOWANCES

c. A-17,
s. 2, am.

85. Section 2 of the Act respecting family assistance allowances (R.S.Q., chapter A-17) is amended by replacing the words “social

services and health services” in the second line of the second paragraph by the words “health services and social services and amending various legislation (1991, chapter 42), the Act respecting health services and social services for Cree and Inuit Native persons”.

c. A-17,
s. 12, am.

86. Section 12 of the said Act is amended by replacing the last two lines of the second paragraph by the words “, the Act respecting health services and social services and amending various legislation (1991, chapter 42) or the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5).”

ARCHIVES ACT

c. A-21.1,
Sched., am.

87. The Schedule to the Archives Act (R.S.Q., chapter A-21.1), amended by section 123 of chapter 85 of the statutes of 1990, is again amended

(1) by inserting, after paragraph 6, the following paragraph:

“(6.1) Public institutions governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42), private institutions under agreement referred to in section 475 of the said Act which operate a local community service centre, a hospital centre, a residential and long-term care centre or a rehabilitation centre, the regional boards established under the said Act and the Corporation d’hébergement du Québec referred to in section 471 of the said Act;”;

(2) by inserting the words “for Cree and Inuit Native persons” after the word “services” in the third line of paragraph 7;

(3) by striking out the words “and the Corporation d’hébergement du Québec” in the last two lines of paragraph 7.

AUTOMOBILE INSURANCE ACT

c. A-25,
s. 83.15,
am.

88. Section 83.15 of the Automobile Insurance Act (R.S.Q., chapter A-25) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of the first paragraph.

c. A-25,
s. 83.30,
am.

89. Section 83.30 of the said Act is amended

(1) by replacing the word “or” in the first line of the first paragraph by a comma;

(2) by replacing the words “a reception centre” in the second line of the first paragraph by the words “detained in a facility maintained by an institution operating a rehabilitation centre governed by the Act respecting health services and social services and amending various legislation or in a reception centre governed by the Act respecting health services and social services for Cree and Inuit Native persons”;

(3) by replacing the words “or imprisonment” in the second line of the second paragraph by the words “, imprisonment or detention”;

(4) by replacing the words “or imprisonment” in the first and second lines of the third paragraph by the words “, imprisonment or detention”.

c. A-25,
s. 155.5,
am.

90. Section 155.5 of the said Act is amended

(1) by inserting the words “to the regional boards established under the Act respecting health services and social services and amending various legislation and” after the word “pay” in the first line of the first paragraph;

(2) by inserting the words “governed by the Act respecting health services and social services for Cree and Inuit Native persons” after the word “Métropolitain” in the third line of the first paragraph.

HOSPITAL INSURANCE ACT

c. A-28,
s. 1, am.

91. Section 1 of the Hospital Insurance Act (R.S.Q., chapter A-28) is amended

(1) by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of paragraph *d*;

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

“residen-
tial and
long-term
care centre”

“(e) “residential and long-term care centre” means a residential and long-term care centre within the meaning of the Act respecting health services and social services and amending various legislation;

“institu-
tion”

“(f) “institution” means a public or private institution under agreement governed by the Act respecting health services and social services and amending various legislation or a public or private institution under agreement governed by the Act respecting health services and social services for Cree and Inuit Native persons;

"Board"

"(g) "Board" means the Régie de l'assurance-maladie du Québec established under the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5);

"regional board"

"(h) "regional board" means a regional health and social services board established under the Act respecting health services and social services and amending various legislation."

c. A-28,
s. 2,
replaced
Cost of
insured
services

92. Section 2 of the said Act is replaced by the following section :

"2. In order that the residents of Québec and such other persons as are determined by regulation receive, without charge, insured services upon uniform terms and conditions, the Minister shall assign to the institutions governed by the Act respecting health services and social services for Cree and Inuit Native persons which operate a hospital centre the amounts needed to finance the cost of the insured services they dispense, and shall ensure that each regional board does likewise with regard to those institutions of its region which operate a hospital centre and those which operate a residential and long-term care centre that are determined by the Minister.

Financing

Insured services dispensed by the institutions referred to in the first paragraph shall be financed in accordance with the provisions of the Act respecting health services and social services for Cree and Inuit Native persons or the Act respecting health services and social services and amending various legislation, as the case may be."

c. A-28,
s. 2.1,
added

93. The said Act is amended by inserting, after section 2, the following section :

Health-
insurance
card or
eligibility
card

"2.1 An institution referred to in section 2 may request that a person present, as proof of that person's admissibility to receive insured services free of charge pursuant to this Act, the health-insurance card or eligibility card issued to him by the Board in accordance with section 9 or 9.0.1 of the Health Insurance Act (R.S.Q., chapter A-29)."

c. A-28,
s. 3, am.

94. Section 3 of the said Act is amended

(1) by striking out the word "also" in the first line of the first paragraph;

(2) by replacing, in the French text, the word "sur" in the third line of the first paragraph by the word "de";

(3) by inserting the words "operated by an institution governed by the Act respecting health services and social services for Cree and

Inuit Native persons” after the word “centre” in the second line of the second paragraph.

c. A-28,
s. 4,
repealed

95. Section 4 of the said Act is repealed.

c. A-28,
s. 7, am.

96. Section 7 of the said Act is amended by striking out the words “contracts and” in the first line.

c. A-28,
s. 8, am.

97. Section 8 of the said Act is amended

(1) by striking out paragraph *c*;

(2) by replacing, in the French text, the words “d’un accord” in the second line of paragraph *d* by the words “d’une entente”.

c. A-28,
s. 11, am.

98. Section 11 of the said Act is amended

(1) by replacing the words “hospital centre” in the second line of subparagraph *c* of subsection 1 by the words “facility maintained by an institution contemplated in section 2”;

(2) by adding the word “or” after the semicolon at the end of subparagraph *a* of subsection 3;

(3) by striking out subparagraph *b* of subsection 3;

(4) by replacing the words “hospital centre” in the third line of subparagraph *c* of subsection 3 by the words “the institution contemplated in section 2”;

(5) by replacing the words “hospital centre” in the fourth and fifth lines of subsection 4 by the words “institution contemplated in section 2”.

c. A-28,
s. 12,
French
text, am.

99. The French text of section 12 of the said Act is amended by replacing the words “un accord conclu” in the third line of the first paragraph by the words “une entente conclue”.

HEALTH INSURANCE ACT

c. A-29,
s. 1, am.

100. Section 1 of the Health Insurance Act (R.S.Q., chapter A-29), amended by section 556 of chapter 42 of the statutes of 1991, is again amended by replacing subparagraphs *n* and *o* of the first paragraph by the following subparagraphs:

“hospital
centre”

“(n) “hospital centre”: a hospital centre within the meaning of the Act respecting health services and social services and amending

various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);

“institution”

“(o) “institution”: an institution governed by the Act respecting health services and social services and amending various legislation or by the Act respecting health services and social services for Cree and Inuit Native persons;”.

c. A-29,
s. 3, am.

101. Section 3 of the said Act, amended by section 558 of chapter 42 of the statutes of 1991, is again amended

(1) by replacing the last five lines of subparagraph *b* of the first paragraph by “required by dentistry and rendered by a dentist in a centre operated by a university establishment or in a facility maintained by an institution operating a hospital centre, provided, however, that if rendered in Québec they are rendered in a centre operated by a university establishment determined by regulation or in a facility maintained by an institution operating a hospital centre by a dentist authorized to practise in that centre;”;

(2) by inserting the words “and amending various legislation (1991, chapter 42), the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the third line of the ninth paragraph;

(3) by inserting, after the tenth paragraph, the following paragraph:

Cost of
services

“The Board also assumes, in accordance with the provisions of the Act and the regulations, the cost of services rendered by a health professional in the discharge of activities or administrative tasks determined by a regulation made under section 69.”;

(4) by replacing the word “an” in the third line of the twelfth paragraph by the words “a centre operated by an”.

c. A-29,
s. 4.2, am.

102. Section 4.2 of the said Act, enacted by section 2 of chapter 23 of the statutes of 1985, is amended by replacing the words “of the” in the second line of the first paragraph by the words “of medications sold by a”.

c. A-29,
ss. 4.3 to
4.10, added

103. The said Act is amended by inserting, after section 4.2, the following sections:

Recognition

“4.3 The Minister, following a report by the Conseil consultatif de pharmacologie, may temporarily withdraw recognition from a

manufacturer or wholesaler if he does not respect the conditions or commitments prescribed by regulation.

Withdrawal In the case of a manufacturer, the withdrawal has the effect of excluding all medications produced by that manufacturer from the list for a period of three months.

Medications In the case of a wholesaler, the Board shall cease to assume payment of all medications sold by that wholesaler for a period of three months.

Temporary withdrawal Where a manufacturer or wholesaler has, within the previous five years, been subject to a temporary withdrawal, the period prescribed in the second or third paragraph is increased to six months for any further temporary withdrawal.

Reimbursement “4.4 Every manufacturer or wholesaler contemplated by section 4.3 must reimburse to the Board, during the period of temporary withdrawal, the following costs:

(a) in the case of a manufacturer, the price difference assumed by the Board in relation to the price that the manufacturer had agreed to respect;

(b) in the case of a wholesaler, the difference between the price assumed by the Board and the price corresponding to the commitment of the wholesaler as prescribed by regulation;

(c) in both cases, the expenses incurred to inform health professionals of the temporary withdrawal of the manufacturer's or wholesaler's recognition.

Presumption Failure to comply with the first paragraph is deemed to constitute a failure to respect a commitment by the manufacturer or wholesaler.

Recognition “4.5 The Minister may also, following a report from the Conseil consultatif de pharmacologie, withdraw recognition permanently from a manufacturer or wholesaler that has been subject, in the previous five years, to two temporary withdrawals and that once again fails to respect the conditions or commitments prescribed by regulation.

Recognition “4.6 Every manufacturer or wholesaler whose recognition has been withdrawn permanently may present a new application for recognition. However, in addition to the conditions prescribed by regulation, that manufacturer or wholesaler must, before being recognized, reimburse to the Board the following costs:

(a) in the case of a manufacturer, the price difference assumed by the Board in relation to the price that the manufacturer had agreed to respect;

(b) in the case of a wholesaler, the difference between the price assumed by the Board and the price corresponding to the commitment of the wholesaler as prescribed by regulation;

(c) in both cases, the expenses incurred to inform health professionals of the permanent withdrawal of the manufacturer's or wholesaler's recognition.

Notice **“4.7** The Minister, before deciding to withdraw recognition from a manufacturer or wholesaler, shall send to him, at least thirty days in advance, a notice setting out the actions that are alleged against him.

Point of view The manufacturer or wholesaler may, before the expiry of the period of notice, present his point of view.

Appeal **“4.8** Every manufacturer or wholesaler subject to a decision rendered pursuant to section 4.3 or 4.5 may appeal from the decision to the Commission des affaires sociales, within thirty days of being notified of the decision.

Effect **“4.9** A decision by the Minister to withdraw recognition takes effect on the day of the publication, in the *Gazette officielle du Québec*, of a notice to that effect, and the three-month or six-month period of temporary withdrawal shall be calculated from that day.

Publication **“4.10** The Minister may not publish the notice provided for in section 4.9 before the time for appeal under section 4.8 has expired or, where an appeal has been brought, before the decision of the Commission has been rendered.”

c. A-29,
s. 9.0.0.1,
added **104.** The said Act is amended by inserting, after section 9, the following section:

Health-
insurance
card or
eligibility
card **“9.0.0.1** No person may be required to produce a health-insurance card or eligibility card except for purposes relating to the dispensing of services or the provision of goods or resources in the field of health or social services where all or part of the cost of those services, goods or resources is assumed, directly or indirectly, by the Government pursuant to an Act for the administration of which the Minister of Health and Social Services is responsible.”

c. A-29,
ss. 9.0.2
to 9.0.4,
added **105.** The said Act is amended by inserting, after section 9.0.1, the following sections:

Health-
insurance
card or
eligibility
card

“9.0.2 The Board may, in particular, refuse to issue a health-insurance card or an eligibility card to a person applying for registration with the Board or applying for a renewal of registration where that person is already a debtor of the Board in respect of the cost of an insured service paid for him by the Board or in respect of the fees payable for the replacement of a health-insurance card.

Photograph
and signa-
ture

“9.0.3 The health-insurance card and the eligibility card shall include a photograph of the beneficiary that complies with the standards prescribed by regulation, and his signature.

Photograph
and signa-
ture

However, the Board may issue a health-insurance card or eligibility card without the beneficiary's photograph and signature in the cases, conditions and circumstances determined by regulation.

Application
for regis-
tration,
renewal or
replacement

“9.0.4 Every application for registration, for renewal of registration or for the replacement of a health-insurance card or eligibility card must be authenticated in accordance with the regulations, with the exception of applications for which the Board issues a health-insurance card or an eligibility card that does not include the beneficiary's photograph and signature.”

c. A-29,
s. 19.1, am.

106. Section 19.1 of the said Act, amended by section 566 of chapter 42 of the statutes of 1991, is again amended by replacing the words “affiliated with a university” in the fourth and fifth lines of the first paragraph by the words “having entered into a contract of affiliation or a service contract or agreement in accordance with section 110 of the Act respecting health services and social services and amending various legislation, or with a university within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons”.

c. A-29,
s. 22, am.

107. Section 22 of the said Act, amended by section 77 of chapter 4 of the statutes of 1990 and by section 568 of chapter 42 of the statutes of 1991, is again amended by replacing subparagraph *d* of the second paragraph by the following subparagraph:

“(d) where the beneficiary is lodged by an institution which operates a residential and long-term care centre or a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation, or where he is sheltered in a reception centre or a hospital centre belonging to the class of hospital centres for long-term care within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons and the regulations made under that Act;”.

c. A-29,
s. 65, am.

108. Section 65 of the said Act, amended by section 577 of chapter 42 of the statutes of 1991, is again amended by inserting the words “user or, as the case may be,” after the word “each” in the eighth line of the third paragraph.

c. A-29,
s. 66.1, am.

109. Section 66.1 of the said Act, amended by section 578 of chapter 42 of the statutes of 1991, is again amended by inserting the words “a facility maintained by” after the word “in” in the fourth line of the first paragraph.

c. A-29,
s. 67, am.

110. Section 67 of the said Act, amended by section 579 of chapter 42 of the statutes of 1991, is again amended by inserting the words “facility maintained by an” after the word “or” in the third line of the second paragraph.

c. A-29,
s. 68.2,
added

111. The said Act is amended by inserting, after section 68.1, the following section:

Residential
care

“68.2 The Ministère de la Santé et des Services sociaux must forward to the Board, on request, the name of persons in residential care who are subject to the contributory plan for adults in residential care, in order to allow the Board to issue, to those persons, a health-insurance card or eligibility card that does not include their photograph and signature.”

c. A-29,
s. 69, am.

112. Section 69 of the said Act, amended by section 5 of chapter 56 of the statutes of 1990 and by section 581 of chapter 42 of the statutes of 1991, is again amended

(1) by inserting, after subparagraph *i* of the first paragraph, the following subparagraph:

“(i.1) determine the activities or administrative tasks carried out by a health professional which shall be considered to be insured services for the purposes of the eleventh paragraph of section 3;”;

(2) by inserting, after subparagraph *l* of the first paragraph, the following subparagraphs:

“(l.1) prescribe standards relating to the photograph which a person must supply when registering with the Board or when applying for a renewal of registration or the replacement of a health-insurance card or eligibility card;

“(l.2) determine the terms and conditions according to which an application for registration, for renewal of registration or for the

replacement of a health-insurance card or eligibility card must be authenticated, the categories of persons, the government departments, the public bodies and the institutions which, in addition to the Board, are authorized to authenticate such applications according to the categories of beneficiaries it indicates, the documents that must be presented by the applicant, and the conditions the applicant must fulfil at the time his application is authenticated;”;

(3) by inserting the letter and figure “, i.1” after the letter “i” in the first line of the third paragraph.

c. A-29,
s. 69.0.2,
am.

113. Section 69.0.2 of the said Act, amended by section 582 of chapter 42 of the statutes of 1991, is again amended by replacing the word and letter “or *w*” in the first line by the word and letters “, *w* or *x*”.

c. A-29,
s. 69.1,
am.

114. Section 69.1 of the said Act, amended by section 583 of chapter 42 of the statutes of 1991, is again amended by striking out paragraphs *e* to *h*.

c. A-29,
s. 72, am.

115. Section 72 of the said Act, amended by section 585 of chapter 42 of the statutes of 1991, is again amended by adding, at the end of subparagraph *h* of the first paragraph, the words “and determine the cases, circumstances and conditions in or according to which the Board may, or must, issue a health-insurance card or eligibility card that does not include the photograph or signature of the beneficiary”.

c. A-29,
s. 77.1.1,
am.

116. Section 77.1.1 of the said Act is amended

(1) by replacing the words “pursuant to” in the first and second lines of the first paragraph by the words “under section 257 of the Act respecting health services and social services and amending various legislation or under”;

(2) by replacing the words “(chapter S-5)” in the third line of the first paragraph by the words “for Cree and Inuit Native persons”.

c. A-29,
s. 96, am.

117. Section 96 of the said Act is amended by replacing the word “in” wherever it appears in the first line of paragraph 3 by the word “for”.

c. A-29,
s. 99, am.

118. Section 99 of the said Act is amended by inserting the words “of the activities” after the word “cost” in the third line.

CHARTER OF THE FRENCH LANGUAGE

c. C-11,
Sched., am. **119.** The Schedule to the Charter of the French language (R.S.Q., chapter C-11), amended by section 115 of chapter 85 of the statutes of 1990, is again amended by inserting the words “ and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of paragraph 4.

CITIES AND TOWNS ACT

c. C-19,
s. 29, am. **120.** Section 29 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of subparagraph 1 of the first paragraph.

c. C-19,
s. 29.5, am. **121.** Section 29.5 of the said Act is amended by replacing the words “within the meaning of the Act respecting health services and social services (R.S.Q., chapter S-5)” in the third, fourth and fifth lines by the words “referred to in section 29”.

c. C-19,
s. 29.7, am. **122.** Section 29.7 of the said Act is amended by replacing the words “within the meaning of the Act respecting health services and social services (R.S.Q., chapter S-5)” in the fourth and fifth lines of the second paragraph by the words “referred to in section 29”.

c. C-19,
s. 464, am. **123.** Section 464 of the said Act is amended by replacing the words “hospital centres” in the third line of paragraph 6 by the words “institutions operating a hospital centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5)”.

HIGHWAY SAFETY CODE

c. C-24.2,
s. 552, am. **124.** Section 552 of the Highway Safety Code (R.S.Q., chapter C-24.2), replaced by section 215 of chapter 83 of the statutes of 1990, is amended by replacing the words “a health establishment” in the first and second lines of the second paragraph by the words “an institution providing health services under the Act respecting health services and social services and amending various legislation (1991, chapter 42) or

the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5),”.

c. C-24.2,
s. 626, am.

125. Section 626 of the said Code, amended by section 232 of chapter 83 of the statutes of 1990, is again amended by replacing the words “and hospital centres” in the second line of paragraph 11 by the words “, facilities maintained by an institution operating a hospital centre or a residential and long-term care centre contemplated in the Act respecting health services and social services and amending various legislation and hospital centres contemplated in the Act respecting health services and social services for Cree and Inuit Native persons”.

CODE OF CIVIL PROCEDURE

c. C-25,
a. 70.2, am.

126. Article 70.2 of the Code of Civil Procedure (R.S.Q., chapter C-25) is amended by replacing the second paragraph by the following paragraph:

“Applications concerning the integrity of a person kept by an institution governed by the Acts respecting health services and social services may be taken before the court of the place in which that person is kept.”

c. C-25,
a. 852, am.

127. Article 852 of the said Code is amended by replacing the words “confined in a hospital for the mentally ill,” in the first and second lines by the words “kept in an institution governed by the Acts respecting health services and social services and in the case of a person confined in”.

LABOUR CODE

c. C-27,
s. 111.0.16,
am.

128. Section 111.0.16 of the Labour Code (R.S.Q., chapter C-27), amended by section 3 of chapter 69 of the statutes of 1990, is again amended

(1) by inserting, after paragraph 1, the following paragraph:

“(1.1) an institution and a regional board governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) that are not contemplated by paragraph 2 of section 111.2;”;

(2) by inserting the words “for Cree and Inuit Native persons” after the word “services” in the third line of paragraph 2.

c. C-27,
s. 111.10,
am.

129. Section 111.10 of the said Code is amended by replacing the first paragraph by the following paragraph:

Number of
employees
to be main-
tained in
the event
of a strike

“111.10 In the event of a strike in an institution, the percentage of employees to be maintained per work shift from among the employees who would usually be on duty during that period shall be at least

(1) 90 % in the case of an institution operating a residential and long-term care centre, a rehabilitation centre, a psychiatric hospital, a hospital providing specialized care in neurology or cardiology or a hospital centre having a department of clinical psychiatry or a community health department, in the case of an institution to which a regional board entrusts functions relating to public health, or in the case of a hospital centre belonging to the class of hospital centres for long-term care or a reception centre;

(2) 80 % in the case of an institution operating a hospital centre other than those contemplated in subparagraph 1 or in the case of an institution designated as a health care centre;

(3) 60 % in the case of an institution operating a local community service centre;

(4) 55 % in the case of an institution operating a child and youth protection centre or in the case of a social services centre.”

c. C-27,
s. 111.10.1,
am.

130. Section 111.10.1 of the said Code is amended by replacing the words “recipient’s freedom of access to the” in the eighth line of the first paragraph by the words “person’s freedom of access to the services of the”.

c. C-27,
s. 111.10.3,
am.

131. Section 111.10.3 of the said Code is amended by replacing the words “recipient’s freedom of access to the” in the fourth line of the third paragraph by the words “person’s freedom of access to the services of the”.

c. C-27,
s. 111.13,
am.

132. Section 111.13 of the said Code is amended by replacing the words “are prohibited in” in the first paragraph by the words “may not be declared by”.

MUNICIPAL CODE OF QUÉBEC

c. C-27.1,
a. 7, am.

133. Article 7 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit

Native persons (R.S.Q., chapter S-5)” after the words “social services” in the second line of subparagraph 1 of the first paragraph.

c. C-27.1,
a. 14.3, am. **134.** Article 14.3 of the said Code is amended by replacing the words “within the meaning of the Act respecting health services and social services (chapter S-5)” in the third, fourth and fifth lines by the words “referred to in section 7”.

c. C-27.1,
a. 14.5, am. **135.** Article 14.5 of the said Code is amended by replacing the words “within the meaning of the Act respecting health services and social services (chapter S-5)” in the fourth and fifth lines of the second paragraph by the words “referred to in section 7”.

c. C-27.1,
a. 524, am. **136.** Article 524 of the said Code is amended by replacing the words “hospital centres” in the fourth line of paragraph 3 by the words “institutions operating a hospital centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5),”.

ACT RESPECTING THE COMMISSION DES AFFAIRES SOCIALES

c. C-34,
s. 21, am. **137.** Section 21 of the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34) is amended

(1) by replacing the last two lines of paragraph *d* by the words “made under section 27 of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or under the sixth paragraph of section 7 of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”;

(2) by replacing all that follows the word “brought” in paragraph *e* by the words “under section 19 of the Act respecting health services and social services for Cree and Inuit Native persons by the regional council established for the region 10-A within the meaning of that Act;”;

(3) by replacing all that follows the word “under” in paragraph *f* by the words “section 148 of the Act respecting health services and social services and amending various legislation or under section 48 or 59 of the Act respecting health services and social services for Cree and Inuit Native persons;”;

(4) by inserting, after paragraph *f*, the following paragraph:

“(f.1) the appeals brought by physicians or dentists under section 205 or 252 of the Act respecting health services and social services and amending various legislation and those brought by pharmacists under section 253 of that Act;”;

(5) by adding, at the end of paragraph *g*, the words “for Cree and Inuit Native persons”;

(6) by replacing the last line of paragraph *h* by the words “450 of the Act respecting health services and social services and amending various legislation or under section 148 of the Act respecting health services and social services for Cree and Inuit Native persons;”;

(7) by replacing all that follows the word “section” in paragraph *h.1* by the words “453 of the Act respecting health services and social services and amending various legislation or under section 182.1 of the Act respecting health services and social services for Cree and Inuit Native persons;”;

(8) by inserting the words “for exemption from a payment, brought under section 517 of the Act respecting health services and social services and amending various legislation, and those” after the word “appeals” in the first line of paragraph *i*;

(9) by replacing the last line of paragraph *i* by the words “Act respecting health services and social services for Cree and Inuit Native persons;”;

(10) by inserting, after paragraph *k*, the following paragraph:

“(k.1) the appeals brought by manufacturers or wholesalers of medications under section 4.8 of the Health Insurance Act (R.S.Q., chapter A-29);”.

c. C-34,
s. 28, am.

138. Section 28 of the said Act is amended

(1) by inserting the letter and figure “f.1,” after the word “paragraphs” in the second line of the first paragraph;

(2) by inserting the letter and figure “, k.1” after the letter and figure “j.1” in the third line of the first paragraph;

(3) by replacing the word, letter and figure “paragraph *h.1*” in the first line of the second paragraph by the words, letters and figures “paragraphs *h.1* and *k.1*”.

c. C-34,
s. 29, am.

139. Section 29 of the said Act is amended

(1) by inserting the letter and figure “, *k.1*” after the letter “*j*” in the first line of the second paragraph;

(2) by inserting the letter and figure “*f.1*” after the word “paragraph” in the first line of the third paragraph.

c. C-34,
s. 32, am.

140. Section 32 of the said Act is amended

(1) by inserting the letters “*h, i* to *k*,” after the letter and word “*a* to” in the second line of the first paragraph;

(2) by replacing the word “paragraph” in the sixth line of the first paragraph by the words “paragraphs *k.1* and”.

ACT RESPECTING PUBLIC INQUIRY COMMISSIONS

c. C-37,
s. 14, am.

141. Section 14 of the Act respecting public inquiry commissions (R.S.Q., chapter C-37) is amended by striking out the words “, hospital centres” in the second line of the first paragraph.

c. C-37,
s. 15,
repealed

142. Section 15 of the said Act is repealed.

PUBLIC CURATOR ACT

c. C-81,
s. 14, am.

143. Section 14 of the Public Curator Act (R.S.Q., chapter C-81) is amended

(1) by replacing the words “a health or social services establishment” in the first line of the first paragraph by the words “an institution governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5)”;

(2) by replacing the last paragraph by the following paragraph:

Report of
disability

“The Public Curator shall proceed in the same manner upon receiving a report, pursuant to section 10 of the Mental Patients Protection Act (R.S.Q., chapter P-41), from the director of professional services of an institution referred to in the first paragraph which operates a hospital centre.”

c. C-81,
s. 16, am.

144. Section 16 of the said Act is amended

(1) by replacing the words “employed by the health or social services establishment in which the person of full age is receiving treatment and has no duties therewith” in the fifth, sixth and seventh lines by the words “an employee of the institution, within the meaning

of section 14, which provides care to the person of full age, and exercises no function for such institution”;

(2) by replacing, in the French text, the words “l’employé” in the eighth line by the words “le salarié”.

c. C-81,
s. 28, am.

145. Section 28 of the said Act is amended

(1) by replacing the first two lines of the first paragraph by the words “Notwithstanding section 19 of the Act respecting health services and social services and amending various legislation and section 7 of the Act respecting health services and social services for Cree and Inuit Native persons, the Public Curator or any person”;

(2) by replacing the words “health services or social services establishment” in the fourth line of the first paragraph by the words “facility maintained by an institution governed, as the case may be, by either of those Acts”.

c. C-81,
s. 68, am.

146. Section 68 of the said Act is amended by replacing paragraph 2 by the following paragraph:

“(2) determine the information to be provided to the Public Curator, pursuant to section 14, by the executive director or the director of professional services of an institution contemplated in that section;”.

ACT RESPECTING COLLECTIVE AGREEMENT DECREES

c. D-2,
s. 29, am.

147. Section 29 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2) is amended by replacing the words “a rehabilitation centre or” in the second line of paragraph *e* by the words “an institution operating a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42), of a reception centre belonging to the class of rehabilitation centres within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5) and the regulations made under that Act, or of”.

DENTAL ACT

c. D-3,
s. 1, am.

148. Section 1 of the Dental Act (R.S.Q., chapter D-3) is amended by replacing paragraph *f* by the following paragraph:

“institution”

“(f) “institution”: an institution within the meaning of the Act respecting health services and social services and amending various

legislation (1991, chapter 42) or an institution within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”.

c. D-3,
s. 15, am. **149.** Section 15 of the said Act is amended by inserting the words “centres operated by the” after the words “in the” in the second line of paragraph *a*.

c. D-3,
s. 16, am. **150.** Section 16 of the said Act is amended by inserting the words “centres operated by the” after the words “in the” in the third line.

c. D-3,
s. 18.1, am. **151.** Section 18.1 of the said Act is amended by replacing the words “of the” in the fourth line by the words “established for the”.

ACT RESPECTING THE DEVELOPMENT OF QUÉBEC FIRMS IN THE BOOK INDUSTRY

c. D-8.1,
Sched., am. **152.** The Schedule to the Act respecting the development of Québec firms in the book industry (R.S.Q., chapter D-8.1), amended by section 122 of chapter 85 of the statutes of 1990, is again amended by replacing paragraph *f* by the following paragraph:

“(f) institutions governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5).”

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

c. E-2.2,
s. 50, am. **153.** Section 50 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended

(1) by replacing the words “staying in a hospital centre or reception centre” in the first line of the second paragraph by the words “lodged in a facility maintained by an institution operating a hospital centre, a residential and long-term care centre or a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or operating a hospital centre or reception centre within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5)”;

(2) by replacing the words “hospital centre or reception centre” in the third line of the second paragraph by the words “said facility or centre”.

c. E-2.2,
s. 139, am.

154. Section 189 of the said Act is amended by replacing the words “to which the Act respecting health services and social services (chapter S-5) applies” in the first and second lines by the words “governed by the Act respecting health services and social services and amending various legislation or by the Act respecting health services and social services for Cree and Inuit Native persons”.

c. E-2.2,
s. 521, am.

155. Section 521 of the said Act is amended

(1) by replacing the words “staying in a hospital centre or reception centre” in the first line of the second paragraph by the words “living in a facility maintained by an institution which operates a hospital centre, a residential and long-term care centre or a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation or which operates a hospital centre or a reception centre within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons”;

(2) by replacing the words “hospital centre or reception centre” in the third line of the second paragraph by the words “said facility or centre”.

ACT RESPECTING SCHOOL ELECTIONS

c. E-2.3,
s. 94, am.

156. Section 94 of the Act respecting school elections (R.S.Q., chapter E-2.3) is amended by replacing the words “or the presence of a hospital centre or a reception centre in the electoral division” in the fourth and fifth lines of the second paragraph by the words “in the electoral division or the presence in that electoral division of a facility maintained by an institution operating a hospital centre, a residential and long-term care centre or a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”.

ELECTION ACT

c. E-3.3,
s. 3, am.

157. Section 3 of the Election Act (R.S.Q., chapter E-3.3) is amended by replacing the second paragraph by the following paragraph:

Hospital

“An elector living in a facility maintained by an institution which operates a hospital centre, a residential and long-term care centre or a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or a hospital centre or reception centre within the meaning of the Act respecting health services and social services for Cree and

Inuit Native persons (R.S.Q., chapter S-5) may be considered to be domiciled either in his domicile or in that facility or centre.”

c. E-3.3,
s. 162,
replaced

158. Section 162 of the said Act is replaced by the following section:

List of
electors

“162. The returning officer may establish, in cooperation with the executive director or director general of an institution referred to in section 3, the manner of proceeding with the enumeration of the persons lodged in the institution in order to ensure that such persons are registered on the list of electors.

Enumera-
tion

The manner of proceeding with the enumeration must provide, in particular, that the enumerators have access to such persons.”

c. E-3.3,
s. 163,
replaced

159. Section 163 of the said Act is replaced by the following section:

Access to
immovables

“163. The owner, administrator, superintendent or caretaker of a multiple-dwelling immovable shall allow and facilitate access of the enumerators to the immovable.

Access to
immovables

The executive director of an institution referred to in section 3 shall do likewise with regard to any facility maintained by the institution.”

c. E-3.3,
s. 191, am.

160. Section 191 of the said Act is amended by replacing the words “sheltered in a hospital centre or reception centre” in the second and third lines by the words “lodged in a facility maintained by an institution referred to in section 3”.

c. E-3.3,
s. 292, am.

161. Section 292 of the said Act is amended by replacing the words “director of a hospital centre or reception centre shall ensure that the mobile polling station is able to meet” in the first and second lines by the words “executive director of an institution referred to in section 3 shall ensure that the mobile polling station is made accessible to”.

c. E-3.3,
s. 304, am.

162. Section 304 of the said Act is amended by replacing the words “hospital centre and reception center” in the third line by the words “facility maintained by an institution referred to in section 3 that is situated”.

c. E-3.3,
s. 305, am.

163. Section 305 of the said Act is amended by replacing the words “established under the Act respecting health services and social services (chapter S-5)” in the first, second and third lines by the words “governed by the Act respecting health services and social services

and amending various legislation or by the Act respecting health services and social services for Cree and Inuit Native persons”.

c. E-3.3,
s. 551, am.

164. Section 551 of the said Act is amended

(1) by striking out the words “or director of a hospital centre or reception centre” in the second and third lines of paragraph 6;

(2) by inserting, after paragraph 6, the following paragraph:

“(6.1) the executive director of an institution referred to in section 3 who limits, restricts or does not facilitate the access of a facility maintained by the institution to an enumerator or to a person responsible for the distribution of the lists of electors;”.

c. E-3.3,
s. 553, am.

165. Section 553 of the said Act is amended by replacing the words “director of a hospital centre or reception centre” in the first line of paragraph 1 by the words “executive director of an institution referred to in section 3”.

FIRE INVESTIGATIONS ACT

c. E-8,
s. 21.1, am.

166. Section 21.1 of the Fire Investigations Act (R.S.Q., chapter E-8) is amended by replacing the words “in a reception centre” in the second line of the second paragraph by the words “with an institution which operates a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or a reception centre within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5)”.

ACT TO SECURE THE HANDICAPPED IN THE EXERCISE OF THEIR RIGHTS

c. E-20.1,
s. 1, am.

167. Section 1 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of paragraph c.

ACT RESPECTING MUNICIPAL TAXATION

c. F-2.1,
s. 204, am.

168. Section 204 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1), amended by section 100 of chapter 32 of the statutes of 1991, is again amended by replacing paragraph 14 by the following paragraph:

“(14) an immovable belonging to a public institution within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42), a private institution referred to in paragraph 3 of section 99 or in section 551 of that Act which operates a local community service centre, a residential and long-term care centre or a rehabilitation centre, to a public institution within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (chapter S-5), a reception centre referred to in section 12 of that Act or a cooperative or non-profit organization holding a day care centre permit, a nursery school permit, a stop-over centre permit or a home day care agency permit issued under the Act respecting child day care (chapter S-4.1);”.

c. F-2.1,
s. 236, am.

169. Section 236 of the said Act, amended by section 113 of chapter 85 of the statutes of 1990, by section 20 of chapter 29 of the statutes of 1991, and by section 116 of chapter 32 of the statutes of 1991, is again amended

(1) by inserting the words “a public institution within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42), a private institution referred to in paragraph 3 of section 99 or in section 551 of the said Act which operates a local community service centre, a residential and long-term care centre or a rehabilitation centre,” after the reference “(I-17)” in the eleventh line of paragraph 1;

(2) by adding the words “for Cree and Inuit Native persons” after the words “social services” in the twelfth line of paragraph 1.

ACT RESPECTING HOURS AND DAYS OF ADMISSION TO COMMERCIAL ESTABLISHMENTS

c. H-2.1,
s. 10, am.

170. Section 10 of the Act respecting hours and days of admission to commercial establishments (R.S.Q., chapter H-2.1) is amended

(1) by inserting, after paragraph 1, the following paragraph:

“(1.1) a facility maintained by an institution operating a hospital centre or a residential and long-term care centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42);”;

(2) by inserting the words “for Cree and Inuit Native persons” after the words “social services” in the second line of paragraph 2.

TAXATION ACT

c. I-3,
s. 776.29,
am.

171. Section 776.29 of the Taxation Act (R.S.Q., chapter I-3), amended by section 93 of chapter 25 of the statutes of 1991, is again amended by striking out the words “the Act respecting health services and social services (chapter S-5) or” in the sixth and seventh lines of paragraph iv of subparagraph c of the first paragraph.

NURSES ACT

c. I-8,
s. 1, am.

172. Section 1 of the Nurses Act (R.S.Q., chapter I-8) is amended by replacing paragraph f by the following paragraph:

“institution”

“(f) “institution”: an institution within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or an institution within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”.

c. I-8,
s. 11, am.

173. Section 11 of the said Act is amended by inserting the words “centres operated by the” after the words “in the” in the second line of paragraph a.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

c. I-8.1,
Div. VIII,
repealed

174. Division VIII of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) is repealed.

EDUCATION ACT

c. I-13.3,
s. 204, am.

175. Section 204 of the Education Act (R.S.Q., chapter I-13.3) is amended by replacing the word and reference “(chapter S-5)” in the fifth line of the first paragraph by the words “and amending various legislation (1991, chapter 42)”.

EDUCATION ACT FOR CREE, INUIT AND NASKAPI NATIVE PERSONS

c. I-14,
s. 34, am.

176. Section 34 of the Education Act for Cree, Inuit and Naskapi Native persons (R.S.Q., chapter I-14) is amended by inserting the words “for Cree and Inuit Native persons” after the word “services” in the fourth line.

ACT TO ENSURE THAT ESSENTIAL SERVICES ARE MAINTAINED IN THE HEALTH AND SOCIAL SERVICES SECTOR

c. M-1.1,
s. 1, am. **177.** Section 1 of the Act to ensure that essential services are maintained in the health and social services sector (R.S.Q., chapter M-1.1) is amended

(1) by inserting the words “, regional boards” after the word “establishments” in the first line of the first paragraph;

(2) by inserting the words “, of a regional board” after the word “establishment” in the fifth line of the first paragraph;

(3) by inserting the words “for Cree and Inuit Native persons” after the words “social services” in the third line of subparagraph 1 of the third paragraph.

c. M-1.1,
s. 3, am. **178.** Section 3 of the said Act is amended by adding, at the end, the following paragraph:

Regional
boards “The same obligation applies, from 12:01 a.m. on (*insert here the date of coming into force of the section which enacts this section*), to every regional board.”

c. M-1.1,
s. 8, am. **179.** Section 8 of the said Act is amended by inserting the words “a regional board,” after the word “establishment,” in the third line.

c. M-1.1,
s. 9, am. **180.** Section 9 of the said Act is amended by replacing the first four lines of the first paragraph by the following:

Collective
agreement **“9.** “If the employees of an institution, a regional board, a regional council or an operator of ambulance services or of a category of institutions, regional boards, regional councils or operators of ambulance services determined by the Government do not comply with section 2 in sufficient number to”.

c. M-1.1,
s. 10, am. **181.** Section 10 of the said Act, amended by section 74 of chapter 33 of the statutes of 1991, is again amended

(1) by inserting the words “a regional board,” after the word “establishment,” in the fourth line of paragraph 2;

(2) by inserting the words “regional boards,” after the word “establishments,” in the sixth line of paragraph 2.

c. M-1.1,
s. 18, am. **182.** Section 18 of the said Act is amended

(1) by inserting the words “, regional board” after the word “establishment” in the first line of the first paragraph;

(2) by inserting the words “, regional board” after the word “establishment” in the first line of the second paragraph;

(3) by replacing the words “regional council” in the third line of the last paragraph by the words “regional board or regional council, as the case may be,”;

(4) by replacing the words “regional council” in the seventh and eighth lines of the last paragraph by the words “regional board or regional council, as the case may be,”.

c. M-1.1,
s. 19, am.

183. Section 19 of the said Act is amended by replacing the words “regional council” in the first and second lines of the second paragraph by the words “regional board or regional council, as the case may be,”.

c. M-1.1,
s. 20, am.

184. Section 20 of the said Act is amended

(1) by inserting the words “, regional board” after the word “establishment” in the first line of the last paragraph;

(2) by replacing the words “regional council” in the eighth line of the last paragraph by the words “regional board or regional council, as the case may be,”.

c. M-1.1,
s. 23, am.

185. Section 23 of the said Act is amended by replacing the second, third and fourth lines of the last paragraph by the words “effect of requiring any employee of an institution, a regional board, a regional council or the operator of an ambulance service who has completed his probationary period to undergo another probationary period.”

c. M-1.1,
s. 24, am.

186. Section 24 of the said Act is amended

(1) by inserting the words “user within the meaning of the Act respecting health services and social services and amending various legislation or a” after the word “a” in the second line of the last paragraph;

(2) by replacing the word and reference “(chapter S-5)” in the third line of the last paragraph by the words “for Cree and Inuit Native persons”;

(3) by inserting the words “user or” after the words “that the” in the seventh line of the last paragraph.

c. M-1.1,
s. 25, am.

187. Section 25 of the said Act is amended by inserting the words “a regional board,” after the word “establishment,” in the third line.

MEDICAL ACT

c. M-9,
s. 1, am.

188. Section 1 of the Medical Act (R.S.Q., chapter M-9) is amended by replacing paragraph *f* by the following paragraph:

“institu-
tion”

“(f) “institution”: an institution within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”.

c. M-9,
s. 15, am.

189. Section 15 of the said Act is amended by inserting the words “the centres operated by the” after the word “in” in the second line of paragraph *a*.

c. M-9,
s. 16, am.

190. Section 16 of the said Act is amended by inserting the words “centres operated by the” after the words “in the” in the third line.

c. M-9,
s. 18.1,
French
text, am.

191. The French text of section 18.1 of the said Act is amended by inserting the words “institué pour un établissement et” after the word “pharmaciens” in the second line.

ACT RESPECTING LABOUR STANDARDS

c. N-1.1,
s. 30, am.

192. Section 30 of the Act respecting labour standards (R.S.Q., chapter N-1.1), amended by section 10 of chapter 73 of the statutes of 1990, is again amended

(1) by inserting the following paragraph after paragraph 7:

“(7.1) institutions, regional boards and family-type resources contemplated in the Act respecting health services and social services and amending various legislation (1991, chapter 42), proportionately to the amounts of money they receive under that Act;”;

(2) by inserting the words “for Cree and Inuit Native persons” after the words “social services” in the third line of paragraph 8.

NOTARIAL ACT

c. N-2,
s. 120, am.

193. Section 120 of the Notarial Act (R.S.Q., chapter N-2) is amended

(1) by inserting the words “a facility maintained by an institution operating” after the words “admitted to” in the fourth line of subsection 1;

(2) by inserting the words “institution operating the” after the words “of the” in the sixth line of subsection 1.

OPTOMETRY ACT

c. O-7,
s. 1, am. **194.** Section 1 of the Optometry Act (R.S.Q., chapter O-7) is amended by replacing paragraph *f* by the following paragraph:

“institution” “(f) “institution”: an institution within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or an institution within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”.

c. O-7,
s. 7, am. **195.** Section 7 of the said Act is amended by inserting the words “centres operated by the” after the words “in the” in the second line of paragraph *a*.

c. O-7,
s. 8, am. **196.** Section 8 of the said Act is amended by inserting the words “centres operated by the” after the words “in the” in the third line.

PHARMACY ACT

c. P-10,
s. 1, am. **197.** Section 1 of the Pharmacy Act (R.S.Q., chapter P-10), amended by section 1 of chapter 75 of the statutes of 1990, is again amended by replacing paragraph *g* by the following paragraph:

“institution” “(g) “institution”: an institution within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or an institution within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”.

c. P-10,
s. 8.1, am. **198.** Section 8.1 of the said Act is amended by inserting the words “of the institution” after the word “pharmacists” in the fourth line.

c. P-10,
s. 18, am. **199.** Section 18 of the said Act, amended by section 5 of chapter 75 of the statutes of 1990, is again amended

(1) by replacing the word “there” in the third line of the second paragraph by the words “at any centre it operates” and by replacing

the words “or registered there” in the sixth line of that paragraph by the words “to or registered at any centre it operates”;

(2) by replacing the words “attached to” in the fourth line of the second paragraph by the words “practising in any centre operated by”.

c. P-10,
s. 37, am.

200. Section 37 of the said Act is amended by replacing paragraph *b* by the following paragraph:

“(b) determine the circumstances of time and place in which an institution operating a centre in which a pharmacist or a physician practises may sell or supply medications to persons not admitted to or registered at that institution.”

ACT RESPECTING THE PRACTICE OF MIDWIFERY WITHIN THE FRAMEWORK OF PILOT PROJECTS

c. P-16.1,
s. 4,
replaced

201. Section 4 of the Act respecting the practice of midwifery within the framework of pilot projects (R.S.Q., chapter P-16.1) is replaced by the following section:

Pilot
project

“4. A pilot project may be devised by a public institution governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5) which operates a hospital centre, by an institution which operates a local community service centre, or by both, jointly.”

c. P-16.1,
s. 5, am.

202. Section 5 of the said Act is amended by inserting the words “a facility maintained by an institution operating a hospital centre or” after the word “in” in the first line of the second paragraph.

c. P-16.1,
Div. III,
heading,
am.

203. The heading of Division III of the said Act is amended by inserting the word “MIDWIFERY” after the word “MULTIDISCIPLINARY”.

c. P-16.1,
s. 11, am.

204. Section 11 of the said Act is amended

(1) in the French text by replacing the words “lorsqu’un tel conseil est institué dans l’établissement ou, à défaut,” in the second and third lines of subparagraph 2 of the first paragraph by the words “institué pour l’établissement ou, s’il n’y en a pas,”;

(2) by replacing the words “clinical staff advisory council” in the first and second lines of subparagraph 3 of the first paragraph by the words “council of nurses or the clinical staff advisory council, as the case may be”.

c. P-16.1,
s. 29, am.

205. Section 29 of the said Act is amended by inserting the words “a facility maintained by” after the word “in” in the second line.

c. P-16.1,
s. 35, am.

206. Section 35 of the said Act is amended by replacing the words “a local community service centre and a hospital centre, the two establishments” in the first and second lines of the second paragraph by the words “two institutions, they”.

c. P-16.1,
s. 37, am.

207. Section 37 of the said Act is amended by replacing the words “hospital centre, the local community service centre or” in the third and fourth lines by the words “institution concerned or with”.

c. P-16.1,
s. 38, am.

208. Section 38 of the said Act is amended by replacing the word and reference “(chapter S-5)” in the second line by the words “and amending various legislation or the Act respecting health services and social services for Cree and Inuit Native persons”.

AGRICULTURAL PRODUCTS, MARINE PRODUCTS AND FOOD ACT

c. P-29,
s. 1, am.

209. Section 1 of the Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29), amended by section 1 of chapter 80 of the statutes of 1990, is again amended by inserting the words “and amending various legislation (1991, chapter 42), the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the fifth line of paragraph *k*.

YOUTH PROTECTION ACT

c. P-34.1,
s. 1, am.

210. Section 1 of the Youth Protection Act (R.S.Q., chapter P-34.1) is amended

(1) by replacing the words “in a social service centre” in the first and second lines of subparagraph *b* of the first paragraph by the words “appointed for an institution operating a child and youth protection centre or a social service centre”;

(2) by replacing the second paragraph by the following paragraphs:

“hospital
centre”,
“local
community
service
centre”,
“institution”
“foster
family”

“The expressions “hospital centre”, “local community service centre”, “institution” and “foster family” have the meaning assigned to them by the Act respecting health services and social services and amending various legislation (1991, chapter 42) or the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5), as the case may be.

"child and youth protection centre", "rehabilitation centre", "regional board", "reception centre", "social service centre", "regional board"

The expressions "child and youth protection centre", "rehabilitation centre" and "regional board" have the meaning assigned to them by the Act respecting health services and social services and amending various legislation.

The expressions "reception centre", "social service centre" and "regional board" have the meaning assigned to them by the Act respecting health services and social services for Cree and Inuit Native persons."

c. P-34.1,
s. 7, am.

211. Section 7 of the said Act is amended by replacing the words "reception centre or foster family to another reception centre or foster family" in the first and second lines of the first paragraph by the words "foster family or facility maintained by an institution operating a rehabilitation centre or reception centre to another foster family or facility maintained by another institution operating a rehabilitation centre or reception centre".

c. P-34.1,
s. 9, am.

212. Section 9 of the said Act is amended

(1) by striking out the words "reception centre or" in the first line of the first paragraph;

(2) by inserting the words "or by an institution which operates a rehabilitation centre or a reception centre" after the word "family" in the first line of the first paragraph;

(3) by replacing the words "general manager of " in the second line of the third paragraph by the words "executive director of the institution operating the rehabilitation centre or".

c. P-34.1,
s. 10, am.

213. Section 10 of the said Act is amended

(1) by replacing the words "place in" in the third line by the words "place within the facilities maintained by";

(2) by inserting the words ", to the regional board" after the words "Social Services" in the sixth line;

(3) by replacing the words "social service centre" in the seventh line by the words "institution operating a child and youth protection centre or a social service centre, as the case may be".

c. P-34.1,
s. 11.1, am.

214. Section 11.1 of the said Act is amended by replacing the word "in" in the first line by the word "by".

c. P-34.1,
s. 26, am.

215. Section 26 of the said Act is amended

(1) by inserting the words “section 19 of the Act respecting health services and social services and amending various legislation and” after the word “Notwithstanding” in the first line of the first paragraph;

(2) by replacing the word and reference “(chapter S-5)” in the second line of the first paragraph by the words “for Cree and Inuit Native persons”;

(3) by inserting the words “facility maintained by an” after the word “any” in the fourth line of the first paragraph.

c. P-34.1,
s. 31, am.

216. Section 31 of the said Act is amended

(1) by replacing the words “in every” in the first line of the first paragraph by the words “for each”;

(2) by inserting the words “institution operating a child and youth protection centre or a” before the word “social” in the second line of the first paragraph;

(3) by replacing the word “centre” in the second line of the second paragraph by the word “institution”;

(4) by replacing the words “regional council, the bodies and the reception centres” in the third and fourth lines of the second paragraph by the words “regional board or regional council, the bodies and the institutions operating a rehabilitation centre or reception centre”;

(5) by inserting the words “the institution operating the child and youth protection centre or” after the word “by” in the fourth line of the second paragraph.

c. P-34.1,
s. 31.2, am.

217. Section 31.2 of the said Act is amended by inserting the words “an institution operating a child and youth protection centre or” after the words “directors of” in the first line.

c. P-34.1,
s. 34, am.

218. Section 34 of the said Act is amended by replacing the words “services of” in the first line by the words “provided by an institution which operates a child and youth protection centre or a”.

c. P-34.1,
s. 36, am.

219. Section 36 of the said Act is amended

(1) by inserting the words “section 19 of the Act respecting health services and social services and amending various legislation and” after the word “Notwithstanding” in the first line of the first paragraph;

(2) by replacing the word and reference “(chapter S-5)” in the second line of the first paragraph by the words “for Cree and Inuit Native persons”;

(3) by inserting the words “a facility maintained by” after the word “enter” in the seventh line of the first paragraph.

c. P-34.1,
s. 37, am. **220.** Section 37 of the said Act is amended

(1) by inserting the words “an institution operating a child and youth protection centre or” after the words “by-law of” in the first line;

(2) by inserting the words “regional board or” between the words “the” and “regional” in the third line.

c. P-34.1,
s. 38.1, am. **221.** Section 38.1 of the said Act is amended by inserting the words “a facility maintained by an institution operating a rehabilitation centre,” after the word “family,” in the first line of paragraph *a*.

c. P-34.1,
s. 46, am. **222.** Section 46 of the said Act is amended

(1) by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) entrusting the child to an institution operating a rehabilitation centre, a reception centre or a hospital centre, to a foster family, to an appropriate body or to any other person without delay;”;

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

Foster care “Where it is decided to entrust the child to an institution referred to in subparagraph *b* of the first paragraph, the director shall specify whether or not foster care is included in the measure. The designated institution is bound to receive the child.”

c. P-34.1,
s. 48, am. **223.** Section 48 of the said Act is amended

(1) by replacing the words “social service centre” in the third line of the first paragraph by the words “institution operating the child and youth protection centre or the social service centre”;

(2) by inserting the words “institution operating a” after the word “Every” in the fourth line of the second paragraph.

c. P-34.1,
s. 48.1, am.

224. Section 48.1 of the said Act is amended

(1) by replacing the words “a hospital centre” in the first line by the words “an institution which operates a hospital centre”;

(2) by replacing the words “a physician releases the child” in the second and third lines by the words “the child is released”;

(3) by replacing the word and reference “(chapter S-5)” in the fourth line by the words “and amending various legislation (1991, chapter 42) or the Act respecting health services and social services for Cree and Inuit Native persons”.

c. P-34.1,
s. 54, am.

225. Section 54 of the said Act is amended

(1) in the French text, by replacing the words “oeuvrant au sein d’un établissement ou d’un” in the first line of subparagraph *d* of the first paragraph by the words “qui travaille pour un établissement ou un”;

(2) by replacing the words “a hospital centre” in the first line of subparagraph *e* of the first paragraph by the words “an institution operating a hospital centre or”;

(3) by replacing subparagraph *h* of the first paragraph by the following subparagraph:

“(h) that the child be entrusted for a fixed period to an institution operating a rehabilitation centre or reception centre or to a foster family, as chosen by the institution operating the child and youth protection centre or the social service centre;”;

(4) by replacing the words “a reception centre” in the first and second lines of the last paragraph by the words “an institution operating a rehabilitation centre or reception centre or to a”.

c. P-34.1,
s. 56, am.

226. Section 56 of the said Act is amended

(1) by replacing the words “in a foster family or reception centre” in the second and third lines of the first paragraph by the words “by a foster family or an institution operating a rehabilitation centre or reception centre”;

(2) by replacing the words “reception centre” in the first line of the second paragraph by the words “institution operating a rehabilitation centre or reception centre and”.

c. P-34.1,
s. 57.1, am.

227. Section 57.1 of the said Act is amended

(1) by replacing the word and reference “(chapter S-5)” in the third line of the first paragraph by the words “and amending various legislation or the Act respecting health services and social services for Cree and Inuit Native persons”;

(2) by replacing the words “placed in a foster family or reception centre” in the fourth line of the first paragraph by the words “entrusted to a foster family or to an institution operating a rehabilitation centre or reception centre”.

c. P-34.1,
s. 62, am.

228. Section 62 of the said Act is amended

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

Director's
duties

“**62.** Where the tribunal orders the compulsory foster care of a child, it shall require the director to designate an institution operating a rehabilitation centre or a reception centre or a foster family to which the child may be entrusted, and to see that foster care is provided under adequate conditions.”;

(2) by replacing the words “reception centre or” in the first line of the second paragraph by the words “institution operating a rehabilitation centre, a reception centre or a”;

(3) by replacing the word “The” in the first line of the last paragraph by the words “The institution operating a child and youth protection centre or a”;

(4) by replacing the words “reception centre” in the second line of the last paragraph by the words “institution operating a rehabilitation centre or a reception centre”.

c. P-34.1,
s. 64, am.

229. Section 64 of the said Act is amended by replacing the words “reception centre” in the second line of the first paragraph by the words “institution operating a rehabilitation centre or a reception centre”.

c. P-34.1,
s. 65, am.

230. Section 65 of the said Act is amended by adding, at the end, the words “for Cree and Inuit Native persons or under section 512 of the Act respecting health services and social services and amending various legislation”.

c. P-34.1,
s. 67, am.

231. Section 67 of the said Act is amended

(1) by replacing the words “of the social service centre in” in the third line by the words “served by the institution operating the child and youth protection centre or the social service centre for”;

(2) by replacing the words “of the social service centre in” in the sixth line by the words “served by the institution operating the child and youth protection centre or the social service centre for”.

c. P-34.1,
s. 68, am.

232. Section 68 of the said Act is amended by replacing the words “the social service centre in” in the second line by the words “the institution operating the child and youth protection centre or the social service centre for”.

c. P-34.1,
s. 70,
replaced

233. Section 70 of the said Act is replaced by the following section:

Applicable
provisions

“70. Sections 490 to 502 of the Act respecting health services and social services and amending various legislation apply to any institution operating a child and youth protection centre which does not adequately fulfil one or another of the tasks, functions and obligations conferred on it by this Act.

Applicable
provisions

Division VIII of the Act respecting health services and social services for Cree and Inuit Native persons applies to a social service centre which does not adequately fulfil one or another of the tasks, functions and obligations conferred on it by this Act.”

c. P-34.1,
s. 74.2, am.

234. Section 74.2 of the said Act is amended

(1) by replacing the words “in a reception centre or” in the second line of paragraph *c* by the word “by”;

(2) by adding, at the end of paragraph *c*, the words “or an institution operating a rehabilitation centre or a reception centre”.

c. P-34.1,
s. 75, am.

235. Section 75 of the said Act is amended by replacing the word “in” in the first line of the second paragraph by the word “for”.

c. P-34.1,
s. 79, am.

236. Section 79 of the said Act is amended

(1) by replacing the word “in” in the second line of the first paragraph by the word “by”;

(2) by replacing the words “reception centre” in the third line of the first paragraph by the words “an institution operating a rehabilitation centre or a reception centre”.

c. P-34.1,
s. 86, am.

237. Section 86 of the said Act is amended by inserting the words “the institution operating the child and youth protection centre or” after the word “of” in the second line of the last paragraph.

c. P-34.1,
s. 96, am.

238. Section 96 of the said Act is amended by replacing the words “general manager of an establishment where the child is provided with foster care” in the first and second lines of subparagraph *h* of the first paragraph by the words “executive director of an institution providing foster care to the child”.

c. P-34.1,
s. 134,
French
text, am.

239. The French text of section 134 of the said Act, amended by section 690 of chapter 4 of the statutes of 1990 and by section 105 of chapter 33 of the statutes of 1991, is again amended by replacing the words “où il est hébergé” in the second line of subparagraph *e* of the first paragraph by the words “qui l’héberge”.

PUBLIC HEALTH PROTECTION ACT

c. P-35,
s. 1, am.

240. Section 1 of the Public Health Protection Act (R.S.Q., chapter P-35), amended by section 1 of chapter 55 of the statutes of 1990, is again amended

(1) by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“hospital
centre”

“(a) “hospital centre” means a hospital centre governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5);”;

(2) by inserting, after subparagraph *a* of the first paragraph, the following subparagraphs:

“local
community
service
centre”

“(a.1) “local community service centre” means a local community service centre governed by the Act respecting health services and social services and amending various legislation or by the Act respecting health services and social services for Cree and Inuit Native persons;

“regional
council”

“(a.2) “regional council” means a health and social service council established under the Act respecting health services and social services for Cree and Inuit Native persons;

“institu-
tion”

“(a.3) “institution” means an institution governed by the Act respecting health services and social services and amending various legislation or by the Act respecting health services and social services for Cree and Inuit Native persons;”;

(3) by inserting the words “a facility maintained by” after the word “outside” in the first line of subparagraph *b* of the first paragraph

as it read before being amended by section 1 of chapter 55 of the statutes of 1990;

(4) by inserting, after subparagraph *g* of the first paragraph, the following subparagraph:

“regional
board”

“(g.1) “regional board” means a regional health and social services board established under the Act respecting health services and social services and amending various legislation;”;

(5) by inserting the words “a facility maintained by an institution operating” after the word “outside” in the first line of subparagraph *m* of the first paragraph;

(6) by replacing the comma in the fourth line of the last paragraph by the words “for Cree and Inuit Native persons”;

(7) by adding, at the end of the last paragraph, the sentence “A laboratory within the meaning of the said subparagraph also includes a private health facility within the meaning of the Act respecting health services and social services and amending various legislation in which equipment is used to carry on any of the activities mentioned in the said subparagraph.”

c. P-35,
s. 2, am.

241. Section 2 of the said Act is amended

(1) by inserting the words “facilities maintained by” after the word “between” in the first line of subparagraph *d* of the second paragraph;

(2) by inserting the words “regional board or” after the word “a” in the second line of the third paragraph;

(3) by inserting the words “regional board or” after the word “a” in the fifth line of the third paragraph;

(4) by inserting the words “regional board or” after the words “by a” in the third line of the last paragraph.

c. P-35,
s. 2.1, am.

242. Section 2.1 of the said Act is amended

(1) by inserting the words “regional board or” after the words “by a” in the first line of the second paragraph;

(2) by inserting the words “regional board or” after the word “The” in the third line of the second paragraph.

c. P-35,
s. 5, am.

243. Section 5 of the said Act, amended by section 2 of chapter 55 of the statutes of 1990, is again amended

(1) by replacing the words “head of a community health department” in the first line of the first paragraph by the words “public health director appointed pursuant to section 372 of the Act respecting health services and social services and amending various legislation”;

(2) by replacing the words “head of the community health department” in the first and second lines of the second paragraph by the words “public health director”;

(3) by replacing the third paragraph, as it read before being amended by section 2 of chapter 55 of the statutes of 1990, by the following paragraph:

Reporting
of diseases

“The head of a laboratory in or outside a facility maintained by an institution or the head of a medical biology department must declare to the Minister or to the public health director of the territory, in accordance with the regulations, every case where an examination reveals the presence of a disease that must be declared or a venereal disease.”

c. P-35,
s. 10, am.

244. Section 10 of the said Act is amended by replacing the words “report immediately to a physician,” in the third line by the words “go for consultation to a physician or an institution operating”.

c. P-35,
s. 11, am.

245. Section 11 of the said Act is amended by replacing the comma in the first line by the words “or an institution operating”.

c. P-35,
s. 12, am.

246. Section 12 of the said Act is amended by inserting the words “a facility maintained by” after the word “to” in the fourth line of the second paragraph.

c. P-35,
s. 31, am.

247. Section 31 of the said Act, amended by section 3 of chapter 55 of the statutes of 1990, is again amended

(1) by inserting the words “, by the regional board” after the word “Minister” in the fourth line of the last paragraph;

(2) by replacing the words “the council” in the fifth line of the last paragraph by the words “the regional board or regional council, as the case may be,”;

(3) by replacing the word and reference “(chapter S-5)” in the seventh line of the last paragraph by the words “for Cree and Inuit Native persons”.

c. P-35,
s. 34, am.

248. Section 34 of the said Act, amended by section 4 of chapter 55 of the statutes of 1990, is again amended by inserting the words “, the regional board,” after the word “Minister” in the second line of the first paragraph.

c. P-35,
s. 36, am.

249. Section 36 of the said Act, amended by section 6 of chapter 55 of the statutes of 1990, is again amended

(1) by replacing the first paragraph, as it read before being amended by section 6 of chapter 55 of the statutes of 1990, by the following paragraph:

Permits

“36. Regardless of the number of permits in force or the number of applications for permits, the Minister, the regional board or the regional council, as the case may be, shall issue the permit if the applicant fulfils the conditions and procedures determined by regulation of the Minister or of the regional board or regional council and pays the duties prescribed by regulation.”;

(2) by inserting the words “, the regional board” after the word “Minister” in the first line of the fourth paragraph.

c. P-35,
s. 39, am.

250. Section 39 of the said Act is amended by inserting the words “, the regional board” after the word “Minister” in the third line.

c. P-35,
s. 40, am.

251. Section 40 of the said Act is amended by replacing the words “council who” in the second line by the words “board or regional council who or which”.

c. P-35,
s. 40.1, am.

252. Section 40.1 of the said Act, amended by section 8 of chapter 55 of the statutes of 1990, is again amended by replacing the words “council of his region” in the third line of the first paragraph by the words “board or regional council of his region, as the case may be,”.

c. P-35,
s. 41, am.

253. Section 41 of the said Act, amended by section 10 of chapter 55 of the statutes of 1990, is again amended by replacing the words “Minister’s or regional council’s decision” in the third line by the words “decision of the Minister, the regional board or the regional council, as the case may be,”.

c. P-35,
s. 47, am.

254. Section 47 of the said Act, amended by section 11 of chapter 44 of the statutes of 1991, is again amended

(1) by inserting the words “maintaining a facility” after the word “establishment” in the first line of the first paragraph;

(2) by inserting the words “a facility maintained by” after the word “in” in the first line of the second paragraph.

c. P-35,
s. 65, am. **255.** Section 65 of the said Act is amended by inserting the words “regional board or” after the word “a” in the fourth line.

c. P-35,
s. 69, am. **256.** Section 69 of the said Act, amended by section 11 of chapter 55 of the statutes of 1990, is again amended

(1) by replacing the words “head of the community health department, the physician and the head of a laboratory in or outside an establishment or a” in the sixth, seventh and eighth lines of subparagraph *e* of the first paragraph by the words “public health director referred to in section 5, the physician, the head of a laboratory in or outside a facility maintained by an institution and the head of a”;

(2) by inserting the words “facilities maintained by” after the words “used in” in the third line of subparagraph *i* of the first paragraph;

(3) by replacing subparagraph *j* of the first paragraph by the following subparagraph:

“(j) determine certain premises, forest camps and temporary installations where basic health care services must be provided if such services are not provided by an institution or are not accessible;”.

c. P-35,
s. 71, am. **257.** Section 71 of the said Act, amended by section 696 of chapter 4 of the statutes of 1990 and by section 108 of chapter 33 of the statutes of 1991, is again amended by inserting the words “, the regional board” after the word “Minister” in the second line of the first paragraph.

ACT RESPECTING THE PROTECTION OF NON-SMOKERS IN CERTAIN PUBLIC PLACES

c. P-38.01,
s. 4, am. **258.** Section 4 of the Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01) is amended by replacing the last two lines of the second paragraph by the words “services for Cree and Inuit Native persons (R.S.Q., chapter S-5), the regional health and social services boards established under the Act respecting health services and social services and amending various legislation (1991, chapter 42) and the Corporation d’hébergement du Québec referred to in section 471 of that Act.”

c. P-38.01,
s. 7,
replaced **259.** Section 7 of the said Act is replaced by the following section:

Health and
social
services
institu-
tions

“7. Health and social services institutions include public institutions governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) and private institutions under agreement within the meaning of that Act which operate a hospital centre or a residential and long-term care centre.

Public
institu-
tions

They also include public institutions governed by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5).”

MENTAL PATIENTS PROTECTION ACT

c. P-41,
s. 1, am.

260. Section 1 of the Mental Patients Protection Act (R.S.Q., chapter P-41) is amended

(1) by replacing the words “establishment within the meaning of” in the first line of paragraph *a* by the words “institution governed by”;

(2) by inserting the words “and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of paragraph *a*;

(3) by replacing the words “centre within the meaning of the said” in the first and second lines of paragraph *b* by the words “within the meaning of the”;

(4) by replacing the words “, equipped to” in the second line of paragraph *b* by the words “and amending various legislation or a hospital centre within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons which has the necessary organization and resources to”;

(5) by striking out the word “said” in the second line of paragraph *c*;

(6) by replacing the words “, equipped to” in the third line of paragraph *c* by the words “and amending various legislation or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons which has the necessary organization and resources to”;

(7) by inserting, after paragraph *c*, the following paragraphs:

“reception
centre”

“(c.1) “reception centre”: a reception centre within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons;

"residential
and long-
term care
centre"

"(c.2) "residential and long-term care centre": a residential and long-term care centre within the meaning of the Act respecting health services and social services and amending various legislation;

"rehabili-
tation
centre"

"(c.3) "rehabilitation centre": a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation;

"medical
record"

"(c.4) "medical record": the user's record contemplated by Chapter II of Title II of Part I of the Act respecting health services and social services and amending various legislation or the beneficiary's record contemplated by the first paragraph of section 7 of the Act respecting health services and social services for Cree and Inuit Native persons;".

c. P-41,
s. 2, am.

261. Section 2 of the said Act is amended by inserting the words "an institution operating" after the word "to" in the second line of the second paragraph.

c. P-41,
s. 4, am.

262. Section 4 of the said Act is amended by inserting the words "an institution operating" after the word "from" in the first line.

c. P-41,
s. 5, am.

263. Section 5 of the said Act is amended by inserting the words "an institution operating" after the word "from" in the fifth line.

c. P-41,
s. 6, am.

264. Section 6 of the said Act is amended by inserting the words "an institution operating" after the word "from" in the third line.

c. P-41,
s. 9, am.

265. Section 9 of the said Act is amended

(1) by replacing the words "been made outside" in the first line of the first paragraph by the words "not been made within an institution operating";

(2) by replacing the last two lines of the first paragraph by the words "copy thereof to the institution which operates a hospital centre and holds the medical record of the patient examined or, where there is no such institution, to the institution which operates a hospital centre and whose head office is the nearest."

c. P-41,
s. 10, am.

266. Section 10 of the said Act is amended

(1) by inserting the words "institution operating a" after the word "every" in the first line of the first paragraph;

(2) by inserting the words "operated by the said institution" after the word "centre" in the last line of the first paragraph.

c. P-41,
s. 12, am.

267. Section 12 of the said Act is amended

(1) by inserting the words “institution operating a” after the word “No” in the first line of the first paragraph;

(2) by replacing the words “A hospital centre” in the first line of the second paragraph by the words “An institution”.

c. P-41,
s. 18, am.

268. Section 18 of the said Act is amended by inserting the words “facility maintained by an institution operating a” after the word “a” in the second line.

c. P-41,
s. 21, am.

269. Section 21 of the said Act is amended by replacing the first paragraph by the following paragraph:

Temporary
admission
without
examination

“21. The director of professional services of an institution which operates a hospital centre or, in his absence, any physician practising in that centre may admit temporarily to a facility maintained by that institution a person not having undergone a psychiatric clinical examination, if he considers that the mental state of such person poses a serious and immediate threat for such person or others.”

c. P-41,
s. 22,
replaced

270. Section 22 of the said Act is replaced by the following section:

Transfer

“22. Any person under close treatment in a facility maintained by an institution which operates a hospital centre may be transferred to a facility maintained by an institution which operates a residential and long-term care centre, a rehabilitation centre or a reception centre to continue or terminate therein his close treatment if the physician treating that person attests by a certificate which he issues for that purpose that such measure does not endanger the health or safety of the person or of others.

Certificate

The certificate must designate the institution whereto such person is to be transferred and specify the period during which he must remain in a facility maintained by that institution, at the end of which period the person is to return to the facility maintained by the institution operating the hospital centre.”

c. P-41,
s. 23, am.

271. Section 23 of the said Act is amended by inserting the words “institution operating a” after the word “No” in the first line of the first paragraph.

c. P-41,
s. 24, am.

272. Section 24 of the said Act is amended by inserting the words “being kept” after the words “where he is” in the first line of paragraph a.

c. P-41,
s. 25, am.

273. Section 25 of the said Act is amended by replacing the words “hospital centre discharging” in the third and fourth lines by the words “institution which operates the hospital centre and which discharges”.

c. P-41,
s. 26, am.

274. Section 26 of the said Act is amended

(1) by replacing the words “hospital centre where a person is in” in the first and second lines by the words “institution which operates a hospital centre and has admitted a person for”;

(2) by replacing the word “another” in the third line by the words “the facility maintained by another institution operating a”.

c. P-41,
s. 27, am.

275. Section 27 of the said Act is amended by replacing the first two lines by the following:

Information

“27. Every institution which has admitted a person for close treatment must inform such person in writing, in”.

c. P-41,
s. 29, am.

276. Section 29 of the said Act is amended by replacing the words “in a hospital centre or a reception centre” in the first and second lines of the first paragraph by the words “with an institution”.

c. P-41,
s. 31, am.

277. Section 31 of the said Act is amended by replacing the words “in which a person has been admitted” in the first line of the first paragraph by the words “which has admitted a person”.

c. P-41,
s. 36, am.

278. Section 36 of the said Act is amended by inserting the words “, residential and long-term care centres, rehabilitation centres” after the words “reception centres” in the fourth line.

ENVIRONMENT QUALITY ACT

c. Q-2,
s. 93, am.

279. Section 93 of the Environment Quality Act (R.S.Q., chapter Q-2) is amended by inserting the words “and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line.

ACT RESPECTING THE DETERMINATION OF THE CAUSES AND CIRCUMSTANCES OF DEATH

c. R-0.2,
s. 33, am.

280. Section 33 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., chapter R-0.2) is amended

(1) by inserting, after the first paragraph, the following paragraph:

Effect

“Any agreement entered into with an institution operating a hospital centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) has effect only from the thirtieth day following its filing with the regional board unless the board has disallowed the agreement.”;

(2) by inserting the words “for Cree and Inuit Native persons” after the words “social services” in the second line of the second paragraph.

c. R-0.2,
s. 35, am.

281. Section 35 of the said Act is amended

(1) by inserting the words “a facility maintained by an institution operating” after the word “in” in the first line of the first paragraph;

(2) by replacing the word “centre” in the second line of the first paragraph by the word “institution”.

c. R-0.2,
s. 37, am.

282. Section 37 of the said Act, amended by section 1 of chapter 44 of the statutes of 1991, is again amended

(1) by replacing the word and reference “(chapter S-5)” in the third line of paragraph 1 by the words “for Cree and Inuit Native persons”;

(2) by inserting, after paragraph 1, the following paragraph:

“(1.1) in a facility maintained by an institution within the meaning of the Act respecting health services and social services and amending various legislation which operates a rehabilitation centre;”.

c. R-0.2,
s. 40, am.

283. Section 40 of the said Act is amended by replacing the word and reference “(chapter S-5)” in the third line by the words “for Cree and Inuit Native persons or by a family-type resource within the meaning of the Act respecting health services and social services and amending various legislation”.

c. R-0.2,
s. 48.1, am.

284. Section 48.1 of the said Act, enacted by section 1 of chapter 48 of the statutes of 1990, is amended

(1) by replacing the word and reference “(R.S.Q., chapter S-5)” in the fourth line of the first paragraph by the words “for Cree and Inuit Native persons”;

(2) by inserting the words “, a deceased person’s record contemplated by Chapter II of Title II of Part I of the Act respecting

health services and social services and amending various legislation and held by an institution within the meaning of that Act” after the word “Act” in the fifth line of the first paragraph.

c. R-0.2,
s. 75, am.

285. Section 75 of the said Act is amended

(1) by inserting the words “the facility maintained by the institution operating” after the word “at” in the third line of the first paragraph;

(2) by inserting the words “a facility maintained by an institution operating” after the word “than” in the first line of the second paragraph;

(3) by inserting the words “facility maintained by an institution operating” after the word “any” in the third line of the second paragraph;

(4) by replacing the words “the centre” in the fourth line of the second paragraph by the words “the institution”.

c. R-0.2,
s. 76, am.

286. Section 76 of the said Act is amended

(1) by inserting the words “an institution operating” after the words “services of” in the first line of the first paragraph;

(2) by replacing the word “centre” in the fourth line of the first paragraph by the words “facility maintained by that institution”.

c. R-0.2,
s. 118, am.

287. Section 118 of the said Act is amended

(1) by replacing the words “a reception centre” in the second line of the second paragraph by the words “an institution operating a reception centre or a rehabilitation centre”;

(2) by adding, at the end, the following paragraph:

“reception
centre”
“rehabili-
tation
centre”

“For the purposes of the second paragraph, “reception centre” has the meaning assigned to it by the Act respecting health services and social services for Cree and Inuit Native persons and “rehabilitation centre” has the meaning assigned to it by the Act respecting health services and social services and amending various legislation.”

c. R-0.2,
s. 182, am.

288. Section 182 of the said Act is amended

(1) by inserting the words “a facility maintained by” after the word “in” in the fifth line;

(2) by replacing the word and reference “(chapter S-5)” in the sixth line by the words “for Cree and Inuit Native persons or within the meaning of the Act respecting health services and social services and amending various legislation.”

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN
THE PUBLIC AND PARAPUBLIC SECTORS

c. R-8.2,
s. 1, am.

289. Section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2) is amended

(1) by replacing the word and reference “(chapter S-5)” in the third line of the last paragraph by the words “and amending various legislation (1991, chapter 42)”;

(2) by inserting the words “, except a private establishment referred to in the second paragraph of section 551 thereof,” after the word “Act” in the fourth line of the last paragraph;

(3) by replacing the word “recipients” in the fifth line of the last paragraph by the word “users”;

(4) by replacing the last two lines of the last paragraph by the words “this Act, as an institution within the meaning of that Act”;

(5) by adding, at the end, the following paragraph:

Institution

“An institution also includes a public institution within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5) and a private institution under agreement within the meaning of that Act.”

c. R-8.2,
s. 36, am.

290. Section 36 of the said Act is amended

(1) by replacing the word “five” in the first line of the first paragraph by the word “six”;

(2) by replacing subparagraphs 1 to 5 of the third paragraph by the following subparagraphs:

“(1) public institutions operating a hospital centre governed by the Act respecting health services and social services and amending various legislation and those operating a hospital centre belonging to the class of short-term care hospital centres governed by the Act respecting health services and social services for Cree and Inuit Native persons;

“(2) public institutions operating a residential and long-term care centre governed by the Act respecting health services and social services and amending various legislation and those operating a hospital centre belonging to the class of long-term care hospital centres and a reception centre belonging to the class of residential centres governed by the Act respecting health services and social services for Cree and Inuit Native persons;

“(3) public institutions operating a local community service centre governed by the Act respecting health services and social services and amending various legislation and those operating a local community service centre governed by the Act respecting health services and social services for Cree and Inuit Native persons;

“(4) public institutions operating a rehabilitation centre governed by the Act respecting health services and social services and amending various legislation and those operating a reception centre belonging to the class of rehabilitation centres governed by the Act respecting health services and social services for Cree and Inuit Native persons;

“(5) institutions operating a child and youth protection centre governed by the Act respecting health services and social services and amending various legislation and those operating a social service centre governed by the Act respecting health services and social services for Cree and Inuit Native persons;

“(6) private institutions under agreement governed by the Act respecting health services and social services and amending various legislation and private institutions under agreement governed by the Act respecting health services and social services for Cree and Inuit Native persons.”

c. R-8.2,
Sched. B,
am.

291. Schedule B to the said Act is amended

(1) by inserting the words “facilities maintained by the” after the word “the” in paragraph 15 of Division I;

(2) by inserting the words “facilities maintained by the” after the word “the” in the first line of paragraph 17 of Division I;

(3) by replacing the word “recipients” in paragraph 27 of Division I by the words “users pursuant to the Act respecting health services and social services and amending various legislation or beneficiaries pursuant to the Act respecting health services and social services for Cree and Inuit Native persons”;

(4) by replacing the words “establishment with recipients” in paragraph 29 of Division I by the words “facilities maintained by an institution governed by the Act respecting health services and social services and amending various legislation with users pursuant to that Act or outside an institution governed by the Act respecting health services and social services for Cree and Inuit Native persons with beneficiaries pursuant to that Act”.

ACT RESPECTING THE QUÉBEC PENSION PLAN

c. R-9,
s. 81, am.

292. Section 81 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9), amended by paragraph 18 of section 122 of chapter 85 of the statutes of 1990, is again amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5)” after the word “services” in the sixth line of paragraph *h*.

ACT RESPECTING THE GOVERNMENT
AND PUBLIC EMPLOYEES RETIREMENT PLAN

c. R-10,
Sched. I,
am.

293. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), amended by order 1643-90 dated 28 November 1990, by order 353-91 dated 20 March 1991, by order 1353-91 dated 9 October 1991, by order 398-92 and order 399-92 dated 25 March 1992, by order 669-92 dated 6 May 1992, by section 56 of chapter 42 of the statutes of 1990, by section 48 of chapter 46 of the statutes of 1990, by section 77 of chapter 87 of the statutes of 1990 and by section 30 of chapter 14 of the statutes of 1991, is again amended by inserting in paragraph 1, at the place determined by the alphabetical order of the French text, the following paragraph:

“the regional health and social services boards within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”.

c. R-10,
Sched. II,
am.

294. Schedule II to the said Act, amended by order 399-92 dated 25 March 1992, by section 2 of chapter 50 of the statutes of 1991 and by section 63 of chapter 77 of the statutes of 1991, is again amended

(1) by inserting the words “for Cree and Inuit Native persons” after the word “services” in the third line of the paragraph of paragraph 1 of the said schedule beginning with the words “Health and social service councils”;

(2) by inserting, in paragraph 1 of the said schedule, at the place determined by the alphabetical order of the French text, the following paragraph:

“Public institutions within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”.

c. R-10,
Sched.
III.1,
am.

295. Schedule III.1 to the said Act is amended

(1) by inserting the words “for Cree and Inuit Native persons” after the word “services” in the third line of the fourth paragraph;

(2) by inserting, after the fourth paragraph, the following paragraph:

“public institutions and regional health and social services boards within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

c. R-12,
Sched. IV.1,
am.

296. Schedule IV.1 to the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended

(1) by inserting the words “for Cree and Inuit Native persons” after the word “services” in the third line of the fourth paragraph;

(2) by inserting, after the fourth paragraph, the following paragraph:

“public institutions and regional health and social services boards within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”.

REGULATIONS ACT

c. R-18.1,
s. 3, am.

297. Section 3 of the Regulations Act (R.S.Q., chapter R-18.1) is amended

(1) by inserting, after paragraph 3, the following paragraph:

“(3.1) draft regulations or the regulations of institutions within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42), or of regional health and social services boards established under that Act;”;

(2) by inserting the words “for Cree and Inuit Native persons” after the words “social services” in the third line of paragraph 4.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND MANPOWER
MANAGEMENT IN THE CONSTRUCTION INDUSTRY

c. R-20,
s. 19, am.

298. Section 19 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20), amended by section 122 of chapter 85 of the statutes of 1990, is again amended by replacing the sixth, seventh and eighth lines of subparagraph 8 of the first paragraph by the words “the public institutions contemplated in the Act respecting health services and social services and amending various legislation (1991, chapter 42) or in the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5), and by employees engaged directly by such institutions to replace temporarily the permanent”.

ACT RESPECTING REAL ESTATE TAX REFUND

c. R-20.1,
s. 1, am.

299. Section 1 of the Act respecting real estate tax refund (R.S.Q., chapter R-20.1) is amended

(1) by inserting the words “a facility maintained by an institution operating a hospital centre, a residential and long-term care centre or a rehabilitation centre contemplated in the Act respecting health services and social services and amending various legislation (1991, chapter 42) or situated in” after the word “in” in the first line of subparagraph ii of paragraph c;

(2) by inserting the words “for Cree and Inuit Native persons” after the words “social services” in the second line of subparagraph ii of paragraph c.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

c. S-2.1,
s. 1, am.

300. Section 1 of the Act respecting occupational health and safety (R.S.Q., chapter S-2.1) is amended

(1) by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of the definition of “hospital centre”;

(2) by adding the words “and amending various legislation or within the meaning of the Act respecting health services and social

services for Cree and Inuit Native persons” at the end of the definition of “local community service centre”;

(3) by striking out the words “community health department” and their definition and by inserting, after the definition of “principal contractor”, the following definition:

“public
health
director”

“ “public health director” means a public health director within the meaning of the Act respecting health services and social services and amending various legislation;”;

(4) by inserting, after the definition of “radiation”, the following definition:

“regional
board”

“ “regional board” means a regional board within the meaning of the Act respecting health services and social services and amending various legislation;”.

c. S-2.1,
s. 33, am.

301. Section 33 of the said Act is amended by replacing the words “head of the community health department of the territory” in the third and fourth lines of the last paragraph by the words “public health director of the region”.

c. S-2.1,
s. 37, am.

302. Section 37 of the said Act is amended by replacing the words “head of the community health department of the territory” in the sixth and seventh lines of the first paragraph by the words “public health director of the region”.

c. S-2.1,
s. 51, am.

303. Section 51 of the said Act is amended

(1) by replacing the words “community health department” in the second and third lines of paragraph 10 by the words “regional board”;

(2) by replacing the words “head of the community health department” in the second line of paragraph 13 by the words “public health director”.

c. S-2.1,
s. 78, am.

304. Section 78 of the said Act is amended by replacing the words “community health department” in the second line of paragraph 12 by the words “regional board”.

c. S-2.1,
s. 101, am.

305. Section 101 of the said Act is amended by replacing the words “heads of the community health departments” in the first and second lines of subparagraph 4 of the first paragraph by the words “public health directors”.

c. S-2.1,
s. 107, am. **306.** Section 107 of the said Act is amended by replacing the words “hospital centres where there are community health departments” in the second and third lines of subparagraph 2 of the first paragraph by the words “regional boards”.

c. S-2.1,
s. 109,
replaced **307.** Section 109 of the said Act is replaced by the following section:

Contract **“109.** The Commission shall enter into a contract with every regional board whereby the regional board undertakes to provide the services required to implement the occupational health programmes in its territory or to provide such services to the institutions or categories of institutions identified in the contract.

Exceptional
cases However, at the Commission’s request, the Minister of Health and Social Services may in exceptional cases allow a regional board to make a similar undertaking with regard to a territory, other than its own, which is identified in the contract.

Designation The regional board shall designate, in the contract, any person operating a hospital centre or local community service centre that dispenses, among the services referred to in the first paragraph, those which the regional board is unable to provide; that person shall be bound by the contract.

Provisions
of contract The contract must be consistent with the provisions of the standard contract; it may also set out occupational health priorities applicable to the territory or to the institutions or categories of institutions identified in the contract.

Filing The contract shall be filed by the regional board with the Minister of Health and Social Services.”

c. S-2.1,
s. 110,
replaced **308.** Section 110 of the said Act is replaced by the following section:

Budget **“110.** Every year, the Commission shall establish a budget for the application of this chapter. It shall allot part of the budget to each regional board in accordance with the contract entered into with that regional board.

Budget Each regional board shall ensure that the budget allotted to it is used exclusively to remunerate the professional, technical and clerical staff who provide the services specified in the contract entered into pursuant to section 109, with the exception of health professionals within the meaning of the Health Insurance Act (R.S.Q., chapter A-29), and to cover the costs relating to examinations and analyses

and the provision of the premises and equipment required to provide those services, in accordance with the Act respecting health services and social services and amending various legislation or the Act respecting health services and social services for Cree and Inuit Native persons, as the case may be.”

c. S-2.1,
s. 113, am. **309.** Section 113 of the said Act is amended by replacing the words “contracts entered into under sections 109 and 116” in the third and fourth lines by the words “contract entered into pursuant to section 109”.

c. S-2.1,
s. 114, am. **310.** Section 114 of the said Act is amended by replacing the words “head of the community health department” in the third line by the words “public health director”.

c. S-2.1,
s. 115, am. **311.** Section 115 of the said Act is amended

(1) by inserting the words “a facility maintained by a person operating” after the word “in” in the first line of the second paragraph;

(2) by replacing the words “head of the community health department” in the third line of the second paragraph by the words “public health director”.

c. S-2.1,
s. 116,
repealed **312.** Section 116 of the said Act is repealed.

c. S-2.1,
s. 117,
replaced **313.** Section 117 of the said Act is replaced by the following section:

Physician
in charge **“117.** A physician may be placed in charge of health services in an institution if his application to practise his profession for the purposes of this chapter has been accepted, in accordance with the Act respecting health services and social services and amending various legislation or, as the case may be, the Act respecting health services and social services for Cree and Inuit Native persons by a person operating a hospital centre or local community service centre designated in the contract entered into pursuant to section 109.”

c. S-2.1,
s. 118, am. **314.** Section 118 of the said Act is amended

(1) by replacing the words “head of the community health department” in the fourth and fifth lines of the first paragraph by the words “public health director”;

(2) by replacing the words “head of the community health department” in the first and second lines of the second paragraph by the words “public health director”.

c. S-2.1,
s. 119, am.

315. Section 119 of the said Act is amended by replacing the words "head of the community health department" in the third line by the words "public health director".

c. S-2.1,
s. 120, am.

316. Section 120 of the said Act is amended

(1) by replacing the words "hospital centre in which there is a community health department" in the third and fourth lines of the second paragraph by the words "person operating a hospital centre or a local community service centre";

(2) in the French text, by replacing the word "il" in the third line of the second paragraph by the word "elle".

c. S-2.1,
s. 122, am.

317. Section 122 of the said Act is amended by replacing the words "head of the community health department" in the second and third lines of the first paragraph by the words "public health director".

c. S-2.1,
s. 123, am.

318. Section 123 of the said Act is amended by replacing the words "head of the community health department" in the fourth and fifth lines by the words "public health director".

c. S-2.1,
Chap. VIII,
Div. IV,
heading,
replaced

319. The heading of Division IV of Chapter VIII of the said Act is replaced by the heading "PUBLIC HEALTH DIRECTOR".

c. S-2.1,
s. 127, am.

320. Section 127 of the said Act is amended

(1) by replacing that part of the section which precedes paragraph 1 by the following words:

Public
health
director

"127. The public health director is responsible for the implementation, in the territory of the regional board, of the contract entered into under section 109; he shall, in particular,";

(2) by replacing paragraph 2 by the following paragraph:

"(2) cooperate with the committee on the examination of qualifications of the council of physicians, dentists and pharmacists and with the board of directors of the person operating a hospital centre or local community service centre, for the examination of applications of physicians who wish to work in the field of occupational medicine, in accordance with this Act, and the regulations thereunder, the Act respecting health services and social services and amending various legislation and the regulations thereunder or, as the case may be, the Act respecting health services and social services for Cree and Inuit Native persons and the regulations thereunder;"

c. S-2.1,
s. 128, am.

321. Section 128 of the said Act is amended by replacing the words “head of a community health department” in the first line by the words “public health director”.

c. S-2.1,
s. 129, am.

322. Section 129 of the said Act is amended

(1) by inserting the words “with the Act respecting health services and social services and amending various legislation and the regulations thereunder concerning a user’s record or, as the case may be, in accordance with” after the word “accordance” in the third line of the first paragraph;

(2) by replacing the words “and the regulations under that Act respecting” in the fourth line of the first paragraph by the words “for Cree and Inuit Native persons and the regulations thereunder concerning”.

c. S-2.1,
s. 130, am.

323. Section 130 of the said Act is amended by replacing the words “hospital centre having a community health department in the territory where” in the second and third lines of the second paragraph by the words “regional board of the region in which”.

c. S-2.1,
s. 131, am.

324. Section 131 of the said Act is amended

(1) by replacing the words “head of the community health department is of” in the first and second lines by the words “public health director is of the”;

(2) by replacing the words “hospital centre” in the fifth line by the words “regional board”.

c. S-2.1,
s. 132, am.

325. Section 132 of the said Act is amended

(1) by replacing the words “head of the community health department” in the first line by the words “public health director”;

(2) by replacing the words “hospital centre” in the third line by the words “regional board”.

c. S-2.1,
s. 133, am.

326. Section 133 of the said Act is amended by replacing the words “hospital centre” in the third line by the words “regional board”.

c. S-2.1,
s. 134, am.

327. Section 134 of the said Act is amended

(1) by replacing the word “into” in the third line of that part of the section which precedes paragraph 1 by the words “with the staff of a person operating”;

(2) by replacing the words “hospital centre” in the second line of paragraph 1 by the words “regional board”.

c. S-2.1,
s. 135, am. **328.** Section 135 of the said Act is amended by replacing the words “into a hospital centre” in the second line by the words “with the staff of a person operating a hospital centre”.

c. S-2.1,
s. 136, am. **329.** Section 136 of the said Act is amended

(1) by replacing the words “hospital centre” in the fourth line of the second paragraph by the words “regional board”;

(2) by replacing the words “into a hospital centre” in the third line of the third paragraph by the words “with the staff of a person operating a hospital centre”.

c. S-2.1,
s. 168, am. **330.** Section 168 of the said Act is amended

(1) by inserting the words “a facility maintained by” after the word “in” in the fourth line;

(2) by replacing the word and reference “(chapter S-5)” in the sixth line by the words “and amending various legislation or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the fifth line.

c. S-2.1,
s. 183, am. **331.** Section 183 of the said Act is amended by replacing the words “head of the community health department” in the fourth line by the words “public health director”.

c. S-2.1,
s. 206, am. **332.** Section 206 of the said Act is amended by replacing the words “community health department” in the second line of paragraph 6 by the words “regional board”.

PUBLIC BUILDINGS SAFETY ACT

c. S-3,
s. 32, am. **333.** Section 32 of the Public Buildings Safety Act (R.S.Q., chapter S-3) is amended by replacing the words “hospital centre or asylum” in the second line of the first paragraph by the words “asylum or institution operating a hospital centre”.

c. S-3,
s. 39, am. **334.** Section 39 of the said Act is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the third line of subsection 3.

ACT RESPECTING SAFETY IN SPORTS

c. S-3.1,
s. 46.8, am. **335.** Section 46.8 of the Act respecting safety in sports (R.S.Q., chapter S-3.1) is amended

(1) by inserting the words “a facility maintained by an institution operating” after the word “to” in the third line of paragraph 1;

(2) by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the fifth line of paragraph 1.

ACT RESPECTING CHILD DAY CARE

c. S-4.1,
s. 7, am. **336.** Section 7 of the Act respecting child day care (R.S.Q., chapter S-4.1) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of subparagraph 3 of the first paragraph.

c. S-4.1,
s. 69, am. **337.** Section 69 of the said Act is amended by inserting the words “and amending various legislation or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the third line of the second paragraph.

c. S-4.1,
s. 94,
repealed **338.** Section 94 of the said Act is repealed.

c. S-4.1,
s. 95, am. **339.** Section 95 of the said Act is amended by adding, at the end, the words “as it read on that date”.

c. S-4.1,
s. 96,
repealed **340.** Section 96 of the said Act is repealed.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

c. S-5,
s. 1.1,
added **341.** The Act respecting health services and social services (R.S.Q., chapter S-5) is amended by inserting, immediately before section 2, the following section:

Applicability **“1.1** Notwithstanding any inconsistent provision it may contain, this Act applies to the extent that it refers to the territory of the Conseil de la santé et des services sociaux de la Baie-James and the Conseil Kativik de la santé et des services sociaux and to the extent that it concerns the emergency pre-hospitalization system contemplated in Division VI.1.”

c. S-5,
s. 149.5,
am.

342. Section 149.5 of the said Act is amended

(1) by replacing the word “council” in the second line of the first paragraph by the word “board”;

(2) by inserting the words “facilities maintained by” after the words “of the” in the third line of subparagraph 4 of the first paragraph;

(3) by replacing the word “council” in the fourth line of subparagraph 4 of the first paragraph by the word “board”;

(4) by inserting the words “a facility maintained by” after the word “to” in the first line of subparagraph 5 of the first paragraph;

(5) by replacing the last paragraph by the following paragraph:

“regional
board”,
“institution”

“For the purposes of this subdivision, “regional board” means a regional board established under the Act respecting health services and social services and amending various legislation (1991, chapter 42) and “institution” means a public institution or a private institution under agreement referred to in that Act.”

c. S-5,
s. 149.6,
am.

343. Section 149.6 of the said Act is amended

(1) by inserting the words “institution operating the” after the words “of the” in the second line of paragraph 4;

(2) by replacing the words “emergency-room coordinators of the” in the third line of paragraph 5 by the words “coordinators of emergency rooms situated in facilities maintained by the institutions operating the”.

c. S-5,
s. 149.26,
am.

344. Section 149.26 of the said Act is amended

(1) by inserting the words “or regional board” after the word “council” in the first line of the first paragraph;

(2) by inserting the words “or board” after the word “council” in the third line of the first paragraph;

(3) by inserting the words “or regional board” after the word “council” in the fourth line of the fourth paragraph;

(4) by inserting the words “or board, as the case may be” after the word “council” in the sixth line of the fourth paragraph;

(5) by inserting the words “or board, as the case may be,” after the word “council” in the seventh line of the fourth paragraph;

(6) by adding, at the end, the following paragraph:

“regional board”
“institution” “For the purposes of this subdivision, “regional board” means a regional board established under the Act respecting health services and social services and amending various legislation and “institution” includes an institution governed by that Act.”

c. S-5,
s. 149.27,
am.

345. Section 149.27 of the said Act is amended

(1) by inserting the words “and every regional board” after the word “council” in the first line of the first paragraph;

(2) by inserting the words “or regional board” after the word “council” in the seventh line of the first paragraph.

c. S-5,
s. 149.28,
am.

346. Section 149.28 of the said Act is amended by replacing the words “master budget of a regional council” in the first line of the first paragraph by the words “budget of a regional council or regional board”.

c. S-5,
s. 149.29,
am.

347. Section 149.29 of the said Act is amended by replacing the words “Conseil de la santé et des services sociaux de la région de Montréal Métropolitain or to a regional council” in the first, second and third lines by the words “Régie régionale de la santé et des services sociaux de Montréal Centre or to any regional board”.

c. S-5,
s. 149.31,
am.

348. Section 149.31 of the said Act is amended

(1) by replacing the words and figures “sections 176 and 177” in the second line by the words “, section 176 or 177 and every public institution or private institution under agreement governed by the Act respecting health services and social services and amending various legislation,”;

(2) by inserting the words “or regional board” after the word “council” in the fifth line.

c. S-5,
s. 149.32,
am.

349. Section 149.32 of the said Act is amended

(1) by striking out the words “to the Corporation,” in the fourth and fifth lines of the first paragraph;

(2) by striking out the words “the Corporation,” in the first line of the second paragraph.

c. S-5,
s. 149.32.1,
added

350. The said Act is amended by adding, after section 149.32, the following section:

Complaints **"149.32.1** Every regional board shall receive and hear complaints relating to the services provided under a pre-hospitalization emergency system that is required or furnished in its region.

Applicable provisions Sections 72 to 76 of the Act respecting health services and social services and amending various legislation apply to such complaints.

Complaints Commissioner The Complaints Commissioner appointed pursuant to section 60 of that Act shall, in addition to the duties listed in section 61 of that Act, have the duty of examining complaints from persons who disagree with the conclusions transmitted to them by the regional board. The second and third paragraphs of section 56, and sections 57 to 62, 66 and 67 of the said Act apply to such complaints."

c. S-5,
s. 149.33,
am. **351.** Section 149.33 of the said Act is amended

(1) by replacing the words "section 7 of this Act" in the third line of the first paragraph by the words "notwithstanding section 7 of this Act and section 19 of the Act respecting health services and social services and amending various legislation";

(2) by adding, at the end of the first paragraph, the following sentence: "For the purposes of this paragraph, an institution also includes an institution within the meaning of the Act respecting health services and social services and amending various legislation."

c. S-5,
s. 173.1,
am. **352.** Section 173.1 of the said Act is amended by replacing the words ", regional councils and the Corporation d'hébergement du Québec contemplated in section 178.1" in the second, third and fourth lines of the first paragraph by the words "and regional councils".

c. S-5,
s. 178.0.2,
am. **353.** Section 178.0.2 of the said Act, amended by section 12 of chapter 66 of the statutes of 1990, is again amended

(1) by replacing the words ", a public establishment or a corporation contemplated in section 178.1" in the third and fourth lines of the second paragraph by the words "or a public institution";

(2) by striking out the words "or of the corporation contemplated in section 178.1" in the eighth and ninth lines of the second paragraph.

c. S-5,
s. 178.0.3,
am. **354.** Section 178.0.3 of the said Act, enacted by section 13 of chapter 66 of the statutes of 1990, is amended

(1) by striking out the word and figure "or 178.1" in the fourth line of the first paragraph;

(2) by striking out the words “or the loans of the corporation referred to in section 178.1” in the third and fourth lines of the second paragraph.

c. S-5,
ss. 178.1
to 178.3,
repealed

355. Sections 178.1 to 178.3 of the said Act are repealed.

MARINE PRODUCTS PROCESSING ACT

c. T-11.01,
s. 3, am.

356. Section 3 of the Marine Products Processing Act (R.S.Q., chapter T-11.01) is amended by inserting the words “and amending various legislation (1991, chapter 42), the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the fifth line of the first paragraph.

SECURITIES ACT

c. V-1.1,
s. 41, am.

357. Section 41 of the Securities Act (R.S.Q., chapter V-1.1), amended by section 120 of chapter 85 of the statutes of 1990, is again amended by replacing the word and reference “(chapter S-5)” in the second line of subparagraph c of paragraph 2 by the words “for Cree and Inuit Native persons (R.S.Q., chapter S-5), a public institution or a regional board within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42)”.

CREE VILLAGES AND THE NASKAPI VILLAGE ACT

c. V-5.1,
s. 42, am.

358. Section 42 of the Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1) is amended by replacing the words “hospital centers” wherever they occur by the words “institutions operating a hospital centre”.

CODE OF PENAL PROCEDURE

1987, c. 96,
a. 7, am.

359. Article 7 of the Code of Penal Procedure (1987, chapter 96) is amended by replacing the words “reception centre” in the second line by the words “a facility maintained by an institution operating a rehabilitation centre within the meaning of the Act respecting health services and social services and amending various legislation (1991, chapter 42) or in a reception centre within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5)”.

1987, c. 96,
a. 22, am.

360. Article 22 of the said Code is amended by replacing the words “reception centre” in the second line by the words “facility referred to in article 7”.

1987, c. 96,
a. 38, am.

361. Article 38 of the said Code is amended by replacing the words “reception centre” in the first line of subparagraph 3 of the first paragraph by the words “facility referred to in article 7”.

1987, c. 96,
a. 39, am.

362. Article 39 of the said Code is amended by replacing the words “reception centre or” in the second line by the words “facility maintained by an institution referred to in article 7 or”.

1987, c. 96,
a. 48, am.

363. Article 48 of the said Code is amended by replacing the words “reception centre” in the second line of the second paragraph by the words “facility referred to in article 7”.

ACT TO EXTEND THE TERMS OF OFFICE OF CERTAIN DIRECTORS OF REGIONAL COUNCILS
AND PUBLIC ESTABLISHMENTS IN THE HEALTH AND SOCIAL SERVICES SECTOR

1991, c. 22,
repealed

364. The Act to extend the terms of office of certain directors of regional councils and public establishments in the health and social services sector (1991, chapter 22) is repealed.

ACT TO AMEND THE PUBLIC HEALTH PROTECTION ACT

1990, c. 55,
s. 1, am.

365. Section 1 of the Act to amend the Public Health Protection Act (1990, chapter 55) is amended by inserting the words “a facility maintained by” after the word “outside” in the sixth line.

1990, c. 55,
s. 2,
replaced

366. Section 2 of the said Act is replaced by the following section:

c P-35,
s. 5, am.

“2. Section 5 of the said Act, amended by section 233 of chapter 21 of the statutes of 1992, is again amended by replacing the words “in or outside a facility maintained by an establishment or the head of a department of medical biology” in the third paragraph by the words “or the head of a department or service in charge of medical biology in an institution”.

1990, c. 55,
s. 6, am.

367. Section 6 of the said Act is amended by inserting the words “, the regional board” after the word “Minister” in the fourth line.

1990, c. 55,
s. 10,
replaced

368. Section 10 of the said Act is replaced by the following section:

c P-35,
s. 41, am.

“10. Section 41 of the said Act is amended by replacing the words “the renewal of his permit” in the second line by the words “a permit, an amendment to a permit or the renewal of a permit”.

1990, c. 55,
s. 12, am.

369. Section 12 of the said Act is amended by replacing the second paragraph by the following paragraph:

Exception “The first paragraph does not apply in respect of examinations performed in a facility maintained by an institution governed by the Act respecting health services and social services and amending various legislation (1991, chapter 42) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5).”

ACT RESPECTING THE CONSEIL MÉDICAL DU QUÉBEC

1991, c. 56,
s. 3, am. **370.** Section 3 of the Act respecting the Conseil médical du Québec (1991, chapter 56) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the fourth line of paragraph 4.

1991, c. 56,
s. 17, am. **371.** Section 17 of the said Act is amended by inserting the words “and amending various legislation or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the fifth line of paragraph 1.

ACT RESPECTING THE QUÉBEC SALES TAX AND AMENDING VARIOUS FISCAL
LEGISLATION

1991, c. 67,
s. 1, am. **372.** Section 1 of the Act respecting the Québec sales tax and amending various fiscal legislation (1991, chapter 67) is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of the definition of “hospital authority”.

1991, c. 67,
s. 108, am. **373.** Section 108 of the said Act is amended by inserting the words “and amending various legislation (1991, chapter 42) or within the meaning of the Act respecting health services and social services for Cree and Inuit Native persons” after the words “social services” in the second line of paragraph 1 of the definition of “health care establishment”.

ACT RESPECTING THE CONSEIL DE LA SANTÉ ET DU BIEN-ÊTRE

1992, c. 8,
s. 1, am. **374.** The English text of section 1 of the Act respecting the Conseil de la santé et du bien-être (1992, chapter 8) is amended by striking out the word “medical” in the first line.

TRANSITIONAL AND FINAL PROVISIONS

"establishment"

375. The English text of every legislative provision is amended by replacing the word "establishment", wherever it occurs and making any necessary changes, by the word "institution", where it designates an institution referred to in the Act respecting health services and social services and amending various legislation (1991, chapter 42) or an establishment referred to in the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., chapter S-5).

"director general"

The same applies to the replacement of the words "director general" by the words "executive director", where they designate the director general of an institution or establishment referred to in one or other of the said Acts.

Exception

376. Section 9.0.3 of the Health Insurance Act, enacted by section 105, does not apply to a health-insurance card issued before 15 October 1992 or any later date determined by the Government while that card is still valid.

Maximum number of physicians

377. Until the coming into force of section 565 of the Act respecting health services and social services and amending various legislation (1991, chapter 42), an agreement under the fourth paragraph of section 19 of the Health Insurance Act (R.S.Q., chapter A-29) as it read before being amended by section 564 of the Act respecting health services and social services and amending various legislation or, failing such an agreement, the order mentioned in the sixth paragraph of the said section, may provide for a maximum number of research physicians or teaching physicians as defined in the agreement or order to whom different methods of remuneration do not apply.

Revisory committees

378. The revisory committees established under section 41 of the Health Insurance Act are continued and are deemed, from the coming into force of section 573 of the Act respecting health services and social services and amending various legislation to be revisory committees appointed under section 41 of the Health Insurance Act as replaced by section 573 of the said Act.

Coming into force

379. Paragraph 2 of section 577 of the Act respecting health services and social services and amending various legislation comes into force on 23 June 1992.

Presumption

For the purposes of the sixth paragraph of section 65 of the Health Insurance Act, enacted by the said paragraph, the director of youth

protection of a social service centre existing on 23 June 1992 is deemed to be, until (*insert here the date of coming into force of section 544 of the Act respecting health services and social services and amending various legislation (1991, chapter 42)*), the director of youth protection of an institution operating a child and youth protection centre.

Regulations **380.** The Government or the Board, as the case may be, may, not later than 31 December 1992, make a regulation under subparagraphs *l.1* and *l.2* of the first paragraph of section 69 of the Health Insurance Act, or under subparagraph *h* of the first paragraph of section 72 of that Act, even if the regulation is not published pursuant to section 8 of the Regulations Act (R.S.Q., chapter R-18.1). Such a regulation shall come into force, notwithstanding section 17 of the said Act, on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein. Such a regulation may, where it so provides, apply from any date not before 23 June 1992.

Budgetary estimates **381.** For the purposes of section 24.2 of the Act respecting the Régie de l'assurance-maladie du Québec, enacted by section 592 of chapter 42 of the statutes of 1991, the budgetary estimates shall be established, for the first year, taking into account the government policies relating to medical staffing known as *Politique triennale des inscriptions dans les programmes de formation doctorale et postdoctorale en médecine pour 1992-1993, 1993-1994 et 1994-1995*, as approved by the Government, and Order 228-92 dated 19 February 1992, "concernant la détermination des postes de stagiaires disponibles dans les programmes de formation médicale postdoctorale pour 1992-1993". The estimates must also take account of demographic evolution, the aging of the population, the extent of service coverage and the content of the agreements entered into under section 19 of the Health Insurance Act.

Budgetary estimates For subsequent years, the budgetary estimates shall be established on the budgetary basis obtained in this manner.

Effect **382.** Paragraphs 2 and 3 of section 11 and sections 15, 64 and 65 have effect from 4 September 1991.

Effect **383.** Section 13 has effect from 24 February 1992.

Effect **384.** Sections 41 and 45 have effect from 14 May 1992.

Effect **385.** Section 66 has effect from 18 December 1991. An application in contestation or annulment of any election held before

23 June 1992 is made by means of a written declaration filed with the Commission des affaires sociales or mailed within 90 days after the said date.

Presump-
tion

For that purpose, paragraph 3 of section 137 is deemed to be in force.

Effect

386. Section 619.7 of the Act respecting health services and social services and amending various legislation, enacted by section 68, has effect from 4 September 1991.

Coming into
force

387. The provisions of this Act will come into force on the dates fixed by the Government, except the provisions of sections 1, 10 to 16, 21, 41 to 45, 53 to 55, 57, 58, 62 to 67, the provisions of sections 619.1, 619.5 to 619.7, 619.16, 619.17, 619.47 and 619.69 to 619.71 enacted by section 68, and the provisions of paragraph 3 of section 101 and of sections 105, 111, 112, 115, 376, 377, 379, 380 and 382 to 386, which come into force on 23 June 1992.