



Statutes of Québec 2022

NATIONAL ASSEMBLY OF QUÉBEC

The Honourable
J. MICHEL DOYON, *Lieutenant-Governor*

QUÉBEC OFFICIAL PUBLISHER



Statutes of Québec 2022

assented to between 1 January 2022 and 31 December 2022

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NOTE

This volume contains essentially the text of the public and private Acts assented to in 2022.

It begins with a list of the Acts assented to and two tables of concordance listing, opposite each other, the bill number of each Act and its chapter number in the annual volume of statutes.

Each Act is preceded by an introductory page setting out, in addition to the chapter number and title of the Act, the corresponding bill number, the name of the Member who introduced the bill, the date of each stage of consideration in the National Assembly, the date of assent, the date or dates of coming into force if known on 31 December 2022, a list of the Acts, regulations, orders in council or ministerial orders amended, replaced, repealed or enacted by the Act, and the explanatory notes, if any.

A table of the amendments made by public Acts passed in 2022 and a table of general amendments to public Acts during the year can be found in this volume. The cumulative table of amendments, listing all amendments made since 1977 to the laws of Québec included in the *Compilation of Québec Laws and Regulations* and other public Acts, including amendments made by the Acts passed in 2022, is now available on the website of Les Publications du Québec.

A table of concordance lists the chapter number in the *Compilation of Québec Laws and Regulations* assigned to certain Acts passed between 1 January 2022 and 31 December 2022.

A table, compiled since 1964, shows the dates on which public legislative provisions came into force by proclamation or order in council. The next table enumerates legislative provisions which have yet to be brought into force by proclamation or order in council. Other tables contain information relating to letters patent, supplementary letters patent, orders, proclamations and orders in council required by law to be published.

The text of the private Acts and an index are provided at the end of the volume.

TABLE OF CONTENTS

	PAGE
List of Acts assented to in 2022.	IX
Chapter / Bill table of concordance	XIII
Bill / Chapter table of concordance	XIV
Text of public Acts	1
Table of amendments to public Acts in 2022	981
Table of general amendments to public Acts in 2022	1041
Annual Statute / Statute included in the Compilation of Québec Laws and Regulations table of concordance	1043
List of legislative provisions whose coming into force has been determined by proclamation or order in council as of 31 December 2022	1045
List of legislative provisions whose coming into force has yet to be determined by proclamation or order in council as of 31 December 2022	1125
Information required by law to be published	1145
Text of private Acts	1147
Index	1185

LIST OF ACTS ASSENTED TO IN 2022

CHAP.	TITLE	PAGE
1	An Act to amend various legislative provisions to implement Complementary Agreements No. 22 and No. 27 to the James Bay and Northern Québec Agreement	1
2	An Act to ensure the protection of trainees in the workplace	9
3	An Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions	21
4	An Act to amend the Act respecting the Québec correctional system to provide for the power to require that an offender be connected to a device that allows the offender's whereabouts to be known	61
5	Appropriation Act No. 1, 2022–2023.	65
6	An Act to strengthen the fight against maltreatment of seniors and other persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services	109
7	An Act to proclaim the National Day for the Promotion of Positive Mental Health	133
8	An Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles	137
9	An Act to amend the Educational Childcare Act to improve access to the educational childcare services network and complete its development	229
10	An Act mainly to end petroleum exploration and production and the public financing of those activities	261
11	An Act to amend the Youth Protection Act and other legislative provisions	303
12	Appropriation Act No. 2, 2022–2023.	337

List of Acts assented to in 2022

CHAP.	TITLE	PAGE
13	An Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions	393
14	An Act respecting French, the official and common language of Québec	435
15	An Act to terminate the public health emergency while maintaining transitional measures necessary to protect the health of the population (<i>modified title</i>).	541
16	An Act to increase the supply of primary care services and to improve the management of that supply (<i>modified title</i>) . . .	545
17	An Act respecting the National Student Ombudsman	555
18	An Act mainly to promote Québec-sourced and responsible procurement by public bodies, to reinforce the integrity regime of enterprises and to increase the powers of the Autorité des marchés publics	585
19	An Act to reinforce the governance of state-owned enterprises and to amend other legislative provisions.	649
20	An Act to harmonize and modernize the rules relating to the professional status of artists.	735
21	An Act respecting academic freedom in the university sector.	753
22	An Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status.	759
23	An Act amending the Taxation Act, the Act respecting the Québec sales tax and other provisions	829
24	An Act to foster voting in the next general election in Québec (<i>modified title</i>)	925
25	An Act to amend various legislative provisions mainly with respect to housing	933
26	An Act to improve access to justice by broadening the range of legal services provided free of charge or at a moderate cost.	951

List of Acts assented to in 2022

CHAP.	TITLE	PAGE
27	An Act to amend the Act respecting the National Assembly to establish the office of Commissioner for Respect	959
28	An Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance	963
29	An Act to limit the indexation of several government tariffs.	969
30	An Act to recognize the oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly.	977
31	An Act respecting the International Air Transport Association.	1147
32	An Act respecting Ville de Laval.	1151
33	An Act respecting La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site.	1155
34	An Act respecting certain alienations involving the maison Larue located at 306 rue des Érables, Neuville	1161
35	An Act respecting Ville de Victoriaville	1167
36	An Act respecting Ville de Terrebonne	1171
37	An Act respecting Ville de Longueuil.	1175
38	An Act respecting Municipalité de Saint-Damien-de-Buckland.	1181

**TABLE OF CONCORDANCE
CHAPTER / BILL**

Chapter	Bill	Chapter	Bill
1	16	20	35
2	14	21	32
3	17	22	2
4	24	23	33
5	31	24	29
6	101	25	37
7	498	26	34
8	102	27	998
9	1	28	5
10	21	29	1
11	15	30	4
12	36	31	206
13	22	32	203
14	96	33	204
15	28	34	208
16	11	35	205
17	9	36	207
18	12	37	209
19	4	38	211

TABLE OF CONCORDANCE **BILL / CHAPTER**

Bill	Chapter	Bill	Chapter
1	9	32	21
1	29	33	23
2	22	34	26
4	19	35	20
4	30	36	12
5	28	37	25
9	17	96	14
11	16	101	6
12	18	102	8
14	2	203	32
15	11	204	33
16	1	205	35
17	3	206	31
21	10	207	36
22	13	208	34
24	4	209	37
28	15	211	38
29	24	498	7
31	5	998	27

2022, chapter 1

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS TO IMPLEMENT COMPLEMENTARY AGREEMENTS NO. 22 AND NO. 27 TO THE JAMES BAY AND NORTHERN QUÉBEC AGREEMENT

Bill 16

Introduced by Mr. Ian Lafrenière, Minister Responsible for Indigenous Affairs

Introduced 9 December 2021

Passed in principle 1 February 2022

Passed 8 February 2022

Assented to 10 February 2022

Coming into force: 10 February 2022, but sections 5 to 11 have effect from 1 July 2019

Legislation amended:

Act respecting Cree, Inuit and Naskapi Native persons (chapter A-33.1)

Act respecting hunting and fishing rights in the James Bay and New Québec territories
(chapter D-13.1)

Act respecting the Cree Nation Government (chapter G-1.031)

The Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14)

Act respecting the Cree Hunters and Trappers Income Security Board (chapter O-2.1)

Environment Quality Act (chapter Q-2)

Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1)

The Cree Villages and the Naskapi Village Act (chapter V-5.1)

Explanatory notes

This Act ensures the implementation of Complementary Agreement No. 22 to the James Bay and Northern Québec Agreement.

For that purpose, it amends various Acts so that the Crees of Oujé-Bougoumou are expressly recognized under those Acts as a Cree community with the same rights as the other Cree communities.

The Act also ensures the implementation of Complementary Agreement No. 27 to the James Bay and Northern Québec Agreement.

(cont'd on next page)

Explanatory notes (*cont'd*)

To that end, it amends the Act respecting the Cree Hunters and Trappers Income Security Board, including its title, to reflect the changes made to the Income Security Program for Cree Hunters and Trappers provided for in Section 30 of the James Bay and Northern Québec Agreement, which became the Economic Security Program for Cree Hunters.



Chapter 1

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS TO IMPLEMENT COMPLEMENTARY AGREEMENTS NO. 22 AND NO. 27 TO THE JAMES BAY AND NORTHERN QUÉBEC AGREEMENT

[Assented to 10 February 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING CREE, INUIT AND NASKAPI NATIVE PERSONS

1. Section 1 of the Act respecting Cree, Inuit and Naskapi Native persons (chapter A-33.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph *d* of the first paragraph, “Cree community” also means the group consisting of all members of the Oujé-Bougoumou band constituted as a corporation as provided for in subparagraph 9.0.3A of Section 9 of the Agreement, as well as all other persons who are entitled to be enrolled as Cree beneficiaries under the terms of this Act and who are recognized by the said band as belonging to such group.”

ACT RESPECTING HUNTING AND FISHING RIGHTS IN THE JAMES
BAY AND NEW QUÉBEC TERRITORIES

2. Section 1 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph *d* of the first paragraph, “Band” also means the Oujé-Bougoumou band constituted as a corporation as provided for in subparagraph 9.0.3A of Section 9 of the Agreement.”

ACT RESPECTING THE CREE NATION GOVERNMENT

3. Section 1 of the Act respecting the Cree Nation Government (chapter G-1.031) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph *a* of the first paragraph, “band” also means the Oujé-Bougoumou Band constituted as a corporation pursuant to subparagraph 9.0.3A of Section 9 of the Agreement.”

**THE EDUCATION ACT FOR CREE, INUIT AND NASKAPI
NATIVE PERSONS**

4. Section 569 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) is amended by inserting “Oujé-Bougoumou” after “Mistassini,” in the first paragraph.

**ACT RESPECTING THE CREE HUNTERS AND TRAPPERS INCOME
SECURITY BOARD**

5. The title of the Act respecting the Cree Hunters and Trappers Income Security Board (chapter O-2.1) is replaced by the following title:

“ACT RESPECTING THE CREE HUNTERS ECONOMIC
SECURITY BOARD”.

6. Section 1 of the Act is replaced by the following section:

“1. In this Act, “Program” refers to the Economic Security Program for Cree Hunters provided for in Section 30 of the James Bay and Northern Québec Agreement appearing as Schedule A to Complementary Agreement No. 27 entered into between the Gouvernement du Québec and the Cree Nation Government, approved, given effect to and declared valid by Order in Council 936-2021 (2021, G.O. 2, 4337, French only).”

7. Section 2 of the Act is amended by adding the following paragraph at the end:

“The Board carries on its activities under the name “Cree Hunters Economic Security Board”.”

8. Section 3 of the Act is amended by replacing “paragraph 30.6.14” and “paragraph 30.11.8” in the second paragraph by “paragraph 30.6.16” and “paragraph 30.9.6”, respectively.

9. Section 18 of the Act is amended by replacing “paragraph 30.9.7” by “paragraph 30.7.5”.

10. The Act is amended by inserting the following section after section 22:

“22.1. Unless the context indicates otherwise or this Act provides otherwise, in any Act, regulation or other document,

(1) a reference to the Income Security Program for Cree Hunters and Trappers is a reference to the Economic Security Program for Cree Hunters;

(2) a reference to the Cree Hunters and Trappers Income Security Board is a reference to the Cree Hunters Economic Security Board; and

(3) a reference to the Act respecting the Cree Hunters and Trappers Income Security Board is a reference to the Act respecting the Cree Hunters Economic Security Board.”

11. Section 25 of the Act is replaced by the following section:

“**25.** The provisions of this Act apply subject to the conditions set out in sections 2 and 6 of Complementary Agreement No. 27 referred to in section 1 of this Act.”

ENVIRONMENT QUALITY ACT

12. Section 131 of the Environment Quality Act (chapter Q-2) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph 4 of the first paragraph, “Band” also means the Oujé-Bougoumou Band constituted as a legal person as provided for in subparagraph 9.0.3A of Section 9 of the Agreement.”

ACT RESPECTING THE LAND REGIME IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

13. Section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraphs *a* and *c* of the first paragraph, “band” also means the Oujé-Bougoumou band constituted as a corporation as provided for in subparagraph 9.0.3A of Section 9 of the Agreement.”

14. Section 2 of the Act is amended

(1) by inserting “Corporation foncière d’Oujé-Bougoumou,” after “Mistassini,” in the first paragraph;

(2) by inserting “Oujé-Bougoumou Ahschee Ahtabewowseenanooch,” after “Mistassini Ahschee Ahtabewowseenanooch,” in the second paragraph;

(3) by inserting “Oujé-Bougoumou Landholding Corporation,” after “Mistassini Landholding Corporation,” in the second paragraph.

15. Section 3 of the Act is amended by inserting “Oujé-Bougoumou,” after “Mistassini,”.

16. Section 10 of the Act is amended by adding the following paragraph at the end:

“The first general meeting of the members of the Oujé-Bougoumou Landholding Corporation shall be convened within six months from 10 February 2022. The Minister may extend that time limit.”

17. Section 52 of the Act is amended by adding the following sentence at the end of the first paragraph: “The same applies, with the necessary modifications, to the holders of similar rights or titles granted before 7 November 2011 on lands surrounded by or adjacent to Category I lands of Oujé-Bougoumou.”

18. Section 53 of the Act is amended by adding the following sentence at the end of the second paragraph: “The same applies to the Category I lands of Oujé-Bougoumou from 7 November 2011.”

19. Section 94 of the Act is amended

(1) by inserting “, as well as lands, within the perimeter of the Category II lands of Oujé-Bougoumou, which were the subject, as of 7 November 2011, of similar rights or titles” after “mining leases” in paragraph *f*;

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

“The provisions of subparagraphs *a* to *d* of the first paragraph apply, with the necessary modifications, to the Category I lands of Oujé-Bougoumou from 15 November 2012.”

THE CREE VILLAGES AND THE NASKAPI VILLAGE ACT

20. Section 1 of the Cree Villages and the Naskapi Village Act (chapter V-5.1) is amended by adding the following paragraph at the end:

“For the purposes of subparagraph 2 of the first paragraph, “Cree Band” also means the Oujé-Bougoumou Band constituted as a legal person pursuant to subparagraph 9.0.3A of Section 9 of the Agreement.”

21. The Act is amended by inserting the following section after section 9:

“9.0.1. A municipality having the status of Cree village is hereby constituted under the name of “Village cri d’Oujé-Bougoumou”. The municipality may also be designated under the Cree name of “Oujé-Bougoumou Eeyoo Atawin” and under the English name of “Cree Village of Oujé-Bougoumou”.

The municipality is a legal person established in the public interest formed by the members of the community of Oujé-Bougoumou.

The Category IB lands intended for that community form the territory of the municipality.”

FINAL PROVISIONS

22. The Cree school municipality erected by Order in Council 2067-78 (1978, G.O. 2, 3917, French only) made under section 569 of the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) comprises the Category I lands of the Cree community of Oujé-Bougoumou from 15 November 2012.

23. This Act comes into force on 10 February 2022, but sections 5 to 11 have effect from 1 July 2019.

2022, chapter 2

AN ACT TO ENSURE THE PROTECTION OF TRAINEES IN THE WORKPLACE

Bill 14

Introduced by Mr. Jean Boulet, Minister of Labour, Employment and Social Solidarity

Introduced 2 December 2021

Passed in principle 8 February 2022

Passed 24 February 2022

Assented to 24 February 2022

Coming into force: 24 August 2022

Legislation amended:

Act respecting labour standards (chapter N-1.1)

Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Explanatory notes

The purpose of this Act is to ensure better protection for trainees in the workplace, be it with respect to obtaining a permit to practice issued by a professional order or within the scope of a program of studies or training at the secondary, vocational, college or university level offered by an educational institution and leading to a diploma, certificate or attestation of studies.

To that end, trainees are granted, among other things,

- (1) the right to be absent on certain statutory holidays;
- (2) the right to be absent owing to sickness or for family or parental reasons;
- (3) the right to a training environment exempt from psychological harassment, including such behaviour in the form of verbal comments, actions or gestures of a sexual nature;
- (4) protection from reprisals taken against them by an employer, educational institution or professional order or any agent thereof because of the exercise of a right; and

(cont'd on next page)

Explanatory notes (*cont'd*)

(5) recourse before the Commission des normes, de l'équité, de la santé et de la sécurité du travail and before the Administrative Labour Tribunal if one of their rights provided for by this Act has not been respected.

The Act allows a non-profit organization dedicated to the defence of students' rights, a students' association or a students' association alliance to file a complaint with the Commission des normes, de l'équité, de la santé et de la sécurité du travail on behalf of a trainee.

The Act imposes on employers, educational institutions and professional orders the obligation to take reasonable measures at their disposal to ensure that the success of the trainee's studies or training or the trainee's obtention of a permit required for the practice of a profession is not compromised because of the exercise of a right provided for by this Act. It also requires them to take reasonable means at their disposal to accommodate a trainee who must be absent from their training for a long period for certain reasons provided for in the Act respecting labour standards.

Lastly, the Act provides for offences and penal sanctions and contains consequential and final provisions.



Chapter 2

AN ACT TO ENSURE THE PROTECTION OF TRAINEES IN THE WORKPLACE

[Assented to 24 February 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

DEFINITIONS AND SCOPE

1. In this Act, unless the context indicates a different meaning,

“agreement” means an individual contract of employment, a collective agreement within the meaning of paragraph *d* of section 1 of the Labour Code (chapter C-27) or any other agreement relating to conditions of employment or to training conditions, including a regulation giving effect to such an agreement;

“Commission” means the Commission des normes, de l’équité, de la santé et de la sécurité du travail;

“employer” means any person, partnership or other entity that, within the scope of their activities, receives a trainee for the purposes of training;

“spouse” means either of two persons who

(a) are married or in a civil union and cohabiting;

(b) are of opposite or the same sex, are living together in a *de facto* union and are the mother and father of the same child; and

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;

“trainee” means any person, whether or not a salaried employee, who does training with an employer; and

“training” means any job shadowing activity or activity for the acquisition or implementation of skills that is required to obtain a permit to practice issued by a professional order or that is part of a program of studies or training program at the secondary, vocational, college or university level offered by an educational institution and leading to a diploma, certificate or attestation of studies.

Persons to whom the definition of “spouse” in the first paragraph applies are considered to be cohabiting despite the temporary absence of one of them. The same rule applies if one of the persons is required to live permanently in another place for health reasons or because of imprisonment, unless the trainee is cohabiting with another spouse within the meaning of that definition.

2. This Act applies to trainees regardless of where they do their workplace training. It also applies

(1) to trainees who do training both in Québec and outside Québec with an employer whose residence, domicile, enterprise, head office or office is in Québec; and

(2) to trainees domiciled or resident in Québec who do training outside Québec with an employer referred to in paragraph 1.

3. This Act is binding on the State.

CHAPTER II

GENERAL PROVISIONS

4. During training, the employer and, as the case may be, the educational institution or the professional order must take reasonable measures at their disposal to ensure that the success of the trainee’s studies or training or the trainee’s obtention of a permit required for the practice of a profession is not compromised because of the exercise of a right arising from this Act.

The employer and, as the case may be, the educational institution or the professional order are also required to take reasonable measures at their disposal to accommodate a trainee who must be absent from their training for a reason, referred to in section 79.1 of the Act respecting labour standards (chapter N-1.1), relating to sickness, an organ or tissue donation, an accident, domestic violence, sexual violence or a criminal offence or for family or parental reasons referred to in sections 79.8 to 79.12, 79.15, 81.2, 81.4 to 81.5.2, 81.10 and 81.11 of that Act, for the durations and periods set out in those sections.

5. Employers, educational institutions and professional orders must inform every trainee of their rights under this Act.

6. The standards relating to training conditions contained in this Act are of public order. Any provision of an agreement or decree that departs from a standard relating to training conditions is absolutely null.

Despite the preceding paragraph, a provision of an agreement, decree or other Act may grant a trainee a more advantageous training condition than a standard prescribed by this Act.

For the purposes of this section, “decree” means a decree passed under the Act respecting collective agreement decrees (chapter D-2).

7. The Commission supervises the implementation and application of the standards relating to training conditions provided for by this Act. In that respect, the Commission exercises, in particular, the following functions:

(1) notify the population of and give them information on the standards relating to training conditions provided for by this Act;

(2) notify the trainees, employers, educational institutions and professional orders of and give them information on their rights and obligations under this Act;

(3) supervise the application of standards relating to training conditions provided for by this Act and, where necessary, transmit its recommendations to the Minister;

(4) receive complaints from trainees subject to this Act; and

(5) attempt to bring trainees, employers, educational institutions and professional orders to an agreement as to their disagreements in relation to the carrying out of this Act.

8. The Commission may designate, from among the members of its personnel, the persons to be entrusted with the carrying out of this Act.

CHAPTER III

ABSENCES AND LEAVE

DIVISION I

STATUTORY GENERAL HOLIDAYS

9. A trainee may be absent from their training on the following days:

(1) 1 January;

(2) Good Friday or Easter Monday, at the option of the employer;

(3) the Monday preceding 25 May;

(4) 1 July, or 2 July where the 1st falls on a Sunday;

(5) the first Monday in September;

(6) the second Monday in October; and

(7) 25 December.

If the trainee must participate in their training on one of the days listed in the first paragraph, they are entitled to a compensatory holiday of one day, which must be taken during the training period done with the same employer.

10. The trainee may be absent from their training on 24 June, the National Holiday.

However, if that date falls on a Sunday and that day is normally not a training day for the trainee, they may be absent on 25 June and the following paragraphs must be read as though that day were substituted for 24 June.

In an employer's establishment or service where, because of the nature of the activities, work is not interrupted on 24 June and the trainee is required to participate in their training, they are entitled to a compensatory holiday of one day, which must be taken on the working day preceding or following 24 June.

If 24 June falls on a day which is normally not a training day, the trainee is entitled to a compensatory holiday of one day, which must be taken during the training period done with the same employer.

DIVISION II

ABSENCES OWING TO SICKNESS OR FOR FAMILY OR PARENTAL REASONS

11. A trainee may be absent from their training for 10 days per year owing to sickness, to fulfill obligations relating to the care, health or education of the trainee's child or the child of the trainee's spouse, or because of the state of health of a relative or a person for whom the trainee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26).

This leave may be divided into days and, if the employer consents to it, each day may also be divided.

The trainee must notify the employer of such an absence as soon as possible and take reasonable measures at their disposal to limit the duration of the absence.

The employer may, if it is warranted, in particular by the duration of the absence, request that the trainee provide a document attesting to the reasons for the absence.

For the purposes of this section, "relative" has the meaning assigned by section 79.6.1 of the Act respecting labour standards (chapter N-1.1).

12. A trainee may be absent from their training for five days on the occasion of the death or the funeral of their spouse or child or of the child of their spouse, or of their father, mother, brother or sister.

13. A trainee may be absent from their training for one day on the occasion of the death or the funeral of a son-in-law, daughter-in-law, grandparent or grandchild, or of the father, mother, brother or sister of the trainee's spouse.

14. A trainee may be absent from their training for one day on the day of their wedding or civil union.

A trainee may also be absent from their training on the day of the wedding or civil union of the child, father, mother, brother or sister of the trainee or of a child of the trainee's spouse.

15. A trainee may be absent from their training for five days at the birth of their child, the adoption of a child or where there is a termination of pregnancy in or after the twentieth week of pregnancy.

This leave may be divided into days at the request of the trainee. It may not be taken more than 15 days after the child arrives at the residence of the child's father or mother or, where applicable, more than 15 days after the termination of pregnancy.

16. The trainee must notify the employer of their absence as soon as possible, except in the case referred to in section 14, where the trainee must notify the employer not less than one week in advance.

17. A trainee may be absent from her training for a medical examination related to her pregnancy or for an examination related to her pregnancy carried out by a health professional authorized for that purpose.

The trainee must notify the employer as soon as possible of the time at which she will be absent.

CHAPTER IV

PSYCHOLOGICAL HARASSMENT

18. For the purposes of this Act, "psychological harassment" means any vexatious behaviour, in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects a trainee's dignity or psychological or physical integrity and results in a harmful work environment for the trainee. For greater certainty, psychological harassment includes such behaviour in the form of such verbal comments, actions or gestures of a sexual nature.

A single serious incidence of such behaviour that has a lasting harmful effect on a trainee may also constitute psychological harassment.

19. Every trainee has a right to a training environment free from psychological harassment.

The employer and, as the case may be, the educational institution or professional order must take reasonable measures at their disposal to prevent psychological harassment and, whenever they become aware of such behaviour, to protect the trainee and to put a stop to the behaviour.

The employer must, in particular, make available to every trainee they receive the psychological harassment prevention and complaint processing policy adopted in accordance with section 81.19 of the Act respecting labour standards, which applies to the trainee, with the necessary modifications.

CHAPTER V

RECOURSES

DIVISION I

RECOURSE AGAINST PROHIBITED PRACTICES

20. No employer or, as the case may be, educational institution or professional order or any of their agents may end training or dismiss, suspend or transfer a trainee, practise discrimination or take reprisals against a trainee, or impose any other sanction upon a trainee

(1) on the ground that the trainee has exercised one of their rights arising from this Act;

(2) on the ground that an inquiry is being conducted by the Commission under this Act;

(3) on the ground that the trainee has given information to the Commission or one of its representatives on the application of this Act or has given evidence in a proceeding related to it;

(4) for the purpose of evading the application of this Act; or

(5) on any other ground provided for in subparagraphs 4, 6, 7 and 10 to 19 of the first paragraph of section 122 of the Act respecting labour standards, with the necessary modifications.

The second paragraph of section 122 of the Act respecting labour standards applies, with the necessary modifications.

21. A trainee who believes they have been the victim of a practice prohibited by section 20 and who wishes to assert their rights may do so, in writing, before the Commission within 45 days of the occurrence of the practice complained of.

Such a complaint may also be filed, on behalf of a trainee who consents to it in writing, by a non-profit organization dedicated to the defence of students' rights, a students' association or a students' association alliance.

If the complaint is filed within that time with the Administrative Labour Tribunal, failure to file the complaint with the Commission cannot be invoked against the complainant.

22. The Commission may, with the agreement of the trainee, the employer and, as the case may be, the educational institution or professional order, appoint a person to attempt to settle the complaint to the satisfaction of the parties.

Only a person who has not already acted in the matter in question in another capacity may be appointed for this purpose by the Commission.

Any verbal or written information gathered by the person appointed under the first paragraph must remain confidential. That person may not be compelled to disclose anything that has been revealed to them or that has come to their knowledge in the performance of their duties, or to produce before a court or before any body or person fulfilling a judicial or quasi judicial function any document made or obtained in the performance of their duties, except in penal matters, where the court considers that such proof is necessary to ensure a full and complete defence. Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to any such document.

23. If no settlement is reached following receipt of the complaint by the Commission, the latter refers the complaint without delay to the Administrative Labour Tribunal.

24. The Commission may, in any proceeding relating to this division, represent a trainee who is not a member of a group of employees covered by a certification granted under the Labour Code.

25. If it is shown to the satisfaction of the Administrative Labour Tribunal that the trainee exercised a right arising from this Act, there is a simple presumption in their favour that the sanction was imposed on them or the action was taken against them because they exercised such a right, and the burden of proof is upon, as the case may be, the employer, educational institution or professional order that there was good and sufficient reason to resort to the sanction or action against the trainee.

DIVISION II

RECOURSE AGAINST PSYCHOLOGICAL HARASSMENT

26. A trainee who believes they have been the victim of psychological harassment may file a complaint in writing with the Commission, unless the trainee is an employee covered by a collective agreement, insofar as a recourse against psychological harassment is available to the employee under the agreement.

Such a complaint may also be filed, on behalf of one or more trainees who consent to it in writing, by a non-profit organization dedicated to the defence of students' rights, a students' association or a students' association alliance.

Any complaint must be filed within two years of the last incidence of the offending behaviour.

27. On receipt of a complaint, the Commission must make an inquiry with due dispatch. It may also make an inquiry of its own initiative.

Sections 103, 106 to 110, 123.6 and 123.9 to 123.11 of the Act respecting labour standards and the third paragraph of section 22 of this Act apply to such an inquiry, with the necessary modifications.

28. At the end of the inquiry, if no settlement is reached between the parties concerned, and the Commission agrees to pursue the complaint, it refers the complaint without delay to the Administrative Labour Tribunal.

29. The Commission may represent a trainee in a proceeding under this division before the Administrative Labour Tribunal.

DIVISION III

POWERS OF THE ADMINISTRATIVE LABOUR TRIBUNAL

30. The provisions of the Act respecting labour standards, the Labour Code and the Act to establish the Administrative Labour Tribunal (chapter T-15.1) that are applicable to the exercise, by an employee, of a recourse against prohibited practices or a recourse against psychological harassment apply, with the necessary modifications, to a recourse provided for in this Act.

In addition to the powers conferred by those Acts, the Administrative Labour Tribunal may, if it concludes that the trainee has been the victim of a prohibited practice or of psychological harassment, render any decision it believes fair and reasonable, taking into account all the circumstances of the matter, such as ordering any person

(1) to reinstate the trainee in their training, with all their rights and privileges, within the time set by the Tribunal;

(2) to modify the disciplinary, school, college, university or vocational training record of the trainee;

(3) to implement accommodation measures to protect the trainee and limit the impact on their training or to allow them to successfully complete it; or

(4) to comply with any other measure, including a provisional order, intended to safeguard the trainee's rights.

CHAPTER VI**FINANCING**

31. The expenses incurred for the purposes of this Act are paid out of the contributions collected under Chapter III.1 of the Act respecting labour standards.

CHAPTER VII**PENAL PROVISIONS**

32. Every person who

(1) hinders in any way the Commission or any person authorized by it in the discharge of their duties, deceives them by concealment or false declaration or refuses to give them any information or document they are entitled to obtain under this Act;

(2) is party to an agreement imposing on a trainee a training condition inferior to any of the standards provided for in this Act; or

(3) contravenes any other provision of this Act

commits an offence and is liable to a fine of \$600 to \$1,200 and, for any subsequent offence, to a fine of \$1,200 to \$6,000.

33. Every person who attempts to commit an offence referred to in section 32, or aids or incites another person to commit such an offence, commits an offence and is liable to the penalties provided for such an offence.

34. If a legal person or a representative, mandatary or employee of a legal person, partnership or association without legal personality commits an offence under this Act, the directors or officers of the legal person, partnership or association without legal personality are presumed to have committed the offence unless it is established that they exercised due diligence, taking all necessary precautions to prevent the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

35. Penal proceedings for an offence under a provision of this Act are prescribed by one year from the date on which the prosecutor became aware of the commission of the offence. However, no proceedings may be instituted where more than five years have elapsed from the commission of the offence.

36. Penal proceedings for an offence under this Act may be instituted by the Commission.

37. No evidence is permitted in view of establishing that any action or proceeding under this Act was brought following a complaint of an informer or in view of discovering the identity of an informer.

CHAPTER VIII

AMENDING PROVISIONS

ACT RESPECTING LABOUR STANDARDS

38. Section 81.3 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “a midwife” in the first paragraph by “a health professional authorized for that purpose”.

39. Section 81.6 of the Act is amended by replacing “a midwife” in the first paragraph by “a health professional authorized to provide pregnancy care”.

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

40. Schedule I to the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended by adding the following paragraph at the end:

“(33) sections 23 and 28 of the Act to ensure the protection of trainees in the workplace (2022, chapter 2).”

CHAPTER IX

FINAL PROVISIONS

41. The Minister must, not later than 24 August 2027, submit to the Government a report on the administration of this Act.

The report is tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

42. The Minister of Labour is responsible for the administration of this Act.

43. This Act comes into force on 24 August 2022.

2022, chapter 3

AN ACT RESPECTING THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECH OF 25 MARCH 2021 AND AMENDING OTHER PROVISIONS

Bill 17

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 3 December 2021

Passed in principle 1 February 2022

Passed 23 February 2022

Assented to 24 February 2022

Coming into force: 24 February 2022, except

(1) sections 25 and 27, which come into force on 1 April 2023;

(2) sections 61 to 64, paragraph 3 of section 65, sections 66 to 74, paragraphs 1 and 2 of section 76 and sections 77 to 80, 82, 85 to 89, 91 to 99, 107 and 111 to 115, which come into force on 1 January 2024; and

(3) the provisions of Chapter VIII, comprising sections 29 to 53, which come into force on the date or dates to be determined by the Government.

– 2022-10-01: ss. 29-53
O.C. 721-2022
G.O., 2022, Part 2, p. 1331

Legislation amended:

Financial Administration Act (chapter A-6.001)

Tax Administration Act (chapter A-6.002)

Act respecting the Agence du revenu du Québec (chapter A-7.003)

Credit Assessment Agents Act (chapter A-8.2)

Sustainable Forest Development Act (chapter A-18.1)

Act respecting the Autorité régionale de transport métropolitain (chapter A-33.3)

Unclaimed Property Act (chapter B-5.1)

Money-Services Businesses Act (chapter E-12.000001)

Balanced Budget Act (chapter E-12.00001)

Act respecting Financement-Québec (chapter F-2.01)

Act respecting municipal taxation (chapter F-2.1)

Act respecting the Ministère de la Culture et des Communications (chapter M-17.1)

Act respecting the Montréal Museum of Fine Arts (chapter M-42)

Act respecting the Québec Pension Plan (chapter R-9)

Act respecting the Réseau de transport métropolitain (chapter R-25.01)

Act respecting the Société des alcools du Québec (chapter S-13)

(cont'd on next page)

Legislation amended: (cont'd)

Act respecting the Société des loteries du Québec (chapter S-13.1)

Act respecting public transit authorities (chapter S-30.01)

Regulations amended:

Regulation respecting the reimbursement of property taxes of certified forest producers (chapter A-18.1, r. 12.1)

Regulation respecting the application of the Unclaimed Property Act (chapter B-5.1, r. 1)

Regulation respecting benefits (chapter R-9, r. 5)

Explanatory notes

This Act amends or enacts legislative and regulatory provisions, in particular to implement certain measures contained in the Budget Speech delivered on 25 March 2021.

The conditions allowing a certified forest producer to obtain a reimbursement of part of the property taxes paid in respect of the immovables included in the assessment units, the forested area of which has been registered, are relaxed.

The name of the Cannabis Sales Revenue Fund is changed to Fund to Combat Addiction, and the determined amounts taken out of the dividends paid by the Société des alcools du Québec and the Société des loteries du Québec are allocated to the prevention of any form of addiction and to the fight against the harmful effects of such addiction.

The Act respecting municipal taxation is amended to put an end to the averaging of the variation in the taxable value of a unit of assessment resulting from a decrease in value that occurs when, after work is performed on a building, the adjusted value of the immovable becomes equal to or greater than the taxable value entered on the roll before the carrying out of the work.

The Balanced Budget Act is amended to suspend the prohibition to have an actual or estimated budgetary deficit and the obligation to offset budgetary overruns, from 25 March 2021 to the end of the fiscal year determined by the Minister of Finance at or before the time of the budget for the 2023–2024 fiscal year.

The Tax Administration Act is amended to allow the Institut de la statistique du Québec to communicate, for research purposes, to a researcher attached to a public body, information that is contained in a tax record it obtained from the Agence du revenu du Québec and that was designated by the Government.

The date of submission of the next report on the carrying out of the Money-Services Businesses Act and on the advisability of maintaining that Act or, if applicable, amending it, is postponed.

As regards the recovery and administration of certain unclaimed financial products, under the Act,

(1) the shares of public corporations that are not held by a securities intermediary are subject to the Unclaimed Property Act to ensure that they are considered as unclaimed property if no claim or transaction has been made and no instructions have been given in their respect for three consecutive years, and the criteria applicable to other similar property becoming subject to that Act are standardized;

(2) certain procedures pertaining to the annual delivery of unclaimed financial products by the holders of such products are to be completed by using the electronic process provided for that purpose on Revenu Québec's website; and

(3) sums from unclaimed supplemental pension plans are allowed to be liquidated.

(cont'd on next page)

Explanatory notes (cont'd)

As regards Financement-Québec, under the Act,

(1) its corporate form is changed so that it is no longer a legal person with share capital;

(2) its governance structure is revised by providing that the management and administration of the financing authority are under the direct authority of a chief executive officer rather than that of a board of directors and by providing for the establishment, rights and obligations of a governance committee tasked, in particular, with ensuring that the financing authority provide proper financial services to public bodies; and

(3) the financing authority's power to acquire or establish a subsidiary for the purpose of pursuing its mission is withdrawn.

The Act respecting the Montréal Museum of Fine Arts is amended to require that the museum obtain authorization from the Minister of Culture and Communications and the Minister of Finance to contract short term or line of credit loans in order to finance a capital expenditure project for which it receives a subsidy.

As regards temporary loans,

(1) the Financial Administration Act is amended to allow a member of the personnel of a body to effect alone a short term or line of credit loan; and

(2) the Act respecting the Autorité régionale de transport métropolitain, the Act respecting the Réseau de transport métropolitain and the Act respecting public transit authorities are amended to provide that the interest rate and other conditions of a temporary loan intended to finance a capital expenditure project for which any of the bodies concerned receives a government grant must be authorized by the Minister of Finance.

The amount taken from the proceeds of the tobacco tax to finance the Québec Cultural Heritage Fund is increased.

As regards the disability pension and the rules applicable to the additional plan provided for under the Québec Pension Plan, the Act provides mainly that

(1) the criteria to qualify for a disability pension from the age of 60 is relaxed and standardized;

(2) the rules that relate to the amount of authorized work income to qualify and remain qualified for disability benefits are relaxed;

(3) the amount of pension paid to disabled persons from the age of 60 is increased;

(4) better continuity in the payment of the retirement pension is ensured when the payment of the disability pension ends;

(5) the surviving spouse's pension for certain disabled persons is increased; and

(6) the method for computing the amount of the second contribution of a self-employed worker to the additional plan and that for computing unadjusted pensionable earnings in certain specific situations is adjusted.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act respecting the Agence du revenu du Québec is amended to allow the Agency to provide administrative services to the National Assembly, to a person appointed or designated by the National Assembly or to a legal person established in the public interest, without the need for any designation by the Government.

The Credit Assessment Agents Act is amended to provide that the costs incurred for the administration of that Act are determined by the Government and may be set in advance for a maximum period of three years.

Lastly, the Act contains transitional and consequential provisions required for its application.



Chapter 3

AN ACT RESPECTING THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECH OF 25 MARCH 2021 AND AMENDING OTHER PROVISIONS

[Assented to 24 February 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

REIMBURSEMENT OF PROPERTY TAXES TO FOREST PRODUCERS

DIVISION I

AMENDING PROVISIONS

SUSTAINABLE FOREST DEVELOPMENT ACT

1. Section 131 of the Sustainable Forest Development Act (chapter A-18.1) is amended

(1) by inserting “in a calendar year if the forest producer is a natural person, and in a fiscal year in any other case,” after “paid” in the introductory clause;

(2) by replacing paragraph 3 by the following paragraph:

“(3) has a report that was prepared by a forest engineer, stating the eligible protection or development expenses that are applicable to the calendar year or to the fiscal year, as the case may be; and”.

ACT RESPECTING MUNICIPAL TAXATION

2. Section 220.3 of the Act respecting municipal taxation (chapter F-2.1) is amended

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

“Every individual or legal person contemplated in this subdivision may, subject to section 131 of the Sustainable Forest Development Act (chapter A-18.1), receive a reimbursement of part of the property taxes paid in a calendar year in the case of an individual or, in any other case, in a fiscal period, within the meaning assigned to that expression by Part I of the Taxation Act (chapter I-3), in respect of the immovables included in an assessment unit, the forested area

of which has been registered under section 130 of the Sustainable Forest Development Act, if the individual or the legal person applies for it to the Minister of Revenue in the prescribed form containing prescribed information.”;

(2) by striking out “, within the meaning assigned by Part I of the said Act” in the second paragraph;

(3) by replacing the third paragraph by the following paragraph:

“The reimbursement is equal to 85% of the lesser of

(1) the total of all amounts each of which is the product obtained by multiplying the aggregate of property taxes paid and not reimbursed otherwise than pursuant to this section, in respect of an assessment unit, by the ratio between the value of the land and the total value of the unit according to the entry of these values on the assessment roll; and

(2) the total of the producer’s eligible protection or development expenses, determined for the purposes of section 131 of the Sustainable Forest Development Act, that are applicable, where the producer is an individual, to the calendar year or, in any other case, to the producer’s fiscal year.”

3. Section 220.4 of the Act is repealed.

REGULATION RESPECTING THE REIMBURSEMENT OF PROPERTY TAXES OF CERTIFIED FOREST PRODUCERS

4. Section 1 of the Regulation respecting the reimbursement of property taxes of certified forest producers (chapter A-18.1, r. 12.1) is amended by replacing “paid in the last year” by “paid”.

5. Section 2 of the Regulation is amended by striking out paragraph 4.

6. Section 4 of the Regulation is amended by replacing the first paragraph by the following paragraphs:

“A certified forest producer that, in a particular calendar year ending before 1 January 2022 or a particular fiscal year ending before that date, as the case may be, has incurred expenses for an amount less than the amount of property taxes paid during that period may carry forward that amount over the five calendar years following the particular calendar year or the five fiscal years following the particular fiscal year.

A certified forest producer that, in a particular calendar year or a particular fiscal year, as the case may be, has incurred expenses for an amount greater than the amount of property taxes paid during that period may carry forward the excess amount over the 10 calendar years following the particular calendar year or the 10 fiscal years following the particular fiscal year. Accumulated surplus expenses are claimed according to the order in which they occur.”

- 7.** Schedule 2 to the Regulation is replaced by the following schedule:

“SCHEDULE 2
(*Section 5*)

REPORT PREPARED BY A FOREST ENGINEER CONTAINING A
STATEMENT OF EXPENSES FOR THE REIMBURSEMENT OF
PROPERTY TAXES OF CERTIFIED FOREST PRODUCERS
(Sustainable Forest Development Act, chapter A-18.1, s. 131)

Part 1 – Forest producer (The information relating to the permanent code and the date of expiry of the forest development plan appears in the forest development plan.)												
Forest producer's name and address:			Permanent code:				Expiry date of the forest development plan:					
			Calendar year or fiscal year of the last statement of development expenses:				Calendar year or fiscal year in which the eligible development expenses entered in this report were incurred:					
			-				-					
Part 2 – Eligible development expenses (The development expenses must have been incurred in the calendar year or the fiscal year, as the case may be, indicated in this report.)												
Name of the municipality in which the development expense was incurred	Identification of eligible development expense	Number of units of measurement (Nbru a)	Value of eligible development expense									
			Technical component (VaT)	Execution component (VaE)	Total {(Nbru x VaT) + (Nbru x VaE)}							
					\$							
					+ \$							
					+ \$							
					+ \$							
					+ \$							
					+ \$							
TOTAL OF ELIGIBLE DEVELOPMENT EXPENSES					$\Sigma e \{ (Nbru \times VaT) + (Nbru \times VaE) \}$	\$						

Meaning of terms:

the sum of the operation performed in the brace for each development expense indicated in Schedule I.

Nbru: the number of units of measurement corresponding to the development expense referred to in Schedule 1.
 Z.e: the sum of the operation performed in the brace for each development expense indicated in Schedule 1.

the value of the development expense referred to in Schedule 1 for the technical component.

the value of the development expense referred to in Schedule 1 for the execution component.

Part 3 – Forest engineer's statement I hereby certify that: - each of the development expenses declared in this report was incurred in such a way as to have an impact on the establishment, maintenance or improvement of a forest stand and to fulfil the objective fixed in the Regulation respecting the reimbursement of property taxes of certified forest producers; - I have not observed any departure from municipal by-laws; - I am a member in good standing of the Ordre des ingénieurs forestiers du Québec. Name: _____ Permit No.: _____ Signature: _____ Date: _____ Forest engineer	Part 4 – Forest producer's statement I hereby certify that: - all the information in my valid forest development plan is up-to-date; - the development expenses declared in this report were incurred for a registered forest area for which a forest management plan is in force; - the municipal by-laws have been complied with; - those expenses have never been declared for the purposes of a reimbursement of property taxes with a department or public body. In addition, I agree to provide any vouchers that the Minister of Revenue or the Minister of Natural Resources may require. Name: _____ Date: _____ Signature: _____ Forest producer or authorized representative
Part 5 – Assistance program for the development of private forests In order to ensure complementarity between the reimbursement of property taxes of certified forest producers under this Regulation and the assistance program for the development of private forests, please indicate whether financial assistance under the assistance program for the development of private forests was provided for the development expenses declared in this report: Yes ☐ No ☐ Name: _____ Date: _____ Signature: _____ Forest producer or authorized representative	

DIVISION II

TRANSITIONAL PROVISION

8. The provisions of sections 1 to 3 apply from the calendar year 2022, in the case of an individual, and to a fiscal year that ends after 31 December 2021, in the case of a legal person.

CHAPTER II**FUND TO COMBAT ADDICTION****DIVISION I****AMENDING PROVISIONS****ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC**

9. Section 23.30 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended

(1) by replacing “Cannabis Sales Revenue Fund” in the introductory clause by “Fund to Combat Addiction”;

(2) by inserting “, pathological gambling and other forms of addiction” after “substance use” in paragraph 3.

10. Section 23.31 of the Act is amended

(1) by replacing “Cannabis Sales Revenue Fund” in the introductory clause by “Fund”;

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

“(1.1) the amounts determined by the Government under section 58.1 of this Act and section 23.1 of the Act respecting the Société des loteries du Québec (chapter S-13.1);”.

11. The Act is amended by inserting the following section after section 23.31:

“23.31.1. The sums referred to in paragraph 1.1 of section 23.31 may be appropriated only for the purposes set out in paragraph 3 of section 23.30.”

12. Section 23.32 of the Act is amended by replacing “Cannabis Sales Revenue Fund” in the first paragraph by “Fund”.

13. Section 23.33 of the Act is amended, in the first paragraph,

(1) by inserting “pathological gambling and other forms of addiction,” after “substance use,”;

(2) by replacing “Cannabis Sales Revenue Fund” by “Fund”.

14. Section 23.34 of the Act is amended by replacing “Cannabis Sales Revenue Fund” by “Fund, excluding the sums referred to in paragraph 1.1 of section 23.31”.

15. The Act is amended by inserting the following section after section 58:

“**58.1.** The Government shall determine the amount of the sums paid by the Société as dividends that is to be paid annually into the Fund to Combat Addiction.”

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

16. The Act respecting the Société des loteries du Québec (chapter S-13.1) is amended by inserting the following section after section 23:

“**23.1.** The Government shall determine the amount of the sums paid by the company as dividends that is to be paid annually into the Fund to Combat Addiction established under the Act respecting the Société des alcools du Québec (chapter S-13).”

DIVISION II

TRANSITIONAL PROVISION

17. Unless the context indicates otherwise, in any Act, regulation, order in council or other document, a reference to the Cannabis Sales Revenue Fund is a reference to the Fund to Combat Addiction.

CHAPTER III

ASSISTANCE FOR HOMES DAMAGED BY PYRRHOTITE

ACT RESPECTING MUNICIPAL TAXATION

18. Section 253.31 of the Act respecting municipal taxation (chapter F-2.1) is amended by inserting the following paragraph after the sixth paragraph:

“The averaging of the variation in the taxable value resulting from a decrease in the value of the unit of assessment or business establishment ceases where, through the taking of effect of an alteration to the roll referred to in subparagraph 1 of the second paragraph whose object is to reflect the increase in value resulting from work performed on a building already comprised in the unit, the adjusted value is replaced by a new adjusted value that is equal to or greater than the taxable value entered on the roll in force on the day preceding the coming into force of the roll concerned.”

CHAPTER IV**BUDGETARY BALANCE****BALANCED BUDGET ACT**

19. Section 7.1 of the Balanced Budget Act (chapter E-12.00001) is replaced by the following section:

“7.1. Sections 6 and 7, which prohibit an actual or estimated budgetary deficit, and sections 8 and 10 to 13, which provide measures to offset overruns, do not apply from 25 March 2021 to the end of the fiscal year determined by the Minister at or before the time of the budget for the 2023-2024 fiscal year.”

20. Section 7.5 of the Act is amended by striking out “or, if applicable, the sums lacking for the achievement of the objective established by section 7.1 for the 2014-2015 fiscal year” in the first paragraph.

CHAPTER V**COMMUNICATION OF INFORMATION****TAX ADMINISTRATION ACT**

21. The Tax Administration Act (chapter A-6.002) is amended by inserting the following section after section 69.5:

“69.5.0.1. The Institut de la statistique du Québec may, without the consent of the person concerned, communicate, for research purposes, to a researcher attached to a public body, within the meaning of paragraph 2 of section 2.2 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011), information obtained under subparagraph *k* of the second paragraph of section 69.1 for the purposes of section 2.1 of the Act respecting the Institut de la statistique du Québec and designated for that purpose by the Government under section 13.1 of that Act.

For the purposes of the first paragraph, the Institut de la statistique du Québec shall, before communicating information to a researcher attached to a public body, ensure that

(1) the objective of the research project can only be achieved if that information is communicated;

(2) it is unreasonable to require that the researcher obtain the consent of the person concerned;

(3) the communication and use of information as part of the research project are not prejudicial to the person concerned and that the research project’s expected benefits are in the public interest;

(4) the information will be used in a manner that will ensure its confidentiality; and

(5) the information is necessary for the research project.”

CHAPTER VI

REPORT ON THE IMPLEMENTATION OF THE MONEY-SERVICES BUSINESSES ACT

DIVISION I

AMENDING PROVISION

MONEY-SERVICES BUSINESSES ACT

22. Section 83 of the Money-Services Businesses Act (chapter E-12.000001) is amended by replacing “1 April 2017” in the first paragraph by “13 September 2026”.

DIVISION II

TRANSITIONAL PROVISION

23. The Minister of Revenue is exempt from the obligation to submit to the Government, not later than 1 April 2022, the report referred to in the first paragraph of section 83 of the Money-Services Businesses Act (chapter E-12.000001).

CHAPTER VII

UNCLAIMED FINANCIAL PRODUCTS

DIVISION I

AMENDING PROVISIONS

UNCLAIMED PROPERTY ACT

24. Section 3 of the Unclaimed Property Act (chapter B-5.1) is amended, in the first paragraph,

(1) by replacing subparagraph 4 by the following subparagraph:

“(4) property, including a share or the right to such a share, to be distributed because of the conversion of a mutual insurance association into a joint-stock company, where no claim or transaction has been made and no instructions have been given by the right-holder in respect of the property in the three years

following the date of the last claim, transaction or instruction in respect of the property, including the receipt of interest, dividends or other income produced by such property; the property is deemed to be held by the company;”;

(2) by replacing “the receipt by the adviser or broker” in subparagraph 5 by “the last claim, transaction or instruction in respect of the property, including the receipt of interest, dividends or other income produced by such property”;

(3) by inserting the following subparagraph after subparagraph 5:

“(5.1) shares and equity securities issued by a reporting issuer, within the meaning of the Securities Act (chapter V-1.1), that are traded on securities exchanges or financial markets and that do not give rise to security entitlements, where no claim or transaction has been made and no instructions have been given by the right-holder in respect of the property in the three years following the date of the last claim, transaction or instruction in respect of the property, including the receipt of interest, dividends or other income produced by such property; the shares and equity securities are deemed to be held by the reporting issuer;”.

25. Section 6 of the Act is amended

(1) by striking out “, in the form prescribed by the Minister,” in the second paragraph;

(2) in the third paragraph,

(a) by striking out subparagraph 1;

(b) by replacing subparagraph 2 by the following subparagraph:

“(2) determine the form and manner in which the statement is to be sent; and”.

26. The Act is amended by inserting the following section after section 13:

“13.1. The Minister is not required to keep the amounts that derive from a pension plan governed by the Supplemental Pension Plans Act (chapter R-15.1) or from a pension plan established by an Act in force in Québec, and which are delivered to the Minister under subparagraph 10 of the first paragraph of section 3, in a retirement savings plan or retirement income fund that is accepted for registration by the Minister of National Revenue for the purposes of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), beyond the date of the 100th birthday of the annuitant or once the amounts making up such a retirement savings plan or retirement income fund have a value of less than 20% of the Maximum Pensionable Earnings established in accordance with the Act respecting the Québec Pension Plan (chapter R-9).

The first paragraph does not apply to amounts that may be the subject of the right to reinstatement provided for in section 147.0.6 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10).”

REGULATION RESPECTING THE APPLICATION OF THE UNCLAIMED PROPERTY ACT

27. Section 5 of the Regulation respecting the application of the Unclaimed Property Act (chapter B-5.1, r. 1) is amended by replacing the second paragraph by the following paragraphs:

“The related statement is filed by means of the electronic process provided for that purpose on Revenu Québec’s website.

It may also be filed in the form prescribed by the Minister if the debtor or holder has, for a year, 10 properties or less to be delivered to the Minister under section 6 of the Act.

Despite the second paragraph, the related statement must be filed in the form prescribed by the Minister if the debtor or holder delivers a property referred to in subparagraph 7 of the first paragraph of section 3 of the Act to the Minister.”

DIVISION II TRANSITIONAL PROVISION

28. For the purposes of sections 5, 6 and 8 of the Unclaimed Property Act (chapter B-5.1), a property referred to in subparagraph 5.1 of the first paragraph of section 3 of that Act, enacted by section 24, that qualifies as unclaimed property on 24 February 2022 must be delivered to the Minister of Revenue not later than 18 months following that date.

CHAPTER VIII FINANCEMENT-QUÉBEC

DIVISION I REDEMPTION OF SHARES AND REPAYMENT OF THE CONTRIBUTED SURPLUS

29. Financement-Québec shall redeem the 1,000 shares of its share capital held by the Minister of Finance and pay \$100,000 to that Minister as consideration, according to the terms they agreed on.

30. Financement-Québec shall repay the Minister of Finance the sum of \$9,900,000 that the financing authority holds as contributed surplus under section 67 of the Act respecting Financement-Québec (chapter F-2.01).

31. Financement-Québec’s authorized share capital as well as all the issued shares are cancelled.

DIVISION II

AMENDING PROVISIONS

ACT RESPECTING FINANCEMENT-QUÉBEC

32. Section 1 of the Act respecting Financement-Québec (chapter F-2.01) is amended by replacing “legal person with share capital” in the second paragraph by “legal person established in the public interest”.

33. Sections 10 and 11 of the Act are repealed.

34. Section 12 of the Act is amended by striking out the second and third paragraphs.

35. The Act is amended by inserting the following sections after section 13:

“**13.1.** The affairs of the financing authority are administered by a chief executive officer designated by the Minister from among the person holding the position of deputy minister of the Ministère des Finances, those holding a position of associate deputy minister or assistant deputy minister within that department and any other member of that department’s executive staff.

“**13.2.** The chief executive officer is appointed for a term of up to five years.

At the end of the term, the chief executive officer remains in office until replaced or reappointed.

“**13.3.** The chief executive officer is responsible for the administration and direction of the financing authority within the scope of its by-laws and policies.

“**13.4.** The chief executive officer shall designate a member of the financing authority’s staff to act as a replacement when the chief executive officer is absent or unable to act.”

36. Sections 14 to 22 of the Act are repealed.

37. Section 23 of the Act is replaced by the following section:

“**23.** The documents and copies emanating from the financing authority or forming part of its records are authentic if they are approved and certified by the chief executive officer.”

38. Section 24 of the Act is amended by replacing “a person referred to in section 23” by “the chief executive officer”.

39. Section 25 of the Act is amended by striking out “, the chair or vice-chair of the board, the secretary” in the first paragraph.

40. Section 26 of the Act is amended by replacing “a person referred to in section 23” in the first paragraph by “the chief executive officer”.

41. Section 29 of the Act is amended by striking out the second paragraph.

42. Section 31 of the Act is repealed.

43. The Act is amended by inserting the following chapter after section 31:

“CHAPTER II.1

“GOVERNANCE COMMITTEE

“31.1. A governance committee made up of a maximum of nine members is established within the financing authority. The committee is composed of the following members, all appointed by the Minister:

- (1) at least two members of the personnel of the Ministère des Finances;
- (2) a member of the personnel of each of the departments under the authority, respectively, of the ministers responsible for the public bodies mentioned in section 4, unless none of those bodies under a minister’s authority receives services offered by the financing authority; and
- (3) at least one independent member.

The members referred to in subparagraph 2 of the first paragraph are appointed on the recommendation of the ministers to whom they are responsible.

The members of the committee are appointed for a term not exceeding three years. On the expiry of their term, the members remain in office until replaced or reappointed.

A member is independent if, in the Minister’s opinion, the member qualifies as an independent director within the meaning of section 4 of the Act respecting the governance of state-owned enterprises (chapter G-1.02). Sections 5 to 8 of that Act apply, with the necessary modifications.

The chair of the committee is designated by the Minister from among the members referred to in subparagraph 1 of the first paragraph.

The members of the governance committee receive no remuneration. They are, however, entitled to the reimbursement of the expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“31.2. The governance committee’s functions are

(1) to ensure that the financing authority provides financial and technical services to the public bodies in accordance with the criteria determined by the Government under section 7 and the directives and other decisions made regarding the financing authority by the Government or the Minister under the powers conferred on them; and

(2) to give the Minister its opinion on any matter referred to it by the Minister.

“31.3. The committee may, in the exercise of its functions, require that any document or information used by the financing authority be communicated to it.

The officers and employees of the financing authority shall, on request, communicate those documents or that information to, and facilitate their examination by, the committee.

“31.4. No document binds the committee unless it is signed by the chair or by any other committee member so authorized by the committee’s internal by-laws.

“31.5. The documents and copies emanating from the committee or forming part of its records are authentic if they are approved, signed or certified true by the chair of the committee.

“31.6. The chief executive officer shall render an account of the financing authority’s operations to the governance committee at least twice a year and whenever the committee so requires.

“31.7. Every year, on or before 30 September, the committee shall report to the Minister on its operations for the preceding fiscal year.”

44. Sections 32 to 35 of the Act are repealed.

45. Section 36 of the Act is amended by striking out “, including shares of the capital of the financing authority”.

46. Section 38 of the Act is amended, in the first paragraph,

(1) by replacing “or one of its subsidiaries referred to in section 11 and the performance of their obligations” in subparagraph 1 by “and the performance of its obligations”;

(2) by replacing “or one of such subsidiaries any amount considered necessary for the fulfilment of their obligations or the pursuit of their mission” in subparagraph 2 by “any amount considered necessary for the fulfilment of its obligations or the pursuit of its mission”.

47. Section 40 of the Act is repealed.

48. Section 44 of the Act is amended by striking out “that must include the operations of its subsidiaries”.

49. Section 46 of the Act is amended by striking out “and the operations of its subsidiaries”.

50. Section 67 of the Act is repealed.

DIVISION III

TRANSITIONAL AND FINAL PROVISIONS

51. Despite any inconsistent provision, the members of Financement-Québec’s board of directors in office on the date preceding the date of coming into force of section 32, except the member exercising the functions of chief executive officer of Financement-Québec, become, without further formality and for the unexpired portion of their term, members of the financing authority’s governance committee as members referred to, as the case may be, in subparagraph 1 or 2 of the first paragraph of section 31.1 of the Act respecting Financement-Québec (chapter F-2.01), enacted by section 43.

For the purposes of the first paragraph, the member designated by the Minister as chair of the financing authority’s board of directors shall exercise the functions of chair of the governance committee.

52. The member of Financement-Québec’s board of directors designated by the Minister to exercise the functions of chief executive officer of the financing authority, in office on the date preceding the date of coming into force of section 32, continues in office on the same terms, for the unexpired portion of the term of office, until replaced or reappointed.

53. The by-laws, resolutions and other acts made or authorized by the board of directors of Financement-Québec in force on the date preceding the date of coming into force of section 32 continue to have effect, with the necessary modifications, until amended or replaced.

CHAPTER IX**MONTRÉAL MUSEUM OF FINE ARTS****ACT RESPECTING THE MONTRÉAL MUSEUM OF FINE ARTS**

54. Section 29 of the Act respecting the Montréal Museum of Fine Arts (chapter M-42) is amended by replacing “of section 30” in paragraph 7 by “of sections 30 and 30.1”.

55. The Act is amended by inserting the following section after section 30:

“**30.1.** The Museum must obtain authorization from the Minister and the Minister of Finance to contract short term or line of credit loans in order to finance a capital expenditure project for which it receives a subsidy.”

CHAPTER X**TEMPORARY LOANS****FINANCIAL ADMINISTRATION ACT**

56. Section 83 of the Financial Administration Act (chapter A-6.001) is amended by adding the following paragraph at the end:

“Despite the first paragraph, as regards effecting a short term or line of credit loan, the power may be exercised by a member of the personnel authorized by the body to act alone in that respect.”

ACT RESPECTING THE AUTORITÉ RÉGIONALE DE TRANSPORT MÉTROPOLITAIN

57. Section 85 of the Act respecting the Autorité régionale de transport métropolitain (chapter A-33.3) is amended by inserting “, unless the loans are intended to finance a capital expenditure project for which the Authority receives financial assistance from a government department or body, in which case the interest rate and other conditions of the loans must be authorized by the Minister of Finance” at the end of the second paragraph.

ACT RESPECTING THE RÉSEAU DE TRANSPORT MÉTROPOLITAIN

58. Section 53 of the Act respecting the Réseau de transport métropolitain (chapter R-25.01) is amended by inserting “, unless the loans are intended to finance a capital expenditure project for which the Network receives financial assistance from the Government, in which case the interest rate and other conditions of the loans must be authorized by the Minister of Finance” at the end of the second paragraph.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

59. Section 124 of the Act respecting public transit authorities (chapter S-30.01) is amended by adding the following paragraph at the end:

“However, in the case of loans intended to finance a capital expenditure project for which a transit authority receives a government grant, the interest rate and other conditions of the loans must be authorized by the Minister of Finance.”

CHAPTER XI**CULTURAL HERITAGE FUND****ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES COMMUNICATIONS**

60. Section 22.5 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended by replacing “\$19,500,000 per year for the fiscal years 2019–2020 to 2022–2023 and \$23,500,000 for the fiscal year 2023–2024” by “\$24,800,000 for the fiscal years 2021–2022 and 2022–2023 and \$25,300,000 for the fiscal year 2023–2024”.

CHAPTER XII**DISABILITY PENSION****DIVISION I****AMENDING PROVISIONS****ACT RESPECTING THE QUÉBEC PENSION PLAN**

61. Section 41 of the Act respecting the Québec Pension Plan (chapter R-9) is amended by replacing the second paragraph by the following paragraph:

“Nevertheless, for a year in which a worker reaches 18 years of age, in which a disability pension ceases to be payable to him under this Act or under a similar plan while no retirement pension was payable to him under this Act or in which such a pension becomes payable to him while he is a beneficiary of a disability pension under this Act, such maximum is equal to the amount obtained by multiplying that year’s Maximum Pensionable Earnings by the proportion that the number of months after the day preceding his eighteenth birthday, after such disability pension ceases or after the day preceding the beginning of the retirement pension bears to 12.”

62. Section 48 of the Act is amended by replacing the second paragraph by the following paragraph:

“Nevertheless, for a year in which a worker reaches 18 years of age, in which a disability pension ceases to be payable to him under this Act or under a similar plan while no retirement pension was payable to him under this Act or in which such a pension becomes payable to him while he is a beneficiary of a disability pension under this Act, his pensionable self-employed earnings are equal to the amount obtained by multiplying the amount of such earnings by the proportion that the number of months after the day preceding his eighteenth birthday, after the disability pension ceases or after the day preceding the beginning of the retirement pension bears to 12.”

63. Section 48.1 of the Act is amended

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

“Nevertheless, for a year in which a worker reaches 18 years of age, in which a disability pension ceases to be payable to him under this Act or under a similar plan while no retirement pension was payable to him under this Act or in which such a pension becomes payable to him while he is a beneficiary of a disability pension under this Act, his pensionable earnings as a family-type resource or an intermediate resource are equal to the amount obtained by multiplying the amount of earnings as such a resource by the proportion that the number of months after the day preceding his eighteenth birthday, after the disability pension ceases or after the day preceding the beginning of the retirement pension bears to 12.”;

(2) by inserting “while no retirement pension was payable to him” after “a similar plan” in the third paragraph.

64. Section 53.2 of the Act is amended

(1) in the second paragraph,

(a) by replacing subparagraph *a* by the following subparagraph:

“(a) the amount by which the worker’s maximum pensionable earnings for the year is exceeded by the total of

i. the aggregate, for the year, of the worker’s pensionable self-employed earnings and pensionable earnings as a family-type resource or an intermediate resource, and

ii. the lesser of

(1) the aggregate of all amounts each of which is the worker’s pensionable salary and wages for the year in respect of pensionable employment under this Act or a similar plan, and

(2) the total of the worker's personal exemption for the year, the worker's salary and wages on which a first additional contribution has been made for the year under this Act or a similar plan and the worker's salary and wages on which a second additional contribution has been made for the year under this Act or a similar plan;"

(b) by adding the following subparagraph at the end:

"(c) the amount by which the aggregate, for the year, of the worker's pensionable self-employed earnings and pensionable earnings as a family-type resource or an intermediate resource exceeds the amount determined in respect of the worker for the year under the third paragraph.";

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

"The amount to which subparagraph *c* of the second paragraph refers in respect of a self-employed worker, a family-type resource or an intermediate resource for the year is equal to the amount by which the worker's salary and wages on which a second additional contribution has been made for the year under this Act or a similar plan exceeds the amount by which the aggregate of all amounts each of which is the worker's pensionable salary and wages for the year in respect of pensionable employment under this Act or a similar plan exceeds the worker's maximum pensionable earnings for the year."

65. Section 95 of the Act is amended

(1) by replacing "A person shall be considered to be disabled only if" in the first paragraph by "A person is considered to be disabled if";

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

"A disability is severe if by reason thereof the person is incapable regularly of pursuing any substantially gainful occupation while the person's functional limitations render him incapable of meeting, on a full-time basis, the usual requirements related to any type of work. For the purposes of this paragraph, only very severe functional limitations are considered. However, severe functional limitations may be considered if the person has unfavourable socio-professional characteristics despite schooling, rehabilitation and reintegration efforts.";

(3) by inserting "or if it forces him to reduce working time by reason of his disability, provided his income after reducing working time is less than the income from a substantially gainful occupation" at the end of the third paragraph.

66. Section 95.4 of the Act is amended by striking out "105.0.1," and "or an additional amount for disability after retirement".

67. Section 96 of the Act is amended

(1) by striking out “or of the additional amount for disability after retirement” in the introductory clause of the second paragraph;

(2) by striking out “105.0.1,” in subparagraph *e* of the second paragraph;

(3) by replacing the third paragraph by the following paragraph:

“The beneficiary of a disability pension is deemed to have ceased to be disabled in a calendar year if his income for that year equals or exceeds the income from a substantially gainful occupation for the year concerned. In such a case, the disability end date is fixed by regulation.”

68. Section 98 of the Act is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) the aggregate of the four following amounts:

(1) the total of his salary and wages determined under section 98.1.1 on the basis of the base contributions made and the amount obtained by dividing his base contribution in respect of his self-employed earnings and earnings as a family-type resource or an intermediate resource by the base contribution rate for the year,

(2) the total, determined in prescribed manner, of his salary and wages determined under section 98.1.2 on the basis of the base contributions made under a similar plan and the amount obtained by dividing his base contribution under such a plan in respect of his self-employed earnings by the base contribution rate for the year for a self-employed worker determined under such a plan,

(3) the amount obtained by dividing double the base contributions that are unused for the purpose of computing the salaries and wages referred to in subparagraphs 1 and 2 by the base contribution rate for the year determined under section 44.1 or the base contribution rate for the year for a self-employed worker determined under a similar plan, according to the plan under which the worker is required to make a contribution, and

(4) the contributor’s personal exemption for the year, which is equal, for a year subsequent to 1997 but prior to 2012 in which the base contributory period of the contributor ends within the meaning of subparagraph *a* or *b* of the second paragraph of section 101, to the basic exemption reduced proportionately to the number of months in the year preceding, as the case may be, the month in which a retirement pension becomes payable to the contributor or preceding the month of the contributor’s seventieth birthday; and”.

69. Section 98.1 of the Act is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) the aggregate of the four following amounts:

(1) the total of his salary and wages determined under section 98.1.1 on the basis of the first additional contributions made and the amount obtained by dividing his first additional contribution in respect of his self-employed earnings and earnings as a family-type resource or an intermediate resource by the first additional contribution rate for the year,

(2) the total, determined in prescribed manner, of his salary and wages determined under section 98.1.2 on the basis of the first additional contributions made under a similar plan and the amount obtained by dividing his first additional contribution under such a plan in respect of his self-employed earnings by the first additional contribution rate for the year for a self-employed worker determined under such a plan,

(3) the amount obtained by dividing double the first additional contributions that are unused for the purpose of computing the salaries and wages referred to in subparagraphs 1 and 2 by the first additional contribution rate for the year determined under section 44.2 or the first additional contribution rate for the year for a self-employed worker determined under a similar plan, according to the plan under which the worker is required to make a contribution, and

(4) the contributor’s personal exemption for the year; and”.

70. The Act is amended by inserting the following sections after section 98.1:

“**98.1.1.** The contributor’s salary and wages determined on the basis of the base contributions and the first additional contributions made are the least of

(a) the amount by which the contributor’s pensionable salary and wages for the year in respect of pensionable employment exceed the amount that corresponds to the difference between his personal exemption for the year and the proportional share of his personal exemption for the year under the similar plan;

(b) the amount by which the contributor’s maximum contributory earnings for the year exceed the proportional share of his maximum contributory earnings for the year under the similar plan; and

(c) the amount obtained by dividing, by one-half of the base contribution rate for the year or one-half of the first additional contribution rate, as the case may be, the amount by which the amount determined under the second paragraph is exceeded by the total of

(1) the aggregate of the deductions at source made from the contributor’s salary and wages for the year under this Act or a similar plan on account of the base contribution or the first additional contribution, as the case may be, and

(2) any amount that an employer has not deducted at source from the contributor's salary and wages for the year on account of the base contribution or the first additional contribution, as the case may be, as the employer should have done under this Act or a similar plan, provided that the worker has given notice of that fact to the Minister on or before 30 April of the following year.

The amount to which subparagraph *c* of the first paragraph refers is equal to the aggregate of

(a) an amount equal to the product of the amount of the contributor's salary and wages determined under section 98.1.2 and on which a base contribution or a first additional contribution, as the case may be, has been made under a similar plan and the base contribution rate for employees or the first additional contribution rate for employees, as the case may be, for the year under the similar plan; and

(b) an amount equal to the amount by which the amount described in subparagraph 1 of subparagraph *c* of the first paragraph exceeds the aggregate of the amounts determined under subparagraphs *a* and *b* or *c* and *d* of the first paragraph of section 51, as the case may be.

“98.1.2. The contributor's salary and wages determined on the basis of the base contributions and the first additional contributions made under a similar plan are the least of

(a) the amount by which the aggregate of all amounts each of which is the contributor's pensionable salary and wages for the year in respect of pensionable employment under the similar plan exceeds the proportional share of his personal exemption for the year under that plan;

(b) the proportional share of the contributor's maximum contributory earnings for the year under the similar plan; and

(c) the amount obtained by dividing, by, as the case may be, the base contribution rate or the first additional contribution rate for employees for the year under the similar plan, the amount by which the amount determined under subparagraph 1 exceeds the amount determined under subparagraph 2:

(1) the aggregate of the deductions at source made from the contributor's salary and wages for the year on account of the base contribution or the first additional contribution, as the case may be, under this Act or a similar plan and any amount an employer has not deducted at source from his salary and wages for the year on account of the base contribution or the first additional contribution, as the case may be, as the employer should have done under this Act or a similar plan, provided that the worker has given notice of that fact to the Minister on or before 30 April of the following year,

(2) the amount by which the aggregate of the deductions at source made from the contributor's salary and wages for the year under this Act or a similar plan on account of the base contribution or the first additional contribution, as the case may be, exceeds the aggregate of the amounts determined under subparagraphs *a* and *b* or *c* and *d* of the first paragraph of section 51, as the case may be."

71. Section 98.2 of the Act is amended by replacing paragraph *b* by the following paragraph:

"(b) the aggregate of the three following amounts:

(1) the total of his salary and wages determined under section 98.2.1 on the basis of the second additional contributions made and the amount obtained by dividing his second additional contribution in respect of his self-employed earnings and earnings as a family-type resource or an intermediate resource by the second additional contribution rate for the year,

(2) the total, determined in prescribed manner, of his salary and wages determined under section 98.2.2 on the basis of the second additional contributions made under a similar plan and the amount obtained by dividing his second additional contribution under such a plan in respect of his self-employed earnings by the second additional contribution rate for the year for a self-employed worker determined under such a plan, and

(3) the amount obtained by dividing double the second additional contributions that are unused for the purpose of computing the salaries and wages referred to in subparagraphs 1 and 2 by the second additional contribution rate for the year determined under section 44.3 or the second additional contribution rate for the year for a self-employed worker determined under a similar plan, according to the plan under which the worker is required to make a contribution; and".

72. The Act is amended by inserting the following sections after section 98.2:

"98.2.1. The contributor's salary and wages determined on the basis of the second additional contributions made are the least of

(a) the amount by which the contributor's pensionable salary and wages for the year in respect of pensionable employment under this Act exceed the amount that corresponds to the difference between his maximum pensionable earnings for the year and the proportional share of his pensionable earnings for the year under the similar plan;

(b) the amount by which the amount determined under subparagraph 1 exceeds the amount determined under subparagraph 2:

(1) the amount by which his additional maximum pensionable earnings for the year exceed the proportional share of his additional maximum pensionable earnings for the year under the similar plan,

(2) the amount by which his maximum pensionable earnings for the year exceed the proportional share of his maximum pensionable earnings for the year under the similar plan; and

(c) the amount obtained by dividing, by one-half of the second additional contribution rate, the amount by which the amount determined under the second paragraph is exceeded by the total of

(1) the aggregate of the deductions at source made from the contributor's salary and wages for the year under this Act or a similar plan on account of the second additional contribution,

(2) any amount that an employer has not deducted at source from the contributor's salary and wages for the year on account of the second additional contribution, as the employer should have done under this Act or a similar plan, provided that the worker has given notice of that fact to the Minister on or before 30 April of the following year, and

(3) an amount equal to the aggregate of the amounts established under subparagraph *b* of the second paragraph of section 56 and subparagraph *b* of the second paragraph of section 56.2.

The amount to which subparagraph *c* of the first paragraph refers is equal to the aggregate of

(a) an amount equal to the product of the second additional contribution rate for employees for the year under the similar plan and the amount of the contributor's salary and wages determined on the basis of the second additional contributions made under a similar plan, according to section 98.2.2; and

(b) the overpayment established under the first paragraph of section 51.

“98.2.2. The contributor's salary and wages determined on the basis of the second additional contributions made under a similar plan are the least of

(a) the amount by which the aggregate of all amounts each of which is the contributor's pensionable salary and wages for the year in respect of pensionable employment under the similar plan exceeds the proportional share of his personal exemption for the year under that plan;

(b) the amount by which the proportional share of the contributor's additional maximum pensionable earnings for the year under the similar plan exceeds the proportional share of his maximum pensionable earnings for the year under that plan; and

(c) the amount obtained by dividing, by the second additional contribution rate for employees for the year under the similar plan, the amount by which the amount determined under subparagraph 1 exceeds the amount determined under subparagraph 2:

(1) the total of the aggregate of the deductions at source made from the contributor's salary and wages for the year on account of the second additional contribution under this Act or a similar plan and any amount an employer has not deducted at source from his salary and wages for the year on account of the second additional contribution, as the employer should have done under this Act or a similar plan, provided that the worker has given notice of that fact to the Minister on or before 30 April of the following year,

(2) the amount equal to the aggregate of the amounts determined under subparagraph *b* of the second paragraph of section 56 and subparagraph *b* of the second paragraph of section 56.2.”

73. Section 99 of the Act is amended by replacing the second paragraph by the following paragraph:

“Nevertheless, for a year in which a contributor reaches 18 years of age, in which a disability pension ceases to be payable to him under this Act or under a similar plan while no retirement pension was payable to him under this Act or in which such a pension becomes payable to him while he is a beneficiary of a disability pension under this Act, each of the contributions referred to in the first paragraph is deemed to have been made for earnings relating to the months following the day preceding his eighteenth birthday, the cessation of the disability pension or the day preceding the beginning of the retirement pension.”

74. Section 101 of the Act is amended by inserting “while no retirement pension is payable to him” at the end of subparagraph *a* of the third paragraph.

75. Section 102.4 of the Act is amended by striking out “solely in respect of the base unadjusted pensionable earnings,” in subparagraph *d* of the first paragraph.

76. Section 105 of the Act is amended

(1) by striking out “and *an additional amount for disability after retirement* to the beneficiary of a retirement pension who becomes a qualified disabled contributor” in paragraph *a*;

(2) by striking out “if no retirement pension is payable to him under this Act or under a similar plan” in paragraph *e*;

(3) by replacing “each orphan of a deceased qualified contributor” in paragraph *f* by “each child of a deceased qualified contributor”.

77. Section 105.0.1 of the Act is repealed.

78. Section 106 of the Act is replaced by the following section:

“106. A contributor is qualified for a disability pension only if he is under 65 years of age, is disabled and has paid base contributions for one of the following groups of years:

(1) if he is under 60 years of age,

(a) two of the last three years wholly or partly included in his base contributory period, or two years if his base contributory period comprises only two years,

(b) five of the last ten years wholly or partly included in his base contributory period, or

(c) half of the total number of years wholly or partly included in his base contributory period, but not less than two years; or

(2) if he is 60 years of age or over, three of the last six years wholly or partly included in his base contributory period.

For the purposes of this section, the base contributory period of the contributor terminates at the end of the month in which he became disabled. However, no month included between the month prior to the beginning of the retirement pension and the month following the month in which he became disabled may be excluded under the third paragraph of section 101.”

79. Section 106.2 of the Act is amended by striking out “under this Act or”.

80. Section 106.3 of the Act is amended by striking out the second paragraph.

81. Section 120 of the Act is amended by replacing “sections 120.1 and 120.2” in the second paragraph by “section 120.1”.

82. Section 120.0.1 of the Act is repealed.

83. Section 120.1 of the Act is amended by inserting the following paragraphs after the first paragraph:

“In the case of a retirement pension which becomes payable from 1 January 2024 to a contributor who is qualified for a disability pension, the adjustment of 0.5% provided for in subparagraph 1 of the first paragraph is replaced by an adjustment of 0.3% for each month of the period that falls between the date, prior to the contributor’s sixty-fifth birthday, on which the retirement pension becomes payable and the date of the contributor’s sixty-fifth birthday. In addition, the amount of the contributor’s retirement pension is, where applicable, reduced by 0.3%, to which is added an adjustment factor of 0.1% multiplied by the ratio between 25% of the average base monthly pensionable earnings of the contributor, calculated as provided in sections 116.1

to 116.5, for the year in which the retirement pension becomes payable and the maximum base monthly retirement pension for the year, calculated as provided in section 116.6, for each month for which the contributor was entitled, between 60 and 65 years of age, to a disability pension under this Act pursuant to the provisions of this Act in force on 31 December 2023 or under a similar plan.

However, in the case of a retirement pension which becomes payable after 31 December 2021 but before 1 January 2024, the monthly amount is reduced by 0.3%, to which is added an adjustment factor of 0.1% multiplied by the ratio between 25% of the average base monthly pensionable earnings of the contributor, calculated as provided in sections 116.1 to 116.5, for the year in which the retirement pension becomes payable and the maximum base monthly retirement pension for the year, calculated as provided in section 116.6, for each month for which the contributor was entitled, between 60 and 65 years of age, to a disability pension under this Act or a similar plan.”

84. Section 120.2 of the Act is repealed.

85. Section 123 of the Act is amended

(1) by inserting “under 60 years of age” after “contributor” in the introductory clause;

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

“Where the beneficiary of a disability pension reaches 60 years of age, the beneficiary ceases to be entitled to the amount described in subparagraph *b* of the first paragraph.

The basic monthly amount of the disability pension payable to a contributor who is 60 years of age or over is the amount of the flat benefit established under section 124.”

86. Section 127 of the Act is amended by replacing “a disability pension, a” by “the disability pension of a contributor under 60 years of age, the”.

87. Section 135 of the Act is replaced by the following section:

“135. The basic monthly amount of the surviving spouse’s pension of a spouse to whom a disability pension is payable under this Act or under a similar plan and to whom no retirement pension is payable is equal to the aggregate of the following three amounts:

(a) the lesser of E and F, calculated as follows:

$$(a \times 37.5\%) + b = E$$

$$c - d = F;$$

- (b) 50% of the amount established in accordance with section 137.1; and
- (c) 50% of the amount established in accordance with section 137.2.

In the formulas in subparagraph *a* of the first paragraph,

“a” is the amount established in accordance with section 137;

“b” is the amount of the flat benefit included in the surviving spouse’s pension payable to the spouse for the month for which the basic monthly amount is established;

“c” is 75% of the maximum base monthly retirement pension, calculated in accordance with section 116.6, for the year that includes the month for which the basic monthly amount is established; and

“d” is the amount of the disability pension payable to the surviving spouse for the month for which the basic monthly amount is established, reduced by 75% of the amounts calculated under subparagraphs 2 and 3 of paragraph *b* of section 123, adjusted in accordance with section 119, and by the amount of the flat benefit included in the disability pension for that month.”

88. Section 136 of the Act is replaced by the following section:

“136. The basic monthly amount of the surviving spouse’s pension of a spouse under 65 years of age to whom a retirement pension is paid under this Act or under a similar plan is equal to the aggregate of the following three amounts:

(a) the lesser of G and H, calculated as follows:

$$(a \times 37.5\%) + b = G$$

$$[b + (c - d)] - e = H;$$

(b) 50% of the amount established in accordance with section 137.1; and

(c) 50% of the amount established in accordance with section 137.2;

where

“a” is the amount established in accordance with section 137;

“b” is the amount of the flat benefit included in the surviving spouse’s pension payable to the spouse for the month for which the basic monthly amount is established;

“c” is the maximum base monthly retirement pension for the year that includes the month for which the basic monthly amount is established, calculated in accordance with section 116.6 and adjusted according to section 120.1, but taking into account the fact that the ratio by which the adjustment factor is multiplied is equal to one;

“d” is the amount of the retirement pension, calculated as provided in subparagraph *a* of the first paragraph of section 120 and adjusted in accordance with section 119, which is payable to the surviving spouse for the month for which the basic monthly amount is established, calculated without taking account either of a partition, if any, of the retirement pension effected under sections 158.3 to 158.8 or a similar plan, or of an additional pension established under section 120.3; and

“e” is, where applicable, the amount of the disability pension payable under this Act or the benefit for disability after retirement payable under a similar plan to the surviving spouse for the month for which the basic monthly amount is established.

Nevertheless, if the basic monthly amount thus calculated is less than zero, the amount is deemed to be nil.”

89. The Act is amended by inserting the following section after section 136:

“136.1. The basic monthly amount of the surviving spouse’s pension of a spouse 65 years of age or over to whom a retirement pension is payable under this Act or under a similar plan is equal to the aggregate of the following three amounts:

(a) the lesser of

(1) $c - d$, and

(2) the greater of E and F, calculated as follows:

$$a \times 37.5\% = E$$

$$(a \times 60\%) - (d \times 40\%) = F;$$

(b) 50% of the amount established in accordance with section 137.1; and

(c) 50% of the amount established in accordance with section 137.2;

where

“a” is the amount established in accordance with section 137;

“c” is the maximum base monthly retirement pension for the year that includes the month for which the basic monthly amount is established, calculated in accordance with section 116.6 and adjusted according to section 120.1, but taking into account the fact that the ratio by which the adjustment factor is multiplied is equal to one; and

“d” is the amount of the retirement pension, calculated as provided in subparagraph *a* of the first paragraph of section 120 and adjusted in accordance with section 119, which is payable to the surviving spouse for the month for which the basic monthly amount is established, calculated without taking account either of a partition, if any, of the retirement pension effected under sections 158.3 to 158.8 or a similar plan, or of an additional pension established under section 120.3.

Nevertheless, if the basic monthly amount thus calculated is less than zero, the amount is deemed to be nil.”

90. Sections 137, 137.1 and 137.2 of the Act are amended by replacing all occurrences of “in sections 120.1 and 120.2” by “in section 120.1”.

91. Section 139 of the Act is amended by replacing the third paragraph by the following paragraphs:

“The beneficiary of a disability pension is presumed to have made an application for a retirement pension in the month preceding the beneficiary’s sixtieth birthday. In addition, the beneficiary of a disability pension or a replacement indemnity who is not the beneficiary of a retirement pension is presumed to have made an application for a retirement pension in the month preceding the beneficiary’s sixty-fifth birthday.

A contributor 59 years of age or over who makes an application for a disability pension is presumed to have made an application for a retirement pension in whichever of the following months occurs first:

- (a) the month in which an application for a disability pension is made; or
- (b) the earlier of the month of the contributor’s fifty-ninth birthday and the month preceding the month in which the disability pension becomes payable under section 165.”

92. Section 139.1 of the Act is amended by replacing the second paragraph by the following paragraph:

“Where an application for a retirement pension is presumed to be made under the fourth paragraph of section 139, the beneficiary of that pension may cancel his application within two months of the date on which the beneficiary was informed that his application for a disability pension was refused.”

93. Section 139.2 of the Act is amended

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

“Retraite Québec may consider that an application for a disability pension, made by a contributor in respect of whom a claim for an employment injury has been made to the Commission des normes, de l’équité, de la santé et de la sécurité du travail, is made on the date of that claim, provided that the application for a disability pension is made within 36 months of the date of that claim, that the disability invoked can be connected to the subject of the claim to the Commission and that the contributor’s entitlement to a replacement indemnity giving rise to exclusion from entitlement to a disability pension under section 105.2 has not been recognized.”;

(2) by replacing “who, while he was 59 years of age or over,” in the introductory clause of the fourth paragraph by “within six months of the date on which he”.

94. Section 145 of the Act is amended by striking out “, additional amounts for disability after retirement” in the first paragraph.**95.** Section 148 of the Act is amended by replacing “a disability pension or a retirement pension” by “a retirement pension paid for months that precede 1 January 2024 or a disability pension”.**96.** Section 157.2 of the Act is repealed.**97.** Section 158 of the Act is amended by striking out the second paragraph.**98.** Section 166 of the Act is amended by striking out “at the end of the month preceding that in which a retirement pension becomes payable to the beneficiary under this Act or under a similar plan, and” in the second paragraph.**99.** Section 180.2 of the Act is amended by replacing “disability pension or retirement pension” in subparagraph *c* of the second paragraph by “a retirement pension paid for months that precede 1 January 2024 or a disability pension”.**100.** Section 219 of the Act is amended

(1) by replacing “the second paragraph of section 95 and the third paragraph of section 96” in paragraph *h.1* by “the second and third paragraphs of section 95”;

(2) by inserting the following paragraph after paragraph *h.1*:

“(h.2) for the purposes of the third paragraph of section 96, fixing the disability end date;”.

101. Sections 229 and 230 of the Act are repealed.

REGULATION RESPECTING BENEFITS

102. Section 17 of the Regulation respecting benefits (chapter R-9, r. 5) is replaced by the following section:

“**17.** For the purposes of the second and third paragraphs of section 95 of the Act, an occupation is considered substantially gainful if the person concerned would have earned from that occupation, had the person not become disabled, an income which, established on a yearly basis, would not have been less than \$19,656 for the year 2022.

For subsequent years, the income considered to qualify an occupation as being substantially gainful under this section is adjusted yearly in such a manner that the income considered for a subsequent year is equal to the product obtained by multiplying the income considered for the year preceding it by the proportion that the Maximum Pensionable Earnings for the subsequent year is of the Maximum Pensionable Earnings for the year preceding it.

Where the result obtained is a number that includes one or more decimals, no decimal is retained and, if the first decimal is greater than 4, the number so modified is increased by one unit.”

103. Section 19.1 of the Regulation is replaced by the following section:

“**19.1.** For the purposes of the third paragraph of section 96 of the Act, the disability end date is fixed at the expiry of the first three-month period for which the average monthly income from an occupation, multiplied by 12, is equal to or greater than the substantially gainful occupation, defined in section 17.”

DIVISION II

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

104. From 1 January 2022 to 31 December 2023, the third paragraph of section 96 of the Act respecting the Québec Pension Plan (chapter R-9), replaced by section 67, is to be read as follows:

“The beneficiary of a disability pension or of an additional amount for disability after retirement is deemed to have ceased to be disabled in a calendar year if his income for that year equals or exceeds the income from a substantially gainful occupation for the year concerned. In such a case, the disability end date is fixed by regulation.”

105. From 1 January 2022 to 31 December 2023, subparagraph 4 of the first paragraph of section 105.0.1 of the Act respecting the Québec Pension Plan, repealed by section 77, is to be read as follows:

“(4) he paid base contributions for at least three of the last six years wholly or partly included in his base contributory period.”

That provision applies to an application for a disability pension made before 1 January 2023 where a contributor 60 years of age or over cannot, under the provisions of subparagraph 4 of the first paragraph of section 105.0.1 of the Act respecting the Québec Pension Plan, as they read on 31 December 2021, be eligible for an additional amount for disability after retirement. In such a case, the contributor’s disability date may not be set to be a date prior to 1 January 2022.

106. From 1 January 2022 to 31 December 2023, the second paragraph of section 106 of the Act respecting the Québec Pension Plan, replaced by section 78, is to be read as follows:

“However, a contributor 60 years of age or over referred to in the third paragraph of section 95 qualifies for a disability pension only if he paid base contributions for at least three of the last six years wholly or partly included in his base contributory period.”

That provision applies to an application for a disability pension made before 1 January 2023 where a contributor 60 years of age or over cannot, under the provisions of the second paragraph of section 106 of the Act respecting the Québec Pension Plan, as they read on 31 December 2021, be eligible for a disability pension. In such a case, the contributor’s disability date may not be set to be a date prior to 1 January 2022.

107. The provisions of section 106 of the Act respecting the Québec Pension Plan, replaced by section 78, apply to an application for a disability pension made before 1 January 2025 where the contributor 60 years of age or over cannot, under the provisions of section 106 of the Act respecting the Québec Pension Plan, as they read on 31 December 2023, be eligible for a disability pension. In such a case, the contributor’s disability date may not be set to be a date prior to 1 January 2024.

108. The basic monthly amount of the retirement pension of a contributor that was adjusted in accordance with section 120.2 of the Act respecting the Québec Pension Plan, as it read on 31 December 2021, and that was payable on that same date is, from 1 January 2022, adjusted in accordance with section 120.1 of that Act, as amended by section 83.

109. From 1 January 2022 to 31 December 2023, the definition of “c” in the first paragraph of section 136 of the Act respecting the Québec Pension Plan, replaced by section 88, is to be read as follows:

““c” is the maximum base monthly retirement pension for the year that includes the month for which the basic monthly amount is established, calculated in accordance with section 116.6 and adjusted according to section 120.1, but taking into account the fact that the ratio by which the adjustment factor is multiplied is equal to one;”.

II0. For the calculation of the base portion of the basic monthly amount of the surviving spouse’s pension, the provisions of paragraph 1 of section 137 and of subparagraph *a* of the first paragraph of section 137.1 of the Act respecting the Québec Pension Plan, amended by section 90, as they read on 31 December 2021, continue to apply where the contributor to whom a retirement pension was payable died before 1 January 2022.

III. The provisions of the third paragraph of section 96, paragraph *a* of section 105, sections 106.2, 145 and 157.2 and the second paragraph of section 158 of the Act respecting the Québec Pension Plan, as they read on 31 December 2023, continue to apply to a person who is the beneficiary of an additional amount for disability after retirement on that same date.

II2. The disability pension of a contributor 60 years of age or over who is, on 31 December 2023, the beneficiary of that pension is, from the month of January 2024, calculated as provided in the provisions of the Act respecting the Québec Pension Plan, as they read on 1 January 2024.

II3. If a contributor is the beneficiary of a surviving spouse’s pension and of a disability pension on 31 December 2023, those pensions are, from the month of January 2024, recalculated as provided in the provisions of the Act respecting the Québec Pension Plan, as they read on 1 January 2024, provided the aggregate of those pensions so recalculated for that month is equal to or greater than the aggregate of the pensions to which the contributor would be entitled for that same month under the provisions of the Act respecting the Québec Pension Plan, as they read on 31 December 2023.

However, if the aggregate of those pensions so recalculated for that month is less than the aggregate of the pensions to which the contributor would be entitled for that same month under the provisions of the Act respecting the Québec Pension Plan, as they read on 31 December 2023, the contributor’s surviving spouse’s pension and disability pension continue to be calculated as provided in the provisions of that Act until the contributor’s surviving spouse’s pension ceases under section 108.2 of that Act or until the contributor’s disability pension ceases under section 166 of that Act, as amended by section 98.

In such a case, the basic amount of the contributor’s surviving spouse’s pension is calculated as provided in the provisions of the Act respecting the Québec Pension Plan, as they read on 1 January 2024.

If the beneficiary of the disability pension is 60 years of age or over at the time the beneficiary's surviving spouse's pension ceases under section 108.2 of that Act, the beneficiary's disability pension is recalculated as provided in the provisions of that Act and the beneficiary is presumed to have applied for a retirement pension in the month in which the surviving spouse's pension ceased.

114. The basic amount of the surviving spouse's pension of a contributor who continues to be the beneficiary of an additional amount for disability after retirement, under section 111, is, from 1 January 2024, calculated as provided in the provisions of the Act respecting the Québec Pension Plan, as they read on 1 January 2024, by replacing the amount of the disability pension referred to in the definition of "e" in the first paragraph of section 136 of that Act, as amended by section 88, by the additional amount for disability after retirement that continues to be paid to the contributor under section 111.

115. A contributor 60 years of age or over who becomes disabled before 1 January 2024 is presumed to have applied for a retirement pension on 31 December 2023.

As regards the applications for a disability pension made before 1 January 2025, the date of the presumed application for a retirement pension under the fourth paragraph of section 139 of the Act respecting the Québec Pension Plan, as amended by section 91, may not be fixed before 1 December 2023.

116. Despite section 218.4 of the Act respecting the Québec Pension Plan, an increase in the cost of benefits under the pension plan resulting from the provisions of this chapter is not accompanied by an increase in the contribution rates.

CHAPTER XIII

ADMINISTRATIVE SERVICES

ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

117. Section 51.1 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended

(1) by replacing the introductory clause of the first paragraph by the following:

"51.1. The Agency may provide the following administrative services to a public body, the National Assembly or a person appointed or designated by the National Assembly to an office under its jurisdiction:";

(2) by inserting the following subparagraph after subparagraph 1 of the second paragraph:

“(1.1) a legal person established in the public interest;”.

CHAPTER XIV

COSTS PAYABLE

CREDIT ASSESSMENT AGENTS ACT

118. Section 63 of the Credit Assessment Agents Act (chapter A-8.2) is replaced by the following section:

“**63.** The costs that must be incurred for the administration of this Act are to be borne by the credit assessment agents; they are determined by the Government for a period it determines, but not exceeding three years.

The Government prescribes, by regulation, the rules determining the manner in which the costs are distributed by the Authority among the credit assessment agents.

The certificate of the Authority must definitively establish the amount payable by each agent under this section.”

CHAPTER XV

FINAL PROVISIONS

119. Section 18 applies from the 2023 municipal and school fiscal years.

120. Section 75 has effect from 1 January 2019.

Paragraphs 1 and 2 of section 65, paragraph 3 of section 76 and sections 81, 83, 84, 90, 100 to 106, 108 to 110 and 116 have effect from 1 January 2022.

121. The provisions of this Act come into force on 24 February 2022, except

(1) sections 25 and 27, which come into force on 1 April 2023;

(2) sections 61 to 64, paragraph 3 of section 65, sections 66 to 74, paragraphs 1 and 2 of section 76 and sections 77 to 80, 82, 85 to 89, 91 to 99, 107 and 111 to 115, which come into force on 1 January 2024; and

(3) the provisions of Chapter VIII, comprising sections 29 to 53, which come into force on the date or dates to be determined by the Government.

2022, chapter 4

AN ACT TO AMEND THE ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM TO PROVIDE FOR THE POWER TO REQUIRE THAT AN OFFENDER BE CONNECTED TO A DEVICE THAT ALLOWS THE OFFENDER'S WHEREABOUTS TO BE KNOWN

Bill 24

Introduced by Madam Geneviève Guilbault, Minister of Public Security

Introduced 2 February 2022

Passed in principle 8 February 2022

Passed 17 March 2022

Assented to 18 March 2022

Coming into force: 18 March 2022

Legislation amended:

Act respecting the Québec correctional system (chapter S-40.1)

Explanatory notes

The purpose of this Act is to expressly provide, in the Act respecting the Québec correctional system, for the cases where, for public security reasons, it may be required that an offender be connected to a device that allows the offender's whereabouts to be known, in particular an anti-approach bracelet to increase the safety of a person who is a victim.

More precisely, the Act allows the correctional services to require that an offender in respect of whom they exercise community supervision be connected to such a device as a control intervention to ensure compliance with the conditions imposed on the offender. The director of a correctional facility may also require this as a condition attached to a temporary absence for reintegration purposes that the director grants to the person. Lastly, the Commission québécoise des libérations conditionnelles may require it as a condition attached to a temporary absence or conditional release that the Commission grants to the person.



Chapter 4

AN ACT TO AMEND THE ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM TO PROVIDE FOR THE POWER TO REQUIRE THAT AN OFFENDER BE CONNECTED TO A DEVICE THAT ALLOWS THE OFFENDER'S WHEREABOUTS TO BE KNOWN

[Assented to 18 March 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 26 of the Act respecting the Québec correctional system (chapter S-40.1) is amended by adding the following sentence at the end of the first paragraph: “For that purpose, where a condition such as refraining from communicating with a person or from entering or leaving a place or geographical area is attached to a measure referred to in the first paragraph of section 25, the correctional services may, in particular, require that the person be connected to a device that allows the person’s whereabouts to be known for public security reasons, such as an anti-approach bracelet to increase the safety of a person who is a victim.”
- 2.** Section 55 of the Act is amended by adding the following sentence at the end of the first paragraph: “As a condition, the facility director may, in particular, require that the person be connected to a device that allows the person’s whereabouts to be known for public security reasons, such as an anti-approach bracelet to increase the safety of a person who is a victim.”
- 3.** Section 119 of the Act is amended by adding the following sentence at the end of the first paragraph: “As a condition that may be attached to any of those measures, the parole board may, in particular, require that such a person be connected to a device that allows the person’s whereabouts to be known for public security reasons, such as an anti-approach bracelet to increase the safety of a person who is a victim.”
- 4.** The Minister of Public Security must, not later than 10 May 2024, report to the Government on the application of the provisions of this Act.

The report must be tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.
- 5.** This Act comes into force on 18 March 2022.

2022, chapter 5 APPROPRIATION ACT NO. 1, 2022–2023

Bill 31

Introduced by Madam Sonia LeBel, Minister Responsible for Government Administration and
Chair of the Conseil du trésor

Introduced 23 March 2022

Passed in principle 23 March 2022

Passed 23 March 2022

Assented to 24 March 2022

Coming into force: 24 March 2022

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2022–2023 fiscal year, a sum not exceeding \$25,619,557,539.00, representing some 27.4% of the appropriations to be voted for each of the portfolio programs listed in Schedule 1.

Moreover, the Act determines the extent to which the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act also approves expenditure forecasts for a total of \$5,285,936,967.00 and investment forecasts for a total of \$1,470,238,025.00, representing some 27.0% of the expenditure forecasts and some 25.0% of the investment forecasts for the special funds listed in Schedule 2.



Chapter 5

APPROPRIATION ACT NO. 1, 2022–2023

[Assented to 24 March 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the general fund of the Consolidated Revenue Fund a sum not exceeding \$25,619,557,539.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2022–2023 fiscal year. The sum is constituted as follows:

(1) a first portion of \$23,399,410,425.00, in appropriations allocated according to the programs listed in Schedule 1, representing 25.0% of the appropriations to be voted in the 2022–2023 Expenditure Budget;

(2) an additional portion of \$2,220,147,114.00, in appropriations allocated according to the programs listed in Schedule 1, representing some 2.4% of the appropriations to be voted in the 2022–2023 Expenditure Budget.

2. The Conseil du trésor may authorize the transfer between programs or portfolios of the portion of an appropriation for which provision has been made to that end, for the purposes of and, where applicable, according to the conditions described in the Expenditure Budget.

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, provided such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10.0%, excluding, where applicable, the portion of the appropriation for which provision has been made.

3. The expenditure and investment forecasts for the special funds listed in Schedule 2 are approved for the 2022–2023 fiscal year. These sums are constituted as follows:

(1) a first portion of \$4,894,875,675.00, representing 25.0% of the expenditure forecasts in the 2022–2023 Special Funds Budget, and an additional portion of \$391,061,292.00, representing some 2.0% of the expenditure forecasts in the 2022–2023 Special Funds Budget;

(2) a first portion of \$1,470,038,025.00, representing 25.0% of the investment forecasts in the 2022–2023 Special Funds Budget, and an additional portion of \$200,000.00.

4. This Act comes into force on 24 March 2022.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET HABITATION

	First portion	Additional portion
PROGRAM 1		
Support for Departmental Activities	18,563,700.00	
PROGRAM 2		
Municipal Infrastructure Modernization	121,285,000.00	
PROGRAM 3		
Compensation in Lieu of Taxes and Support to Municipalities	228,311,975.00	461,743,700.00
PROGRAM 4		
Development of the Regions and Territories	67,589,525.00	200,001,750.00
PROGRAM 5		
Promotion and Development of Greater Montréal	37,769,450.00	
PROGRAM 6		
Commission municipale du Québec	3,096,900.00	
PROGRAM 7		
Housing	210,151,000.00	
	686,767,550.00	661,745,450.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

	First portion	Additional portion
PROGRAM 1		
Bio-food Business Development and Food Quality	170,656,200.00	156,340,350.00
PROGRAM 2		
Government Bodies	107,534,825.00	11,456,750.00
	278,191,025.00	167,797,100.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

	First portion	Additional portion
PROGRAM 1		
Support for the Conseil du trésor	23,385,700.00	
PROGRAM 2		
Support for Government Operations	70,878,050.00	
PROGRAM 3		
Commission de la fonction publique	1,402,850.00	
PROGRAM 4		
Retirement and Insurance Plans	811,950.00	
PROGRAM 5		
Contingency Fund	2,868,875,000.00	
	2,965,353,550.00	

CONSEIL EXÉCUTIF

	First portion	Additional portion
PROGRAM 1		
Lieutenant-Governor's Office	189,600.00	
PROGRAM 2		
Support Services for the Premier and the Conseil exécutif	29,831,775.00	
PROGRAM 3		
Canadian Relations	3,521,525.00	
PROGRAM 4		
Indigenous Affairs	87,733,800.00	32,000,000.00
PROGRAM 5		
Youth	14,296,950.00	
PROGRAM 6		
Reform of Democratic Institutions, Access to Information and Laicity	2,591,850.00	
PROGRAM 7		
Relations with English-speaking Quebecers	2,541,900.00	5,720,000.00
PROGRAM 8		
High-speed Internet and Special Connectivity Projects	82,272,675.00	
	222,980,075.00	37,720,000.00

CULTURE ET COMMUNICATIONS

	First portion	Additional portion
PROGRAM 1		
Management, Administration and Mission Support	17,680,800.00	
PROGRAM 2		
Support and Development of Culture, Communications and Heritage	226,882,875.00	14,201,780.00
	244,563,675.00	14,201,780.00

CYBERSÉCURITÉ ET NUMÉRIQUE

	First portion	Additional portion
PROGRAM 1		
Management and Administration	16,517,050.00	
PROGRAM 2		
Management of Specific Information Resources	4,560,750.00	
	21,077,800.00	

ÉCONOMIE ET INNOVATION

	First portion	Additional portion
PROGRAM 1		
Management and Administration	9,147,050.00	
PROGRAM 2		
Economic Development	91,841,350.00	
PROGRAM 3		
Development of Science, Research and Innovation	62,149,275.00	
PROGRAM 4		
Economic Development Fund Interventions	144,862,350.00	
PROGRAM 5		
Research and Innovation Bodies	43,739,425.00	130,714,650.00
	351,739,450.00	130,714,650.00

ÉDUCATION

	First portion	Additional portion
PROGRAM 1		
Administration	55,282,125.00	
PROGRAM 2		
Support for Organizations	21,782,950.00	
PROGRAM 3		
School Taxes – Fiscal Balancing Subsidy	382,139,775.00	
PROGRAM 4		
Preschool, Primary and Secondary Education	3,365,319,600.00	330,000,000.00
PROGRAM 5		
Development of Recreation and Sports	41,459,475.00	
PROGRAM 7		
Status of Women	5,626,200.00	
	3,871,610,125.00	330,000,000.00

ÉNERGIE ET RESSOURCES NATURELLES

	First portion	Additional portion
PROGRAM 1		
Management of Natural Resources	27,079,775.00	9,500,000.00
	27,079,775.00	9,500,000.00

ENSEIGNEMENT SUPÉRIEUR

	First portion	Additional portion
PROGRAM 1		
Administration	24,039,850.00	
PROGRAM 2		
Support for Bodies	11,277,025.00	
PROGRAM 3		
Financial Assistance for Education and Incentive Scholarships	312,495,825.00	
PROGRAM 4		
Higher Education	1,789,192,300.00	262,435,300.00
	2,137,005,000.00	262,435,300.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

	First portion	Additional portion
PROGRAM 1		
Environmental Protection	105,325,100.00	
PROGRAM 2		
Bureau d’audiences publiques sur l’environnement	2,079,575.00	
	107,404,675.00	

FAMILLE

	First portion	Additional portion
PROGRAM 1		
Planning, Research and Administration	18,954,250.00	
PROGRAM 2		
Assistance Measures for Families	34,821,675.00	43,905,000.00
PROGRAM 3		
Childcare Services	746,338,750.00	121,425,061.00
PROGRAM 4		
Public Curator	17,216,625.00	
	817,331,300.00	165,330,061.00

FINANCES

	First portion	Additional portion
PROGRAM 1		
Management and Administration	9,462,950.00	
PROGRAM 2		
Economic, Taxation, Budgetary and Financial Activities	13,060,075.00	
PROGRAM 3		
Contributions, Bank Service Fees and Provisions for Transferring Appropriations	15,392,625.00	
	37,915,650.00	

FORÊTS, FAUNE ET PARCS

	First portion	Additional portion
PROGRAM 1		
Management and Administration	3,000,050.00	
PROGRAM 2		
Management of Forest Resources	96,030,675.00	70,000,000.00
PROGRAM 3		
Management of Wildlife Resources and Parks	42,919,500.00	16,000,000.00
	141,950,225.00	86,000,000.00

IMMIGRATION, FRANCISATION ET INTÉGRATION

	First portion	Additional portion
PROGRAM 1		
Management and Support for Departmental Activities	17,105,950.00	
PROGRAM 2		
Immigration, Francization and Integration	144,897,475.00	
	162,003,425.00	

JUSTICE

	First portion	Additional portion
PROGRAM 1		
Administration of Justice	112,788,825.00	17,507,100.00
PROGRAM 2		
Judicial Activity	9,502,900.00	41,900.00
PROGRAM 3		
Administrative Justice	5,760,300.00	5,558,900.00
PROGRAM 5		
Other Bodies Reporting to the Minister	51,639,100.00	16,356,800.00
PROGRAM 6		
Criminal and Penal Prosecutions	46,549,275.00	
PROGRAM 7		
French Language	14,527,700.00	
	240,768,100.00	39,464,700.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

	First portion	Additional portion
PROGRAM 1		
The Public Protector	5,309,300.00	
PROGRAM 2		
The Auditor General	10,853,725.00	1,500,000.00
PROGRAM 4		
The Lobbyists Commissioner	1,374,325.00	
	17,537,350.00	1,500,000.00

RELATIONS INTERNATIONALES ET FRANCOPHONIE

	First portion	Additional portion
PROGRAM 1		
Management and Administration	5,814,925.00	
PROGRAM 2		
International Affairs	29,590,175.00	13,400,000.00
	35,405,100.00	13,400,000.00

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
PROGRAM 1		
Coordination Functions	54,513,825.00	
PROGRAM 2		
Services to the Public	8,782,653,325.00	
PROGRAM 3		
Office des personnes handicapées du Québec	4,896,150.00	
PROGRAM 5		
Status of Seniors	12,050,075.00	
	8,854,113,375.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
PROGRAM 1		
Management and Administration	25,048,575.00	
PROGRAM 2		
Services of the Sûreté du Québec	196,104,850.00	160,000,000.00
PROGRAM 3		
Management of the Correctional System	143,910,100.00	8,099,200.00
PROGRAM 4		
Security and Prevention	55,724,400.00	18,599,400.00
PROGRAM 5		
Scientific and Forensic Expertise	7,110,475.00	
PROGRAM 6		
Management and Oversight	13,860,550.00	
PROGRAM 7		
Promotion and Development of the Capitale-Nationale	19,274,525.00	18,750,000.00
	461,033,475.00	205,448,600.00

TOURISME

	First portion	Additional portion
PROGRAM 1		
Management, Administration and Program Management	3,746,050.00	
PROGRAM 2		
Tourism Development	26,772,550.00	2,255,750.00
PROGRAM 3		
Bodies Reporting to the Minister	25,215,175.00	701,225.00
	55,733,775.00	2,956,975.00

TRANSPORTS

	First portion	Additional portion
PROGRAM 1		
Infrastructures and Transportation Systems	504,614,125.00	
PROGRAM 2		
Administration and Corporate Services	15,953,600.00	
	520,567,725.00	

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
PROGRAM 1		
Governance, Administration and Client Services	142,882,200.00	16,932,498.00
PROGRAM 2		
Financial Assistance Measures	732,649,875.00	50,000,000.00
PROGRAM 3		
Employment Assistance Measures	265,746,150.00	25,000,000.00
	1,141,278,225.00	91,932,498.00

SCHEDULE 2

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET HABITATION

	First portion	Additional portion
REGIONS AND RURALITY FUND		
Expenditure Forecast	<u>73,484,975.00</u>	
TOTAL		
Expenditure Forecast	73,484,975.00	

CULTURE ET COMMUNICATIONS

	First portion	Additional portion
AVENIR MÉCÉNAT CULTURE FUND		
Expenditure Forecast	1,251,500.00	
QUÉBEC CULTURAL HERITAGE FUND		
Expenditure Forecast	<u>11,841,025.00</u>	
TOTAL		
Expenditure Forecast	13,092,525.00	

CYBERSÉCURITÉ ET NUMÉRIQUE

	First portion	Additional portion
CYBERSECURITY AND DIGITAL TECHNOLOGY FUND		
Expenditure Forecast	136,143,575.00	
Investment Forecast	26,784,225.00	
TOTALS		
Expenditure Forecast	136,143,575.00	
Investment Forecast	26,784,225.00	

ÉCONOMIE ET INNOVATION

	First portion	Additional portion
NATURAL RESOURCES AND ENERGY CAPITAL FUND		
Expenditure Forecast	55,000.00	
Investment Forecast	40,862,500.00	
ECONOMIC DEVELOPMENT FUND		
Expenditure Forecast	191,913,500.00	
Investment Forecast	457,052,175.00	
QUÉBEC ENTERPRISE GROWTH FUND		
Expenditure Forecast	25,000.00	
Investment Forecast	50,000,000.00	
TOTALS		
Expenditure Forecast	191,993,500.00	
Investment Forecast	547,914,675.00	

ÉDUCATION

	First portion	Additional portion
SPORTS AND PHYSICAL ACTIVITY DEVELOPMENT FUND		
Expenditure Forecast	28,531,750.00	
Investment Forecast	31,882,050.00	
TOTALS		
Expenditure Forecast	28,531,750.00	
Investment Forecast	31,882,050.00	

ÉNERGIE ET RESSOURCES NATURELLES

	First portion	Additional portion
NATURAL RESOURCES FUND		
Expenditure Forecast	16,321,250.00	3,200,000.00
Investment Forecast	292,700.00	200,000.00
ENERGY TRANSITION, INNOVATION AND EFFICIENCY FUND		
Expenditure Forecast	41,497,300.00	6,400,000.00
Investment Forecast	22,075.00	
TERRITORIAL INFORMATION FUND		
Expenditure Forecast	40,830,675.00	
Investment Forecast	14,157,325.00	
TOTALS		
Expenditure Forecast	98,649,225.00	9,600,000.00
Investment Forecast	14,472,100.00	200,000.00

ENSEIGNEMENT SUPÉRIEUR

	First portion	Additional portion
UNIVERSITY EXCELLENCE AND PERFORMANCE FUND		
Expenditure Forecast	<u>6,250,000.00</u>	
TOTAL		
Expenditure Forecast	6,250,000.00	

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

	First portion	Additional portion
ELECTRIFICATION AND CLIMATE CHANGE FUND		
Expenditure Forecast	328,759,775.00	
Investment Forecast	803,675.00	
FUND FOR THE PROTECTION OF THE ENVIRONMENT AND THE WATERS IN THE DOMAIN OF THE STATE		
Expenditure Forecast	59,820,450.00	
Investment Forecast	62,500.00	
TOTALS		
Expenditure Forecast	388,580,225.00	
Investment Forecast	866,175.00	

FAMILLE

**First
portion****Additional
portion**EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure Forecast

805,651,250.00

286,817,061.00

TOTAL

Expenditure Forecast

805,651,250.00

286,817,061.00

FINANCES

	First portion	Additional portion
FINANCING FUND		
Expenditure Forecast	707,200.00	
SPECIAL CONTRACTS AND FINANCIAL ASSISTANCE FOR INVESTMENT FUND		
Expenditure Forecast	58,000,000.00	
FUND TO COMBAT ADDICTION		
Expenditure Forecast	48,388,225.00	
IFC MONTRÉAL FUND		
Expenditure Forecast	351,125.00	1,053,375.00
NORTHERN PLAN FUND		
Expenditure Forecast	39,598,350.00	
FUND OF THE FINANCIAL MARKETS ADMINISTRATIVE TRIBUNAL		
Expenditure Forecast	1,366,025.00	
Investment Forecast	2,658,400.00	
TAX ADMINISTRATION FUND		
Expenditure Forecast	280,650,725.00	
TOTALS		
Expenditure Forecast	429,061,650.00	1,053,375.00
Investment Forecast	2,658,400.00	

FORÊTS, FAUNE ET PARCS

	First portion	Additional portion
NATURAL RESOURCES FUND		
Expenditure Forecast	160,578,250.00	59,000,000.00
Investment Forecast	5,704,525.00	
TOTALS		
Expenditure Forecast	160,578,250.00	59,000,000.00
Investment Forecast	5,704,525.00	

JUSTICE

	First portion	Additional portion
ACCESS TO JUSTICE FUND		
Expenditure Forecast	6,730,700.00	
FUND DEDICATED TO ASSISTANCE FOR PERSONS WHO ARE VICTIMS OF CRIMINAL OFFENCES		
Expenditure Forecast	11,765,200.00	
REGISTER FUND OF THE MINISTÈRE DE LA JUSTICE		
Expenditure Forecast	12,106,675.00	
Investment Forecast	864,250.00	
FUND OF THE ADMINISTRATIVE TRIBUNAL OF QUÉBEC		
Expenditure Forecast	14,076,175.00	
Investment Forecast	265,600.00	
PUBLIC CONTRACTS FUND		
Expenditure Forecast	1,575.00	
TOTALS		
Expenditure Forecast	44,680,325.00	
Investment Forecast	1,129,850.00	

SANTÉ ET SERVICES SOCIAUX

	First portion	Additional portion
CANNABIS PREVENTION AND RESEARCH FUND		
Expenditure Forecast	35,500,000.00	
HEALTH AND SOCIAL SERVICES INFORMATION RESOURCES FUND		
Expenditure Forecast	98,398,600.00	
Investment Forecast	18,314,400.00	
TOTALS		
Expenditure Forecast	133,898,600.00	
Investment Forecast	18,314,400.00	

SÉCURITÉ PUBLIQUE

	First portion	Additional portion
CAPITALE-NATIONALE REGION FUND		
Expenditure Forecast	6,250,000.00	18,750,000.00
POLICE SERVICES FUND		
Expenditure Forecast	182,921,575.00	
Investment Forecast	4,700,000.00	
TOTALS		
Expenditure Forecast	189,171,575.00	18,750,000.00
Investment Forecast	4,700,000.00	

TOURISME

	First portion	Additional portion
TOURISM PARTNERSHIP FUND		
Expenditure Forecast	93,196,025.00	1,002,300.00
Investment Forecast	292,250.00	
TOTALS		
Expenditure Forecast	93,196,025.00	1,002,300.00
Investment Forecast	292,250.00	

TRANSPORTS

	First portion	Additional portion
AIR SERVICE FUND		
Expenditure Forecast	21,464,625.00	
Investment Forecast	6,457,350.00	
ROLLING STOCK MANAGEMENT FUND		
Expenditure Forecast	34,174,500.00	
Investment Forecast	19,206,575.00	
HIGHWAY SAFETY FUND		
Expenditure Forecast	16,537,000.00	
Investment Forecast	1,218,875.00	
LAND TRANSPORTATION NETWORK FUND		
Expenditure Forecast	1,581,135,450.00	
Investment Forecast	781,634,725.00	
TOTALS		
Expenditure Forecast	1,653,311,575.00	
Investment Forecast	808,517,525.00	

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

	First portion	Additional portion
ASSISTANCE FUND FOR INDEPENDENT COMMUNITY ACTION		
Expenditure Forecast	10,484,125.00	10,484,162.00
LABOUR MARKET DEVELOPMENT FUND		
Expenditure Forecast	375,597,625.00	
GOODS AND SERVICES FUND		
Expenditure Forecast	30,925,225.00	
Investment Forecast	590,275.00	
INFORMATION TECHNOLOGY FUND OF THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE		
Expenditure Forecast	4,981,100.00	
Investment Forecast	5,102,825.00	
ADMINISTRATIVE LABOUR TRIBUNAL FUND		
Expenditure Forecast	22,126,350.00	
Investment Forecast	1,108,750.00	
FONDS QUÉBÉCOIS D'INITIATIVES SOCIALES		
Expenditure Forecast	4,486,225.00	4,354,394.00
TOTALS		
Expenditure Forecast	448,600,650.00	14,838,556.00
Investment Forecast	6,801,850.00	

2022, chapter 6

AN ACT TO STRENGTHEN THE FIGHT AGAINST MALTREATMENT OF SENIORS AND OTHER PERSONS OF FULL AGE IN VULNERABLE SITUATIONS AS WELL AS THE MONITORING OF THE QUALITY OF HEALTH SERVICES AND SOCIAL SERVICES

Bill 101

Introduced by Madam Marguerite Blais, Minister Responsible for Seniors and
Informal Caregivers

Introduced 9 June 2021

Passed in principle 6 October 2021

Passed 5 April 2022

Assented to 6 April 2022

Coming into force: 6 April 2022

Legislation amended:

Act to combat maltreatment of seniors and other persons of full age in vulnerable situations
(chapter L-6.3)

Act to modify the organization and governance of the health and social services network, in
particular by abolishing the regional agencies (chapter O-7.2)

Act respecting health services and social services (chapter S-4.2)

Act respecting pre-hospital emergency services (chapter S-6.2)

Explanatory notes

The purpose of this Act is to strengthen the fight against maltreatment of seniors and other persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services.

To that end, the Act clarifies the definition of “person in a vulnerable situation”. It also introduces a definition of “health services and social services provider”.

The Act provides that the president and executive director or the executive director of a health and social services institution, as applicable, or the person he or she designates must promote a culture of well-treatment within the institution and take the necessary means to prevent maltreatment and to put an end to any case of maltreatment brought to his or her attention. It obliges the health and social

(cont'd on next page)

Explanatory notes (cont'd)

services institutions to submit their anti-maltreatment policy as well as their reviewed policy to the Minister of Health and Social Services, who approves it on the recommendation of the Minister Responsible for Seniors and Informal Caregivers. It also states the various information the local service quality and complaints commissioner must set out in his or her annual activities summary concerning cases of maltreatment submitted to him or her in the exercise of his or her functions.

The Act establishes the elements that must be included in the Québec-wide framework agreement to combat maltreatment of seniors and of persons in vulnerable situations that the Minister Responsible for Seniors and Informal Caregivers must enter into with other actors from the sectors concerned, including with respect to the concerted intervention process that must be put in place in each of the health regions. It describes the objectives of and establishes the application framework for the process, and obliges certain bodies to designate resource persons to implement it. Furthermore, it provides that a concerted intervention process must enable any senior or any person in a vulnerable situation who is not already covered by the application of an institution's anti-maltreatment policy, as well as any person who has reasonable cause to believe a senior or a person in a vulnerable situation who is not covered by such a policy is a victim of maltreatment, to file a complaint or make a report to a designated resource person.

The Act proposes to broaden the obligation of health services and social services providers and of professionals within the meaning of the Professional Code to report maltreatment by extending that obligation to any situation in which they have reasonable cause to believe that a person is a victim of maltreatment and by adding categories of persons of full age for which maltreatment must be reported. It gives the Minister of Health and Social Services inspection and investigation powers to verify compliance with the Act.

The Act also provides that the Minister Responsible for Seniors and Informal Caregivers must establish a maltreatment assistance, assessment and reference centre, whose functions are to include providing information on the resources available and the possible recourses to put an end to a case of maltreatment.

Furthermore, the Act gives the Minister of Health and Social Services the power to designate a person to assume, in certain situations, the provisional administration of private institutions not under agreement. It gives the same power to the integrated health and social services centres, in particular with regard to private seniors' residences, as well as to the public institutions with regard to certain intermediate resources with which they have entered into an agreement. In addition, it gives the Minister of Health and Social Services and the integrated health and social services centres the power to investigate with regard to private seniors' residences, and it allows the integrated health and social services centres to provide assistance and support to the operators of such residences when those operators experience difficulties.

The Act establishes that the permit of a health and social services institution and the temporary certificate of compliance or the certificate of compliance of a private seniors' residence may be revoked where the permit holder or the operator of the residence fails to take the necessary means to put an end to any case of maltreatment that is brought to their attention. It also provides that a local service quality and complaints commissioner who has reasonable cause to believe that there exists a situation that could pose a threat to the health and well-being of a user or a group of users must send to the president and executive director or the executive director of the institution concerned, as well as to the Minister of Health and Social Services, a copy of his or her conclusions, with reasons, together with any recommendations made.

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Explanatory notes (*cont'd*)

The Act introduces an obligation for the operator of a private seniors' residence who wishes to cease activities to establish, and have approved by the integrated health and social services centre concerned, a cessation-of-activities plan that sets out the steps and actions that will be taken over a period of at least six months before the cessation, including in order to assist in the relocation of persons who require it.

The Act also introduces penal sanctions, applicable in, among others, cases of maltreatment of persons taken in charge by a residential and long-term care centre, intermediate or family-type resource or private seniors' residence, in cases of failure to report maltreatment where there is an obligation to do so, or in cases of failure to transmit a cessation-of-activities plan for approval or to comply with the approved plan.

Lastly, the Act includes certain transitional and consequential provisions.



Chapter 6

AN ACT TO STRENGTHEN THE FIGHT AGAINST MALTREATMENT OF SENIORS AND OTHER PERSONS OF FULL AGE IN VULNERABLE SITUATIONS AS WELL AS THE MONITORING OF THE QUALITY OF HEALTH SERVICES AND SOCIAL SERVICES

[Assented to 6 April 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT TO COMBAT MALTREATMENT OF SENIORS AND OTHER PERSONS OF FULL AGE IN VULNERABLE SITUATIONS

1. Section 2 of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3) is amended

(1) by inserting “, such as a physical or intellectual disability or an autism spectrum disorder” after “psychological in nature” in paragraph 4;

(2) by inserting the following paragraph after paragraph 5:

“(5.1) “health services and social services provider”: means any person who, in the exercise of his or her functions, directly provides health services or social services to a person, on behalf of an institution, private seniors’ residence, intermediate resource or family-type resource, including a person who carries on activities described in sections 39.7 and 39.8 of the Professional Code (chapter C-26) as well as the operator of, or the person responsible for, the residence or the resource, if applicable;”;

(3) by striking out the paragraph number of each of its paragraphs, and by placing all the definitions in the English text in alphabetical order.

2. Section 3 of the Act is amended

(1) by inserting “seniors and of” after “maltreatment of” in the first paragraph;

(2) by replacing “of the policy” in the third paragraph by “and application of the policy, to promoting a culture of well-treatment within the institution and to taking the necessary means to prevent maltreatment and to put an end to any case of maltreatment that is brought to their attention”;

(3) in the fourth paragraph,

(a) by inserting the following subparagraph after subparagraph 1:

“(1.1) the undertaking by the president and executive director or the executive director of the institution, as applicable, or by the person designated by the president and executive director or the executive director to promote a culture of well-treatment within the institution, in particular in the application of practices or procedures, and to take the necessary means to prevent maltreatment and to put an end to any case of maltreatment that is brought to their attention;”;

(b) by replacing “maltreatment of” in subparagraph 2 by “maltreatment of seniors and of”;

(c) by replacing “such persons” in subparagraph 3 by “seniors or persons in vulnerable situations”;

(d) by replacing subparagraph 4 by the following subparagraph:

“(4) the procedure allowing any other person, including a person who does not work for the institution, including a caregiver, to report to the local service quality and complaints commissioner any alleged case of maltreatment of a senior or of a person in a vulnerable situation who receives health services and social services;”;

(4) by replacing “required follow-up in response to any complaint or report of maltreatment” in subparagraph 8 of the fourth paragraph by “follow-up that must be given to any complaint or report of maltreatment, fostering the involvement of the person who is a victim of maltreatment at each stage,”.

3. The Act is amended by inserting the following sections after section 4:

“4.1. In addition to the elements set out in the fourth paragraph of section 3, the policy must include

(1) the fact that any senior or any person in a vulnerable situation who believes he or she is a victim of maltreatment and who is not covered by the application of an institution’s policy may file a complaint with a resource person designated in accordance with section 17; and

(2) the fact that any other person may report to such a designated resource person any alleged case of maltreatment of a senior or a person in a vulnerable situation who is not covered by the application of an institution’s policy.

“4.2. The institution must submit its policy, within 30 days of its adoption, to the Minister of Health and Social Services, who, on the recommendation of the Minister responsible for Seniors, approves it within 45 days after receiving it, with or without amendment.”

4. Section 5 of the Act is amended by replacing “and their” by “to their caregivers and to their”.

5. Section 7 of the Act is replaced by the following section:

“7. The institution must review its policy and submit it to the Minister of Health and Social Services at least every five years, before the date set by the Minister. On the recommendation of the Minister responsible for Seniors, the Minister approves the reviewed policy within 90 days after receiving it, with or without amendment.”

6. Section 8 of the Act is amended by replacing “make its policy” in the second paragraph by “post the policy in public view and make it”.

7. Section 9 of the Act is amended by replacing “make the policy” in the second paragraph by “post the policy in public view and make it”.

8. Division V of Chapter II of the Act, comprising sections 10 to 12, is repealed.

9. Section 13 of the Act is amended by inserting “seniors and of” after “maltreatment of”.

10. Section 14 of the Act is amended

(1) by inserting “seniors and of” after “maltreatment of” in the first paragraph;

(2) by inserting the following paragraph after the first paragraph:

“The annual summary of the local commissioner’s activities must set out, among other elements,

(1) the number of complaints and reports concerning cases of maltreatment under examination or being processed at the beginning and at the end of the fiscal year as well as the number of complaints and reports received concerning such cases during the fiscal year, by living environment and by type of maltreatment;

(2) the number of interventions on the commissioner’s own initiative concerning cases of maltreatment being carried out at the beginning and at the end of the fiscal year as well as the number of interventions carried out on the commissioner’s own initiative concerning such cases during the fiscal year, by living environment and by type of maltreatment;

(3) the number of complaints and reports concerning cases of maltreatment received, examined or processed, dismissed on summary examination, refused or abandoned, by type of maltreatment;

(4) the nature of the main recommendations concerning cases of maltreatment made by the local commissioner to the board of directors of the institution concerned and to the department or service manager concerned within such an institution as well as, if applicable, to the highest authority of the resource, body or partnership or the person holding the position of highest authority responsible for the services that are the subject of complaints or reports concerning cases of maltreatment, by type of maltreatment; and

(5) any other element determined by the Minister of Health and Social Services.”

II. Chapter III of the Act, comprising sections 16 to 20, is replaced by the following chapters:

“CHAPTER III

“CONCERTED INTERVENTION PROCESS CONCERNING MALTREATMENT

“DIVISION I

“GENERAL PROVISION

“16. The Minister responsible for Seniors is responsible for combatting maltreatment of seniors and of persons in vulnerable situations by fostering the complementarity and effectiveness of the measures that are taken by the actors from the sectors concerned and that are intended to prevent, detect and combat maltreatment.

For that purpose, the Minister coordinates the establishment, in each health region, of a concerted intervention process concerning maltreatment that takes into account each region’s specific realities, in particular by entering into the Québec-wide framework agreement referred to in section 20.4.

“DIVISION II

“DESIGNATED RESOURCE PERSONS

“17. The application of the concerted intervention process must enable any senior or any person in a vulnerable situation who believes he or she is a victim of maltreatment and who is not covered by an institution’s anti-maltreatment policy as well as any person who has reasonable cause to believe that a senior or a person in a vulnerable situation who is not covered by such a policy is a victim of maltreatment to file a complaint or make a report of maltreatment with the resource persons designated by the following bodies:

(1) an integrated health and social services centre, a local authority and the Cree Board of Health and Social Services of James Bay;

(2) a police force, where the facts in support of the complaint or report could constitute a criminal or penal offence;

(3) the Public Curator, where the person is under tutorship or curatorship or a protection mandate has been homologated for the person, or where the person's incapacity to care for himself or herself or administer his or her property has been ascertained by medical assessment but the person is not under a protective measure;

(4) the Commission des droits de la personne et des droits de la jeunesse, where the facts in support of the complaint or report could constitute a case of discrimination, exploitation or harassment within the meaning of the Charter of human rights and freedoms (chapter C-12); and

(5) the Autorité des marchés financiers, in a case of financial abuse committed by a person subject to its regulation.

The Minister may designate any other person or body to receive a complaint or report in accordance with this section.

“18. The Director of Criminal and Penal Prosecutions designates a resource person for the purposes of Division III of this chapter.

“DIVISION III

“APPLICATION FRAMEWORK FOR A CONCERTED INTERVENTION PROCESS

“19. The purpose of a concerted intervention process is to implement any of the following measures:

(1) concerted action by at least two designated resource persons to quickly and accurately assess a case of maltreatment in order to put an end to it, in particular by combining their expertise and communicating information they may have in relation to the case;

(2) coordination of the actions, investigations or other procedures of at least two designated resource persons in order to ensure the effectiveness of an intervention aimed at putting an end to a case of maltreatment and to minimize the negative impact of the intervention on the senior or the person in a vulnerable situation who is a victim of maltreatment; and

(3) intervention on the part of the judicial system to adequately protect the senior or the person in a vulnerable situation who is a victim of maltreatment, in particular by means of a protection order referred to in article 509 of the Code of Civil Procedure (chapter C-25.01).

The initiation of a concerted intervention process may arise from the reception of a complaint or report of maltreatment by a designated resource person or from the referral of a case of maltreatment to such a resource person

by a person working for the same body as the resource person. It may also arise from the reception of a complaint or report by the local service quality and complaints commissioner, where the commissioner has referred the case to a designated resource person, with the consent of the senior or the person in a vulnerable situation. Such consent is not necessary, however, where it must be given by the tutor, curator or mandatary of the senior or the person in a vulnerable situation and that tutor, curator or mandatary is, according to the complaint or report, the maltreating person.

“20. Where a designated resource person considers that initiating a concerted intervention process would facilitate putting an end to a case of maltreatment, the designated resource person must provide the senior or the person in a vulnerable situation with information related to the scope of the actions that could be undertaken, the support the senior or the person could receive and the possible outcomes. The designated resource person may also, if he or she considers it advisable, provide the senior or the person with information on the health services or social services the maltreating person could receive.

“20.1. A designated resource person must obtain the consent of the senior or the person in a vulnerable situation for the initiation of a concerted intervention process and for the communication, to other designated resource persons, of personal information that concerns the senior or the person and that is necessary for conducting a concerted intervention aimed at putting an end to the case of maltreatment of which the senior or the person is a victim.

Despite the first paragraph, a designated resource person may initiate a concerted intervention process and communicate, to other designated resource persons, personal information that concerns a senior or a person in a vulnerable situation, without the senior’s or person’s consent,

(1) where such consent must be given by the tutor, curator or mandatary of the senior or the person in a vulnerable situation and that tutor, curator or mandatary is, according to the complaint or report, the maltreating person; or

(2) in order to prevent an act of violence, including a suicide, where the resource person has reasonable cause to believe that there is a serious risk of death or of serious bodily injury threatening the senior or the person in a vulnerable situation and where the nature of the threat generates a sense of urgency.

For the purposes of subparagraph 2 of the second paragraph, “serious bodily injury” means any physical or psychological injury that is significantly detrimental to the physical integrity or the health or well-being of a person or an identifiable group of persons.

“20.2. A designated resource person who initiated a concerted intervention process must, where the process has ended, inform any other designated resource person who was involved in the process of the nature of the management of the maltreatment situation.

“20.3. Where the complaint or report received by the designated resource person does not give rise to the initiation of a concerted intervention process, the designated resource person may obtain support or advice from another designated resource person with regard to the directions and actions to take to put an end to the case of maltreatment. The designated resource person remains responsible for following up on the complaint or report.

“DIVISION IV

“QUÉBEC-WIDE FRAMEWORK AGREEMENT TO COMBAT MALTREATMENT

“20.4. The Minister responsible for Seniors must enter into a Quebec-wide framework agreement to combat maltreatment of seniors and persons in vulnerable situations with the Minister of Public Security, the Minister of Justice, the Minister of Health and Social Services, the Director of Criminal and Penal Prosecutions, the Autorité des marchés financiers, the Commission des droits de la personne et des droits de la jeunesse, the Public Curator and any other government department or other body considered useful.

The framework agreement must set out, among other things,

(1) the guiding principles that support its application and the terms relating to the involvement of the resource persons designated for the purposes of the concerted intervention process;

(2) the establishment of the following committees:

(a) a Québec-wide steering committee responsible for developing an overall vision for the application of and follow-up on the framework agreement as well as the concerted intervention process;

(b) a Québec-wide advisory committee responsible for coordinating the application of and follow-up on the framework agreement as well as the concerted intervention process throughout all health regions; and

(c) for each health region, a regional implementation committee responsible for coordinating the application of and follow-up on the framework agreement and the implementation of the concerted intervention process;

(3) the joint obligation of the parties to the framework agreement to develop intervention support tools and see that they are updated; and

(4) the obligation of the parties referred to in section 17 and the Director of Criminal and Penal Prosecutions to exercise the following functions:

(a) develop an internal procedure concerning the terms related to initiating a concerted intervention process and, if applicable, see that it is updated;

(b) designate a representative whose role is, among other things, to offer support for the purposes of any decision relating to the initiation of a concerted intervention process; and

(c) disseminate, according to the mode established in the framework agreement, the name and contact information of the designated resource persons referred to in section 17.

“20.5. An integrated health and social services centre and a police force that are referred to in section 17 must collaborate in implementing the Québec-wide framework agreement by exercising the functions set out in subparagraph 4 of the second paragraph of section 20.4.

“DIVISION V

“ACCOUNTABILITY

“20.6. The Minister responsible for Seniors must report on the application of the provisions of this chapter every year in a report the Minister tables in the National Assembly within four months after the end of the fiscal year or, if the Assembly is not sitting, within 15 days of resumption. The report is also published on the Minister’s website.

“CHAPTER III.1

“MALTREATMENT ASSISTANCE, ASSESSMENT AND REFERENCE CENTRE

“20.7. The Minister responsible for Seniors must establish a maltreatment assistance, assessment and reference centre.

The functions of the centre include

(1) receiving a call from a person seeking information or support concerning maltreatment, and actively listening to the person;

(2) assessing the situation described by the person as well as its risk level, in particular to determine whether it is a case of maltreatment;

(3) providing information on the resources available and the possible recourses to put an end to a case of maltreatment;

(4) referring the person to the resource persons most able to help the person, including the competent local service quality and complaints commissioner or any other designated resource person referred to in section 17; and

(5) conducting, with the person’s consent, follow-up to accompany the person in the process or in the steps he or she has taken or is taking.

“20.8. The Minister may, by agreement, entrust the organization and administration of the maltreatment assistance, assessment and reference centre to an institution or any other body.”

12. The heading of Chapter IV of the Act is replaced by the following heading:

“PROTECTION MEASURES SPECIFIC TO CERTAIN CASES OF MALTREATMENT”.

13. Section 21 of the Act is replaced by the following section:

“21. Any health services and social service provider or any professional within the meaning of the Professional Code (chapter C-26) who, in the exercise of his or her functions or the practice of his or her profession, has reasonable grounds to believe that a person is a victim of maltreatment must report the case without delay where the person is

(1) a user of full age who is lodged in a facility maintained by an institution operating a residential and long-term care centre;

(2) a user of full age who is taken in charge by an intermediate resource or by a family-type resource;

(3) a person of full age who is under tutorship or curatorship or for whom a protection mandate has been homologated;

(4) any person of full age whose incapacity to care for himself or herself or to administer his or her property has been ascertained by medical assessment, but who is not under a protective measure; or

(5) any other person in a vulnerable situation who is a resident of a private senior’s residence.

The report is filed with the competent local service quality and complaints commissioner where the person of full age concerned is covered by an institution’s anti-maltreatment policy or, in any other case, with a designated resource person referred to in section 17, to be handled in accordance with Chapter II or Chapter III, as applicable.

This section applies even to persons bound by professional secrecy, except lawyers and notaries who receive information about such a case in the practice of their profession.

Anyone who contravenes the provisions of the first paragraph commits an offence and is liable to a fine of \$2,500 to \$25,000. Those amounts are doubled for a subsequent offence.”

14. The Act is amended by inserting the following section after section 21:

“21.1. The following commit an offence and are liable to a fine of \$5,000 to \$125,000 in the case of a natural person, or to a fine of \$10,000 to \$250,000 in any other case:

(1) anyone who commits an act of maltreatment against a user of full age who is lodged in a facility maintained by an institution operating a residential and long-term care centre, a user of full age who is taken in charge by an intermediate resource or family-type resource or a resident of a private seniors’ residence, on the premises of such a facility, resource or residence;

(2) an institution, the person responsible for or operator of a resource or residence or a member of their staff that commits an act of maltreatment against a user or resident referred to in subparagraph 1 while the user or resident, who is under the responsibility of the institution, person or operator, as applicable, is outside the premises referred to in that subparagraph; or

(3) a person who, in the exercise of his or her functions, commits an act of maltreatment against a user of full age to whom the person directly provides in-home health services or social services on behalf of an institution.

The amounts of the fines are doubled for a subsequent offence.

For the purposes of this section, residents of a private seniors’ residence and persons receiving in-home health services and social services are covered provided they are persons in vulnerable situations within the meaning of section 2.”

15. The Act is amended by inserting the following chapters after section 22:

“CHAPTER IV.1

“CONFIDENTIALITY, PROTECTION AGAINST REPRISAL AND IMMUNITY FROM PROCEEDINGS

“22.1. A local service quality and complaints commissioner or a designated resource person referred to in section 17 must take all necessary measures to preserve the confidentiality of any information that would allow a person who files a complaint or makes a report of maltreatment to be identified, unless the person consents to being identified. The commissioner or the resource person may, however, communicate the identity of the person to a police force.

“22.2. Reprisals are prohibited against a person who, in good faith, files a complaint or makes a report of maltreatment or cooperates in the examination of a complaint or processing of a report.

Threats of reprisal against a person to dissuade them from filing a complaint, making a report or cooperating in the examination of a complaint or processing of a report are also prohibited.

The demotion, suspension, termination of employment or transfer of a person or any disciplinary or other measure that adversely affects the employment or working conditions of a person is presumed to be a reprisal. Transferring a user or a resident, breaking his or her lease, or prohibiting or restricting visits to a user or a resident is also presumed to be a reprisal.

Anyone who threatens or intimidates a person or takes reprisals or attempts to take reprisals against a person because the person complies with this Act, exercises a right provided for by this Act or reports conduct that contravenes this Act commits an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in any other case. Those amounts are doubled for a subsequent offence.

“22.3. No proceedings may be brought against a person who, in good faith, has filed a complaint or made a report of maltreatment or cooperated in the examination of a complaint or in the processing of a report, whatever the conclusions issued.

“CHAPTER IV.2

“INSPECTION AND INVESTIGATION

“22.4. The Minister may authorize any person to act as an inspector for the purpose of verifying compliance with this Act.

An inspector may, in the exercise of his or her functions,

(1) at any reasonable time, enter any premises where an anti-maltreatment policy applies;

(2) take photographs or make recordings of the premises and the property located there; and

(3) require the communication of any document or file for examination or reproduction, if the inspector has reasonable grounds to believe that they contain information relating to the application of this Act or the regulations.

If the premises referred to in subparagraph 1 of the first paragraph are in the nature of a dwelling for the occupant, the inspector must obtain the occupant’s consent before inspecting the premises.

“22.5. An inspector may, by a request sent by registered mail or personal service, require any person to communicate by registered mail or personal service, within a reasonable time specified by the inspector, any information or document relating to the application of this Act or the regulations.

“22.6. The Minister may designate any person to investigate any matter relating to the application of this Act or the regulations.

“22.7. Inspectors and investigators must, on request, identify themselves and produce a certificate of authority.

“22.8. Anyone who in any way hinders or attempts to hinder an inspector or investigator in the performance of inspection or investigation functions, in particular by deceiving the inspector or investigator by concealment or misrepresentation or, in the case of an inspector, by refusing to provide a document or a file that the inspector is entitled to require under this Act, commits an offence and is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$15,000 to \$150,000 in any other case. Those amounts are doubled for a subsequent offence.

“22.9. No proceedings may be brought against an inspector or an investigator for an act or omission in good faith in the performance of inspection or investigation functions.”

16. Section 39 of the Act is repealed.

17. Section 40 of the Act is replaced by the following section:

“40. The Minister responsible for Seniors is responsible for the administration of this Act, except Chapters II, IV.1 and IV.2, which are under the responsibility of the Minister of Health and Social Services.”

ACT TO MODIFY THE ORGANIZATION AND GOVERNANCE OF THE HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR BY ABOLISHING THE REGIONAL AGENCIES

18. Section 50.2 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) is amended by replacing “sections 34” in the second paragraph by “sections 33.1, 34”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

19. Section 19 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by striking out paragraph 3;

(2) by inserting “or to a person authorized to conduct an investigation under the first paragraph of section 489.4” at the end of paragraph 5.

20. The Act is amended by inserting the following section after section 33:

“33.1. A local service quality and complaints commissioner who, in the exercise of his or her functions, has reasonable grounds to believe there exists a situation that could pose a threat to the health or well-being of a user or a group of users, including such a situation arising from the application of

practices or procedures, must send a copy of his or her conclusions, including reasons, to the executive director of the institution concerned and to the Minister, together with any recommendations made to the board of directors concerned.”

21. Section 240.1 of the Act is amended by replacing “in accordance with section 414” by “in accordance with this Act”.

22. The Act is amended by inserting the following sections after section 309:

“309.1. A public institution having entered into an agreement with an intermediate resource, other than a resource governed by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2), may designate a person to assume, for a period not exceeding 120 days, the provisional administration of the intermediate resource

(1) where the agreement has been cancelled;

(2) where the intermediate resource engages in practices or tolerates a situation that could pose a threat to the health or safety of the persons to whom it provides services; or

(3) where the intermediate resource is experiencing difficulties that seriously compromise either the quality of the services it offers or its administration, organization or operation.

The period provided for in the first paragraph may be extended by the institution, provided that the extension period does not exceed 90 days.

“309.2. The provisional administrator of an intermediate resource shall, as soon as possible, make a preliminary report of his findings to the public institution, together with his recommendations.

“309.3. Before submitting the preliminary report to the public institution, the provisional administrator shall give the operator of the intermediate resource the opportunity to present observations. The provisional administrator shall attach to the report a summary of the observations made to him.

“309.4. Where the public institution designates a provisional administrator in accordance with section 309.1, it shall indicate whether all or certain powers of the operator of the intermediate resource are suspended and are therefore exercised by the provisional administrator.

If deprived of certain powers, the resource’s operator shall continue to exercise those powers that were not suspended.

At all times, the resource’s operator shall continue to exercise all powers with regard to activities other than activities related to the operation of the resource, where applicable.

“309.5. No legal proceedings may be brought against the provisional administrator of an intermediate resource for an act done in good faith in the exercise of his functions.

“309.6. The public institution may, where the preliminary report made by the provisional administrator under section 309.2 confirms the existence of a situation described in section 309.1,

(1) order the resource to take the necessary corrective measures within the period the public institution determines; and

(2) order the provisional administrator to continue his administration or to relinquish it and not resume it unless the intermediate resource takes the corrective measures ordered by the public institution in accordance with subparagraph 1.

In addition, the public institution shall order the provisional administrator to make a final report to it on ascertaining that the situation described in section 309.1 has been corrected or that it will not be possible to correct it.

“309.7. After receiving the final report of the provisional administrator under the second paragraph of section 309.6, the public institution may take either of the following measures:

(1) terminate the provisional administration on the date it determines; or

(2) exercise any power conferred on it by section 309.6.”

23. The Act is amended by inserting the following section after section 346.0.4.2:

“346.0.4.2.1. Subject to the third paragraph of section 346.0.4.2, a temporary certificate of compliance is valid for up to one year. It may not be renewed.

A certificate of compliance is valid for four years. It may be renewed for the same period.

Six months before the expiry date of a certificate of compliance, an agency must initiate the renewal process for the certificate with the certificate holder.”

24. Section 346.0.6 of the Act is amended by inserting the following paragraph after paragraph 3.2:

“(3.3) the obligation of an operator of a private seniors’ residence and of the agency for the region where the residence is situated to enter into an agreement concerning the provision of certain services to residents and setting out the obligations of the parties in that respect, as well as the minimum content of such an agreement;”.

25. The Act is amended by inserting the following sections after section 346.0.9:

“346.0.9.1. The agency may designate any person to investigate any matter relating to the application of this subdivision and the regulations.

“346.0.9.2. An investigator must, on request, identify himself and produce a certificate of authority.

“346.0.9.3. No legal proceedings may be brought against an inspector or an investigator for an omission or act done in good faith in the exercise of his functions.”

26. Section 346.0.10 of the Act is replaced by the following sections:

“346.0.10. If the operator of a private seniors’ residence is experiencing difficulties with respect to the quality of the services the operator offers or with respect to the administration, organization or operation of the residence, the agency may provide assistance and support to the operator.

Such assistance and support must be the subject of an agreement between the agency and the operator, which must stipulate, among other things, the nature, duration and expected results of the assistance and support.

An operator that has received assistance and support must report to the agency on any developments in the situation.

“346.0.10.1. The agency may designate a person to assume, for a period not exceeding 120 days, the provisional administration of a private seniors’ residence

(1) where the operator of the residence no longer holds a temporary certificate of compliance or a certificate of compliance, no longer complies with a provision of this subdivision or of the regulations, or where the operator’s temporary certificate or certificate of compliance has been cancelled in accordance with this Act;

(2) where the operator fails to take the corrective measures ordered by the agency within the period determined by the agency;

(3) where the operator engages in practices or tolerates a situation that could pose a threat to the health or safety of the persons to whom the operator provides services; or

(4) where the operator is experiencing difficulties that seriously compromise either the quality of the services it offers or the administration, organization or operation of the residence.

The period provided for in the first paragraph may be extended by the agency, provided that the extension period does not exceed 90 days.

“346.0.10.2. The provisional administrator of a private seniors’ residence shall, as soon as possible, make a preliminary report of his findings to the agency, together with his recommendations.

“346.0.10.3. Before submitting the preliminary report to the agency, the provisional administrator shall give the operator of the private seniors’ residence the opportunity to submit observations. The provisional administrator shall attach to the report a summary of the observations made to him.

“346.0.10.4. Where the agency designates a provisional administrator in accordance with section 346.0.10.1, it shall indicate whether all or certain powers of the operator of the private seniors’ residence are suspended and are therefore exercised by the provisional administrator.

If deprived of certain powers, the residence’s operator shall continue to exercise those powers that were not suspended.

At all times, the residence’s operator shall continue to exercise all powers with regard to activities other than activities related to the operation of the residence, if applicable.

“346.0.10.5. No proceedings may be brought against a provisional administrator of a private seniors’ residence for an act done in good faith in the exercise of his functions.

“346.0.10.6. The agency may, where the preliminary report made by the provisional administrator under section 346.0.10.2 confirms the existence of a situation described in section 346.0.10.1,

(1) attach such restrictions and conditions to the temporary certificate of compliance or the certificate of compliance as it considers appropriate;

(2) prescribe the time by which any situation described in section 346.0.10.1 must be remedied; and

(3) order the provisional administrator to continue his administration or to relinquish it and not resume it unless the operator of the private seniors’ residence complies with the conditions imposed by the agency under subparagraph 1 or 2.

In addition, the agency shall order the provisional administrator to make a final report to it on ascertaining that the situation described in section 346.0.10.1 has been corrected or that it will not be possible to correct it.

“346.0.10.7. After receiving the final report of the provisional administrator under the second paragraph of section 346.0.10.6, the agency may take either of the following measures:

- (1) terminate the provisional administration on the date it determines; or
- (2) exercise any power conferred on it by section 346.0.10.6.”

27. Section 346.0.11 of the Act is amended by adding the following paragraph at the end:

“(6) fails to take the necessary means to put an end to any case of maltreatment within the meaning of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3) that is brought to its attention.”

28. Section 346.0.17.1 of the Act is replaced by the following section:

“346.0.17.1. The operator of a private seniors’ residence who wishes to cease activities, even with respect to only a part of the residence, must transmit a cessation-of-activities plan to the agency concerned at least nine months before the projected date of cessation.

The main purpose of the plan is to ensure that the cessation of activities does not compromise the health and safety of the residents. The plan must set out the steps and actions that will be taken by the operator of the residence over a period of at least six months preceding the cessation. The plan must set out, among other elements,

- (1) the projected date of the cessation of activities;
- (2) the contact information of the persons concerned by the cessation of activities and of any persons acting on their behalf;
- (3) the measures that will be taken by the operator
 - (a) to assist in the relocation of the persons concerned who require it; and
 - (b) to properly inform the persons concerned and any persons acting on their behalf of the relocation assistance available to them and of any developments in the situation until the cessation of activities; and
- (4) any other element determined by government regulation.

The agency concerned must notify the operator as well as the Minister of Health and Social Services and the Minister responsible for Seniors in writing of the receipt of the cessation-of-activities plan. In addition, if the agency considers that the plan does not meet the requirements of the second paragraph,

it must, in writing and within 30 days after receipt of the plan, notify the operator and provide the latter with the reasons in support of its conclusion in order for the operator to revise the plan as soon as possible.

The agency concerned must approve the operator's cessation-of-activities plan, with or without amendment, within three months after its receipt and transmit a copy of it to the Minister of Health and Social Services and to the Minister responsible for Seniors. Before approving a plan with amendment, the agency must grant the operator a period of at least 10 days to submit observations. The operator must comply with the plan approved by the agency concerned.

All notices that, under the rules set out in the Civil Code respecting the lease of a dwelling, must be given to the lessees prior to the cessation of activities are without effect if they are transmitted before the cessation-of-activities plan is approved by the agency concerned.

This section does not apply where the rights conferred on the operator by a certificate of compliance or a temporary certificate of compliance have been validly transferred to another person in accordance with section 346.0.20."

29. Section 346.0.17.2 of the Act is amended by replacing "did not give the agency concerned a prior notice of intention in accordance with that section" by "did not transmit the required cessation-of-activities plan to the agency concerned for approval in accordance with that section".

30. Section 346.0.18 of the Act is amended by adding the following sentence at the end: "The same applies when the agency approves the cessation-of-activities plan of the operator of a private seniors' residence."

31. Sections 413.2 to 415 of the Act are repealed.

32. Section 446 of the Act is amended by inserting the following paragraphs after paragraph 2:

"(2.1) engages in practices or tolerates a situation that could pose a threat to the health or well-being of persons whom the institution receives or could receive or that are inconsistent with the pursuit of the mission of a centre it operates;

"(2.2) fails to take the necessary means to put an end to any case of maltreatment within the meaning of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3) that is brought to its attention;".

33. Section 447 of the Act is amended by replacing "in paragraph 2 of section 446" in the first paragraph by "in paragraph 2, 2.1 or 2.2 of section 446".

34. The heading of Division I of Chapter VIII of Title II of Part III of the Act is replaced by the following heading:

“INSPECTION AND INVESTIGATION”.

35. The Act is amended by inserting the following sections after section 489.2:

“**489.3.** A person authorized in writing by the Minister may conduct an investigation into any matter relating to the application of subdivision 2.1 of Division II of Chapter I of Title I of Part III and the regulations in respect of a private seniors’ residence or any other resource or category of resource offering lodging determined by government regulation under the first paragraph of section 346.0.21.

“**489.4.** The Minister may authorize any person in writing to conduct an investigation in the following cases:

- (1) where an institution is not complying with the law;
- (2) where an institution engages in practices or tolerates a situation that could pose a threat to the health or well-being of the persons served by the institution;
- (3) where the Minister becomes aware, at any time in a fiscal year, that the expenditures of a public institution exceed its revenues and that its budgetary balance is at risk; and
- (4) where the Minister considers that there has been a serious fault, such as embezzlement, in the management of the public institution.

A person authorized to conduct an investigation is vested, for the purposes of the investigation, with the powers and immunity of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to impose imprisonment.

“**489.5.** Once the investigation has been completed, the Minister may require the institution concerned to submit an action plan to follow up on the recommendations made by the Minister.”

36. Section 490 of the Act is amended by striking out “under agreement” in the second paragraph.

37. Section 495 of the Act is amended by striking out “under agreement”.

38. Section 531.1.3 of the Act is replaced by the following section:

“531.1.3. An operator of a private seniors’ residence or a new lessor referred to in section 346.0.17.2 who contravenes any of the provisions of section 346.0.17.1 commits an offence and is liable to a fine of \$2,500 to \$62,500 in the case of a natural person or \$7,500 to \$187,500 in the case of a legal person.

Penal proceedings for an offence referred to in the first paragraph are prescribed by three years from the date of commission of the offence.”

ACT RESPECTING PRE-HOSPITAL EMERGENCY SERVICES

39. Section 8 of the Act respecting pre-hospital emergency services (chapter S-6.2) is amended by replacing “on an agency by sections 414 and 415” by “on the Minister by sections 489.4 and 489.5”.

TRANSITIONAL AND FINAL PROVISIONS

40. An institution must review its anti-maltreatment policy described in section 3 of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations (chapter L-6.3) to comply with the provisions of that Act, as amended by this Act, not later than 6 April 2023.

The institution must submit the policy to the Minister of Health and Social Services in accordance with section 7 of that Act, as replaced by section 5, not later than 6 October 2023.

41. The Québec-wide framework agreement to combat maltreatment must be updated to comply with the new provisions of Chapter III of the Act to combat maltreatment of seniors and other persons of full age in vulnerable situations, enacted by section 11, not later than 6 April 2023.

42. Section 346.0.17.1 of the Act respecting health services and social services (chapter S-4.2), as replaced by section 28 of this Act, does not apply to an operator of a private seniors’ residence who, before 6 April 2022, gave the agency concerned the prior notice of at least six months provided for in that section, as it read on 5 April 2022.

In addition, section 346.0.17.2 of the Act respecting health services and social services, as amended by section 29 of this Act, does not apply to a new lessor if, before 6 April 2022, the former operator of the residence gave the agency concerned such a prior notice or if the new lessor gave the prior notice himself or herself pursuant to that section, as it read on 5 April 2022.

43. This Act comes into force on 6 April 2022.

2022, chapter 7

AN ACT TO PROCLAIM THE NATIONAL DAY FOR THE PROMOTION OF POSITIVE MENTAL HEALTH

Bill 498

Introduced by Mr. David Birnbaum, Member for D'Arcy-McGee

Introduced 2 December 2021

Passed in principle 22 March 2022

Passed 5 April 2022

Assented to 6 April 2022

Coming into force: 6 April 2022

Legislation amended: None

Explanatory notes

The object of this Act is to proclaim 13 March of each year National Day for the Promotion of Positive Mental Health.



Chapter 7

AN ACT TO PROCLAIM THE NATIONAL DAY FOR THE PROMOTION OF POSITIVE MENTAL HEALTH

[Assented to 6 April 2022]

AS mental health, that is, a person's psychological and emotional well-being, is an essential component of one's life and general state of health;

AS there is a lack of awareness of the differences between mental health and mental illness;

AS positive mental health is not limited to the absence of mental illness and as, when it is weakened, it can lead to physical or psychological disorders;

AS the promotion of positive mental health aims to increase or maintain individual and collective well-being, foster resilience and prevent the emergence of mental health problems, physical health problems and social problems;

AS the National Assembly recognizes the role the State must play in promoting positive mental health as well as Quebecers' desire to ensure progress in that area for all those who make up Québec society;

AS the promotion of positive mental health confers on everyone, be it individually or collectively, the duty to make a contribution to Québec society in the area of mental health;

AS the World Health Organization considers that there can be no health without mental health;

AS 13 March 2020, date of coming into force of the declaration of a public health emergency due to the COVID-19 pandemic, marks a pivotal moment in the Québec collective mind and a turning point in raising awareness about the importance of positive mental health;

AS it is expedient to create a National Day for the Promotion of Positive Mental Health to promote, increase and maintain individual and collective well-being for generations to come;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The thirteenth of March is proclaimed National Day for the Promotion of Positive Mental Health.
- 2.** This Act comes into force on 6 April 2022.

2022, chapter 8

AN ACT MAINLY TO REINFORCE THE ENFORCEMENT OF ENVIRONMENTAL AND DAM SAFETY LEGISLATION, TO ENSURE THE RESPONSIBLE MANAGEMENT OF PESTICIDES AND TO IMPLEMENT CERTAIN MEASURES OF THE 2030 PLAN FOR A GREEN ECONOMY CONCERNING ZERO EMISSION VEHICLES

Bill 102

Introduced by Mr. Benoit Charette, Minister of the Environment and the Fight Against Climate Change

Introduced 5 October 2021

Passed in principle 1 December 2021

Passed 5 April 2022

Assented to 12 April 2022

Coming into force: 12 May 2022, except

(1) sections 44 to 47, which come into force on the date of coming into force of the first regulation that amends, after 12 May 2022, the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);

(2) subparagraphs *a* and *b* of paragraph 1 of section 56, sections 62 to 64 and section 69, which come into force on the date or dates set by the Government;

(3) sections 96 to 102, which come into force on 12 April 2023.

Legislation enacted:

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1)

Legislation amended:

Act respecting land use planning and development (chapter A-19.1)

Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02)

Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2)

Municipal Powers Act (chapter C-47.1)

Natural Heritage Conservation Act (chapter C-61.01)

Act respecting threatened or vulnerable species (chapter E-12.01)

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Legislation amended: (cont'd)

Petroleum Resources Act (chapter H-4.2)

Act respecting administrative justice (chapter J-3)

Mining Act (chapter M-13.1)

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

Pesticides Act (chapter P-9.3)

Tree Protection Act (chapter P-37)

Environment Quality Act (chapter Q-2)

Watercourses Act (chapter R-13)

Dam Safety Act (chapter S-3.1.01)

Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4)

Regulations amended:

Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001, r. 1)

Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)

Explanatory notes

The main purpose of this Act is to improve and standardize measures enabling the enforcement of legislation under the responsibility of the Minister of the Environment and the Fight Against Climate Change, to reinforce the Pesticides Act and to adjust the framework of the Dam Safety Act.

The Act begins by enacting the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation. That Act provides for a common framework for the enforcement of several Acts under the Minister's responsibility, and includes

- (1) inspection, penal investigation and administrative investigation powers and the power to issue notices of execution;
- (2) general provisions relating to monetary administrative penalties;
- (3) powers to refuse, suspend, revoke or cancel various types of authorization granted under the Acts;
- (4) general provisions relating to penal proceedings brought to ensure compliance with the Acts;
- (5) a mechanism for claiming and recovering amounts owed to the Minister;
- (6) proceedings to contest certain decisions before the Administrative Tribunal of Québec; and
- (7) regulatory powers regarding the rate applicable to the calculation of the costs related to an inspection or an investigation, including the fees payable to cover the costs incurred for control and monitoring measures.

The Act contains several consequential amendments required by the establishment of the common framework under the Act enacted. The Act also amends the Act respecting threatened or vulnerable species, the Pesticides Act and the Dam Safety Act to introduce monetary administrative penalties and to revise the amounts of fines.

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Explanatory notes (cont'd)

The Act adds provisions to the Act respecting threatened or vulnerable species to grant the Minister new powers to enforce an order and to claim the related costs.

The Act proposes many amendments to the Pesticides Act to regulate the use of seeds coated with pesticides, to provide for regulatory powers in order to employ economic instruments and to establish rules for the possession of pesticides. It also adds provisions granting the Minister powers to enforce an order and to claim the related costs.

The Act also amends the Dam Safety Act, in particular to introduce into it the general requirement for owners to maintain their dams in working order such that they are unlikely to compromise the safety of persons or property. It adjusts the authorization and approval regime and expands the Minister's power under the regime to make orders. It amends the Municipal Powers Act to grant municipalities a new power respecting financial assistance that they may provide for the maintenance, upgrading or rehabilitation of a dam.

With respect to certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles, the Act authorizes the Government, in the Environment Quality Act, to make a regulation limiting or prohibiting the sale or lease of certain classes of motor vehicles and authorizes the Minister, in the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions, to regulate the use of credits accumulated in excess of those required within the framework of that Act. It also amends the rules applicable to motor vehicles, engines and various related devices.

The Act also amends the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs, mainly to allow the Minister to delegate certain powers conferred on him, to clarify his powers over lands acquired by the Streams Commission that are under his authority and to provide for the allocation of certain sums credited to the Fund for the Protection of the Environment and the Waters in the Domain of the State.

The Act also amends the Mining Act to introduce, for claim holders, a prior authorization that must be obtained before certain impact-causing mining exploration work and to provide for the regulatory powers required for this authorization.

The Act amends the Tree Protection Act to allow preventive pruning and felling of trees and shrubs that could cause an electrical outage.

The Act amends the Environment Quality Act to provide for, among other things,

- (1) the requirement, in the case of an accidental release of contaminants, to recover, clean or treat the matter contaminated by the release;
- (2) the requirement to record certain information relating to hazardous materials;
- (3) clarifications with respect to the power to amend an authorization issued under the Act;
- (4) adjustments to the environmental impact assessment and review procedure, in particular with respect to the Minister's powers and obligations in the framework of that procedure;
- (5) adjustments to the Minister's power to issue orders;

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Explanatory notes (*cont'd*)

(6) the abolition of the authorization system for experts to furnish certificates in the context of the rehabilitation of contaminated land; and

(7) a new power for municipalities regarding facilities for the return of returnable containers.

The Act also amends the Watercourses Act to expand the Minister's power to recover amounts owed to him under that Act.

Lastly, the Act provides for various other technical adjustments and consequential and transitional provisions.



Chapter 8

AN ACT MAINLY TO REINFORCE THE ENFORCEMENT OF ENVIRONMENTAL AND DAM SAFETY LEGISLATION, TO ENSURE THE RESPONSIBLE MANAGEMENT OF PESTICIDES AND TO IMPLEMENT CERTAIN MEASURES OF THE 2030 PLAN FOR A GREEN ECONOMY CONCERNING ZERO EMISSION VEHICLES

[Assented to 12 April 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ACT ENACTED

1. The Act respecting certain measures enabling the enforcement of environmental and dam safety legislation, the text of which appears in this Chapter, is enacted.

“ACT RESPECTING CERTAIN MEASURES ENABLING THE ENFORCEMENT OF ENVIRONMENTAL AND DAM SAFETY LEGISLATION

“AS the right to live in a healthful environment in which biodiversity is preserved, to the extent and according to the standards provided by law, is provided for by the Charter of human rights and freedoms (chapter C-12);

“AS there is a climate urgency and there are current issues related to the environmental, economic and social consequences of climate change;

“AS Québec is committed to achieving carbon neutrality by 2050;

“AS it is important, for the Québec nation and Indigenous communities, to protect the environment and its biodiversity and to ensure the safety of persons and property in this context;

“AS the establishment of a system of monetary administrative penalties in various Acts and regulations is a proven incentive for a person to rapidly remedy a failure to comply and for deterring the repetition of such a failure;

“AS the standards set to protect the environment and its biodiversity and to ensure the safety of persons and property are distributed among many laws and regulations in Québec;

“AS all the measures for ensuring the enforcement of and compliance with these laws should be harmonized, in order to establish a unified and predictable enforcement regime;

“CHAPTER I

“GENERAL PROVISIONS

“1. The purpose of this Act is to set out the provisions necessary for verifying compliance with the following Acts:

- (1) the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02);
- (2) the Natural Heritage Conservation Act (chapter C-61.01);
- (3) the Act respecting threatened or vulnerable species (chapter E-12.01);
- (4) the Pesticides Act (chapter P-9.3);
- (5) the Environment Quality Act (chapter Q-2); and
- (6) the Dam Safety Act (chapter S-3.1.01).

A further purpose of this Act, with respect to the Acts mentioned in the first paragraph and with respect to this Act, is to establish the system of applicable monetary administrative penalties and of penal provisions. It grants the Government or the Minister certain powers with respect to applications for authorization made under one of the Acts concerned and authorizations issued under them.

“2. For the purposes of this Act, unless the context indicates otherwise,

“Acts concerned” means the Acts mentioned in the first paragraph of section 1 and their regulations;

“authorization” means a permit or licence, authorization, approval, certificate, attestation, accreditation or certification or any other right of a similar nature granted under the Acts concerned as well as its renewal and amendment;

“municipality” means any municipality, the Communauté métropolitaine de Montréal, the Communauté métropolitaine de Québec, as well as an intermunicipal management board;

“person” means a natural person, legal person, trust, partnership, cooperative or any other group of persons; and

“shareholder” means a natural person holding, directly or indirectly, shares that carry 20% or more of the voting rights in a legal person that is not a reporting issuer under the Securities Act (chapter V-1.1).

“3. This Act is binding on the State.

“CHAPTER II

“INSPECTION, INVESTIGATION AND OTHER POWERS

“DIVISION I

“INSPECTION

“4. The Minister may designate any public servant or holder of a position in a department or a body that is a mandatary of the State to act as an inspector to see to the enforcement of this Act and the Acts concerned.

The Minister may, exceptionally, authorize any person not designated as an inspector under the first paragraph to enter one of the premises mentioned in the first paragraph of section 5 in order to exercise, in the absence of an inspector, one or more of the powers provided for in this division. Such a person may in no case enter a dwelling house without the consent of the owner.

The authorization includes, in particular, the power or powers devolved and the measures established by the Minister to regulate the exercise of the devolved powers.

Inspectors and authorized persons must, on request, provide identification and produce a certificate of authority.

“5. Inspectors may, at any reasonable time, enter areas governed by the Natural Heritage Conservation Act, land, including private land, a building, including a dwelling house, or a vehicle, boat or aircraft to examine the premises and conduct an inspection. They may, in such cases, by any reasonable, appropriate means:

(1) record the state of a place or any natural setting or property that is part of it;

(2) collect samples, conduct tests and perform analyses;

(3) carry out any necessary excavation or drilling to assess the state of the premises;

(4) install measuring apparatus necessary for taking measurements on the premises and subsequently remove the apparatus;

(5) take measurements, including continuous measurements, using an apparatus they install or that is already on the premises, for any reasonable period of time they determine;

(6) access a facility, including a secure facility, found on the premises;

(7) set in action or use an apparatus or equipment to ensure that the inspection is properly conducted or require the apparatus or equipment to be set in action or used within the time and according to the conditions they specify;

(8) open or require the opening of a container or package, within the time and according to the conditions they specify;

(9) require the provision of any information relating to the application of this Act or the Acts concerned and the communication of any relevant documents for examination, recording and reproduction;

(10) use any computer, equipment or other thing that is on the premises to access data relating to the application of this Act or the Acts concerned that is contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data; and

(11) be accompanied by any person whose presence is considered necessary for the purposes of the inspection, who may then exercise the powers set out in subparagraphs 1 to 10.

For the purposes of the first paragraph, inspectors may enter a dwelling house without the consent of the owner or lessee only

(1) if, given the urgency of the situation, there is, as the case may be, a serious risk of danger to human life, health or safety, of causing serious damage or harm to the environment, to living species or to property, or of the loss, disappearance or destruction of evidence; or

(2) to ensure compliance with the provisions of this Act or the Acts concerned determined by regulation of the Minister.

Despite the first paragraph, only the powers set out in subparagraphs 9 to 11 may be applied to see to the enforcement of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions. Any person who accompanies an inspector under subparagraph 11 may exercise only the powers set out in subparagraphs 9 and 10. Despite the second paragraph, the powers set out in subparagraphs 9 to 11 of the first paragraph may not be enforced without judicial authorization in a dwelling house to see to the enforcement of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions.

“6. Inspectors may also exercise the following powers:

(1) immediately seize any thing

(a) that has been used to commit an offence against this Act or the Acts concerned;

(b) that may be used to prove an offence against this Act or the Acts concerned;

(c) the possession of which constitutes an offence against this Act or the Acts concerned;

(d) that was obtained, directly or indirectly, through the perpetration of an offence against this Act or the Acts concerned; or

(e) mixed with a material or a substance so as to render it difficult to distinguish in one of the cases mentioned in subparagraphs *a* to *d*;

(2) install or remove any notice concerning a matter governed by this Act or the Acts concerned or require such a notice to be installed or removed, within the time and according to the conditions they specify;

(3) require that a product, device, apparatus or equipment cease to be offered for sale if its sale or use is prohibited under the Acts concerned;

(4) require a person to produce the authorization allowing them to carry on an activity governed by the Acts concerned, where such an authorization is required;

(5) require a vehicle, boat or aircraft to be stopped or moved, within the time and according to the conditions they specify;

(6) require a person, by any means that allows proof of receipt at a specific time, to communicate to the inspector any information or document concerning the application of the Acts concerned, within the time and according to the conditions the inspector specifies; and

(7) visit the premises referred to in section 5 and exercise the powers set out in section 5

(a) to assess the condition of the premises in order to perform work; and

(b) following a finding of guilt, to document any application made to a judge in order to obtain an order under section 55.

The rules established by the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things seized under subparagraph 1 of the first paragraph, except in respect of section 129 for the custody of the thing seized. In such a case, the inspector has custody of the thing seized even when it is submitted in evidence and until a judge declares it forfeited or orders it returned to its owner, unless the judge decides otherwise. However, the Minister may authorize an inspector to entrust the offender with the custody of the thing seized, and the offender must accept custody of it until a judge declares it forfeited or orders it returned to its owner.

Despite the first paragraph, only the powers set out in subparagraph 6 apply to see to the enforcement of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions.

“7. The owner, lessee or custodian of land, a building, a vehicle, a boat or an aircraft being inspected and any person found there must lend assistance to the inspectors in performing their duties.

The obligation set out in the first paragraph also applies to persons accompanying inspectors and any person authorized by the Minister under the second paragraph of section 4.

“DIVISION II

“PENAL INVESTIGATION

“8. The Minister may designate any public servant or holder of a position in a department or a body that is a mandatary of the State to act as a penal investigator in order to investigate any penal matter related to the application of this Act and the Acts concerned.

Penal investigators must, on request, provide identification and produce their certificate of authority.

“9. Penal investigators who have reasonable grounds to believe that an offence against a provision of this Act or the Acts concerned has been committed may, at the time of an investigation relating to the offence, apply to a judge for authorization to enter any place to exercise any power set out in sections 5 and 6 that, without such authorization, would constitute an unreasonable search or seizure.

The application for authorization must be made in writing and must be accompanied by a sworn declaration of the investigator which includes, in particular, the following information:

- (1) a description of the offence that is the subject of the investigation;
- (2) the reasons why exercising the power that is the subject of the application will provide evidence of the commission of the offence;
- (3) a description of the place referred to in the application;
- (4) the time needed to exercise the power that is the subject of the application; and
- (5) the period when the power that is the subject of the application is to be exercised.

The application for authorization may also be made by telephone or any other appropriate means of telecommunication. The rules governing telewarrants set out in the Code of Penal Procedure apply to such an application.

The judge may grant the authorization on the conditions the judge determines if satisfied on the strength of the declaration that there are reasonable grounds to believe that an offence has been committed and that exercising the power that is the subject of the application will provide evidence of the commission of the offence.

The judge may also order any person to lend assistance, if it may reasonably be necessary for exercising the authorized power.

“10. Any penal investigator may, without the judicial authorization set out in section 9, exercise any power set out in sections 5 and 6 if, given the urgency of the situation, the conditions to be met and the time needed to obtain authorization

- (1) may result in danger to human life, health or safety;
- (2) may cause serious damage or harm to the environment, to living species or to property; or
- (3) may result in the loss, disappearance or destruction of evidence.

However, in a dwelling house, such a power may be exercised without judicial authorization only if the person exercising the power has reasonable grounds to believe that human life, health or safety is in danger or, as the case may be, that serious damage or harm to the environment, to living species or to property may be caused.

Despite the second paragraph, such a power may not be exercised without judicial authorization in a dwelling house to see to the enforcement of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions.

“11. To conduct their investigations, penal investigators are justified in performing an act or making an omission that would constitute an offence under this Act or the Acts concerned, provided the investigators are acting within their investigative functions. If such an act is performed or such an omission is made, they are not liable to any penalty imposed by those Acts.

For the purposes of the first paragraph, prior authorization from the investigator’s immediate superior is required for the investigator to perform the act or make the omission. The investigator’s immediate superior must take into account the impact of the offence on human life, health, safety, welfare and comfort, and on the environment, ecosystems, living species and property. An investigator’s immediate superior is the person who has direct authority over the investigator and who represents the Deputy Minister in the investigator’s regard.

“12. The second paragraph of section 6 applies to any thing seized by a penal investigator.

“DIVISION III

“ADMINISTRATIVE INVESTIGATION

“13. The Minister may designate any person to act as an administrative investigator in order to investigate any matter, other than a penal matter, related to the application of this Act and the Acts concerned.

Administrative investigators must, on request, provide identification and produce their certificate of authority.

“14. If a person believes that they can attribute to the presence of a contaminant in the environment or to the release of a contaminant harm to their health or damage to their property, they may, within 30 days of ascertaining the harm or damage, request the Minister to conduct an administrative investigation.

A person who considers that their right to access to water that is safe for drinking, cooking and personal hygiene is compromised by a water withdrawal may also request that the Minister conduct an administrative investigation.

The first paragraph applies to municipalities as regards damage to their property.

“15. The Minister must provide a report of the results of any administrative investigation the Minister considers necessary to conduct under section 14 to the one the Minister believes responsible, to the complainant and to the municipality in whose territory the source of contamination is situated.

“16. For the purposes of conducting an administrative investigation, the Minister and the person appointed to conduct the investigation are vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

“DIVISION IV

“NOTICES OF EXECUTION

“17. A person designated by the Minister may, to ensure a return to compliance with this Act or the Acts concerned after a failure to comply has been ascertained in the course of an inspection or a penal or administrative investigation, within the time and according to the conditions the person determines,

(1) require that the release of a contaminant stop, if the release threatens human life, health, safety, welfare or comfort, threatens the life, health or safety of other living species or could cause damage to ecosystems or property;

(2) require that an apparatus or equipment be stopped;

(3) prohibit the sale or use of a product, apparatus or equipment;

(4) require remedial measures to be taken with respect to any failure to comply that has been ascertained;

(5) if the failure to comply that has been ascertained concerns carrying on an activity without having first obtained the authorization required under one of the Acts concerned,

(a) require payment of the financial compensation that would have been required under the Act concerned for the issue of the authorization, in accordance with the calculation rules set out for that purpose by regulation; and

(b) require payment of the fees prescribed by regulation for an application for authorization; and

(6) take any measure the person considers necessary to facilitate the execution of an act under this section, including

(a) require registers to be kept on any relevant matter;

(b) require the person concerned to report periodically to the designated person; and

(c) require the person concerned to send the designated person the information and documents specified and set out the measures the person concerned must take with respect to any matter specified.

The acts referred to in the first paragraph are notified to the person concerned by a written notice of execution or, in the case of subparagraph 5, by a notice of claim in accordance with section 63.

The notice of execution applies until the return to compliance or until the application of another measure with respect to the person concerned.

If a person fails to comply with a notice of execution within the time specified and according to the conditions determined, the Minister may have the notice of execution carried out at the person's expense.

Despite the first paragraph, only the powers set out in subparagraphs 4 and 6 apply to see to the enforcement of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions.

“18. A person concerned by a notice of execution may apply, in writing, to the Bureau de réexamen established by section 78 to have the notice reviewed within 30 days of its notification.

“DIVISION V

“WORK CARRIED OUT BY THE MINISTER

“19. Any person authorized by the Minister to carry out work on land in the private domain under a provision of this Act or the Acts concerned may enter on that land and there carry out the work required. Such a person must, on request, identify themselves and produce a certificate of authority signed by the Minister.

The person who, as owner or lessee or in any other capacity, has the custody of the land must give free access to the land at any reasonable time to the person referred to in the first paragraph.

“DIVISION VI

“IMMUNITY

“20. Inspectors, penal investigators and persons responsible for lending assistance to or accompanying them may not be prosecuted for an act performed or an omission made in good faith in the performance of their duties.

The same applies to any person referred to in the second paragraph of section 4 or in section 17, to any person authorized by the Minister to carry out work under this Act or a provision of the Acts concerned and to any member of the personnel of the Ministère du Développement durable, de l’Environnement et des Parcs for an act performed or an omission made for the purposes of research, study, analysis, inventory, appraisal, knowledge or monitoring.

“CHAPTER III

“MONETARY ADMINISTRATIVE PENALTIES

“21. The Minister develops and makes public a general framework for applying monetary administrative penalties in connection with penal proceedings, specifying the following elements, in particular:

(1) the purposes of the penalties, including to encourage a person to rapidly take the measures required to remedy the failure to comply and to deter its repetition;

(2) the categories of offices held by the persons designated to impose the penalties;

(3) the criteria that must guide the designated persons when a failure to comply has been ascertained, including the nature of the failure, whether it has been repeated, the benefits derived from it, the seriousness of the harm or potential harm resulting from it and the measures taken by the person to remedy the failure;

(4) the circumstances in which penal proceedings will be given priority; and

(5) the other procedures connected with such penalties, such as the fact that they must be preceded by notification of a notice of non-compliance.

“22. A monetary administrative penalty is imposed by a person designated in this regard by the Minister. The person designated must notify their decision by a notice of claim in accordance with section 63.

No accumulation of monetary administrative penalties may be imposed on the same person for failure to comply with the same provision if the failure occurs on the same day and is based on the same facts. In cases where more than one penalty would be applicable, the person imposing the penalty determines which penalty is most appropriate in light of the circumstances and the purposes of the penalties.

“23. A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on anyone who prevents any of the persons listed below from exercising powers conferred on them by this Act or the Acts concerned, impedes them or neglects to obey an order that such a person may give under this Act or the Acts concerned:

(1) an inspector, a penal investigator or any person responsible for lending assistance to or accompanying them;

(2) any person authorized by the Minister under the second paragraph of section 4 or designated by the Minister under the first paragraph of section 17; or

(3) any person authorized by the Minister to carry out work under a provision of this Act or the Acts concerned.

“24. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on anyone who fails or neglects to comply with a notice of execution under section 17.

“25. No decision to impose a monetary administrative penalty may be notified to a person for failure to comply with a provision of this Act or the Acts concerned if a statement of offence has already been served on the person for contravention of the same provision on the same day and based on the same facts.

“26. If failure to comply with this Act or the Acts concerned is ascertained, a notice of non-compliance may be notified to the person concerned urging that the necessary measures be taken immediately to remedy the failure. Such a notice must mention that the failure may, in particular, give rise to a monetary administrative penalty and penal proceedings.

“27. If a failure to comply for which a monetary administrative penalty may be imposed continues for more than one day, it constitutes a new failure for each day it continues.

In particular, continuing, day after day, to use a facility or infrastructure or to carry on an activity without holding the required authorization, without obtaining an amendment to an existing authorization or without having declared an activity under one of the Acts concerned constitutes, for anyone who does so, a new failure for each day this continues.

“28. The imposition of a monetary administrative penalty for failure to comply with this Act or the Acts concerned is prescribed by two years from the date on which the failure to comply was ascertained.

In the absence of evidence to the contrary, the date of the inspection or investigation report ascertaining the failure to comply constitutes conclusive proof of the date on which the failure to comply was ascertained.

“29. A person on whom a monetary administrative penalty is imposed may apply, in writing, to the Bureau de réexamen for review of the decision within 30 days of the notification of the notice of claim sent to the person.

“30. The Government or the Minister may, in a regulation made under this Act or the Acts concerned, specify that failure to comply with a provision of the regulation may give rise to a monetary administrative penalty. The regulation may set out the conditions for applying the penalty and determine the amounts or the methods for calculating them. The amounts may vary in particular according to the extent to which the standards have been violated.

Unless otherwise provided for in this Act or the Acts concerned, the amounts of the monetary administrative penalties prescribed by a regulation referred to in the first paragraph may not exceed the following maximum amounts:

- (1) \$2,000 in the case of a natural person; and
- (2) \$10,000 in any other case.

“CHAPTER IV**“REFUSAL, AMENDMENT, SUSPENSION, REVOCATION AND
CANCELLATION OF AUTHORIZATION**

“31. This Chapter applies in addition to any other similar power provided for this purpose by the Acts concerned.

It does not apply in the case of a finding of guilt with respect to a criminal offence if the person has obtained a pardon for the offence.

“32. The Government or the Minister may refuse to issue, amend or renew an authorization required under the Acts concerned, may amend, suspend, revoke or cancel such an authorization, in whole or in part, or may oppose its transfer if, where applicable, the applicant or authorization holder or, in the case of a legal person, one of its directors, officers or shareholders

(1) is the prête-nom of another person;

(2) has, in the last five years, been found guilty of an offence under a fiscal law, a criminal offence connected with activities covered by the authorization or an indictable offence under sections 467.11 to 467.13 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46);

(3) has filed a false declaration, document or information, or has distorted or has omitted to report a material fact to have the authorization issued, maintained, amended, renewed or transferred;

(4) has been found guilty of an offence under any Act that is administered by the Minister or any regulation made under those Acts

(a) in the last five years if the minimum amount of the fine to which the offender is liable for the offence was the amount provided for in section 45; or

(b) in the last two years in any other case;

(5) has failed to comply with a notice of execution sent under section 17, except in the case provided for in subparagraph 8 of this section;

(6) has failed to comply with an order made under any Act that is administered by the Minister;

(7) has failed to comply with an injunction made under any Act that is administered by the Minister;

(8) has defaulted on payment of an amount owed under any Act that is administered by the Minister or the regulations, including a fine, a monetary administrative penalty and, in cases where prior authorization should have been

obtained and payment of compensation and related fees made, financial compensation or the fees payable;

(9) has failed to comply with any provision of any Act that is administered by the Minister or the regulations and has not remedied the failures that were ascertained at the time of an inspection or investigation, within the time and according to the conditions set out for doing so; and

(10) is not dealing at arm's length, within the meaning of the Taxation Act (chapter I-3), with a person who carries on a similar activity but whose authorization has been suspended, revoked or cancelled or is the subject of an injunction or order to that effect, unless it is proven that the activity of the applicant or authorization holder does not constitute a continuation of the activity of that person.

Subparagraphs 7 and 8 of the first paragraph apply only upon expiry of the following time limits, as applicable:

(1) in the case of an amount owing, the time for applying for a review, if applicable;

(2) the time for contesting the decision before the competent court or tribunal; or

(3) the 30th day following the final decision of the court or tribunal confirming all or part of the decision.

“33. The Government or the Minister may refuse to issue, amend or renew an authorization required under the Acts concerned, may amend, suspend, revoke or cancel such an authorization, in whole or in part, or may oppose its transfer if, where applicable, the applicant or authorization holder or, in the case of a legal person, one of its directors, officers or shareholders has entered into a contract for a loan of money with a person to finance activities covered by the authorization and if this person or, in the case of a legal person, one of its directors, officers or shareholders has, in the last five years, been found guilty of an offence under a fiscal law, a criminal offence connected with activities covered by the authorization or an indictable offence under sections 467.11 to 467.13 of the Criminal Code.

For the purposes of the first paragraph, “loan of money” means a loan that is not granted by insurers governed by the Insurers Act (chapter A-32.1), financial services cooperatives governed by the Act respecting financial services cooperatives (chapter C-67.3), trust companies or savings companies governed by the Trust Companies and Savings Companies Act (chapter S-29.02) or banks listed in Schedule I or II of the Bank Act (Statutes of Canada, 1991, chapter 46), to the extent that those financial institutions are duly authorized to act in that capacity.

“34. The Government or the Minister may refuse to amend or renew an authorization required under the Acts concerned, may amend, suspend, revoke or cancel such an authorization, in whole or in part, or may oppose its transfer if, where applicable, the applicant or authorization holder or, in the case of a legal person, one of its directors, officers or shareholders is a director, officer or shareholder of a legal person who

(1) has been found guilty of an offence under any Act that is administered by the Minister or any regulation made under those Acts

(a) in the last five years if the minimum amount of the fine to which the offender is liable for the offence was the amount provided for in section 45; or

(b) in the last two years in any other case; or

(2) has been, in the last five years, found guilty of an offence under a fiscal law, a criminal offence related to activities covered by the authorization or an indictable offence under sections 467.11 to 467.13 of the Criminal Code.

“35. The Government or the Minister may, for a reason in the public interest, refuse to issue, amend or renew an authorization required under the Acts concerned, may amend, suspend, revoke or cancel such an authorization, in whole or in part, or may oppose its transfer if, where applicable, the applicant or authorization holder is named in the register of enterprises ineligible for public contracts kept under section 21.6 of the Act respecting contracting by public bodies (chapter C-65.1).

“36. The Government or the Minister may, for all or part of a project subject to an authorization under the Acts concerned, amend the authorization, refuse to amend or renew it, or suspend, revoke or cancel it in the following cases:

(1) if the authorization holder fails to comply with any of the authorization’s provisions or uses the authorization for purposes other than those specified in it;

(2) if the authorization holder fails to comply with a provision of the Act or the regulation under which the authorization was issued; or

(3) if the authorization holder fails to begin an activity within the time specified in the authorization or, if no time is specified, within two years after the authorization is issued.

“37. If, in light of new or additional information that becomes available after an authorization is issued or after existing information is reassessed on the basis of new or additional scientific knowledge, the Minister is of the opinion that an activity that the Minister authorized under an Act concerned could cause irreparable harm or damage to or have serious adverse effects on living species, human health or the environment, the Minister may limit or put a stop to the

activity or make it subject to any specific standard, condition, restriction or prohibition that the Minister deems necessary to remedy the situation, for the period the Minister determines or permanently.

The Minister may exercise the power provided for under the first paragraph with regard to an activity authorized by the Government under an Act concerned, if applicable. However, such a decision is valid for a period of not more than 30 days.

The Minister may also, for the same reasons and to the same extent as provided for in the first paragraph, limit or put a stop to any activity for which a declaration of compliance was filed or which may be carried out without prior authorization under the Environment Quality Act. The Minister may make such an activity subject to any specific standard or any condition, restriction or prohibition the Minister determines.

A decision made under this section entails no compensation from the State and prevails over any incompatible provision of an Act, by-law, regulation or order in council.

“38. For activities carried on in connection with a project it has authorized under an Act concerned, the Government may, on the Minister’s recommendation based on the reasons set out in the first paragraph of section 37, for the period it determines or permanently,

(1) modify the specific standards or conditions, restrictions or prohibitions governing the activity concerned;

(2) impose any new specific standard or condition, restriction or prohibition on the activity; or

(3) limit or put a stop to the activity.

A decision made under this section entails no compensation from the State and prevails over any incompatible provision of an Act, by-law, regulation or order in council.

“39. Before making a decision under sections 32 to 37, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the person concerned and allow the person at least 15 days to submit observations.

In addition, before recommending to the Government that it make a decision under those sections or section 38, the Minister must allow the applicant or authorization holder at least 15 days to submit written observations.

Despite the first and second paragraphs, the Government or the Minister may make a decision without notifying the prescribed prior notice if the decision is made in a situation where urgent action is required or so as to prevent serious

or irreparable harm or damage to human beings, ecosystems, other living species, the environment or property. However, a person to whom such a decision is notified may, within the time specified in the decision, submit observations to obtain a review of the decision.

“40. Any decision made under this Chapter must be notified to the person concerned. If the decision concerns a decision made by the Minister under sections 32 to 37, the notice of notification must state the person’s right to contest the decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

“41. Any decision made by the Minister under sections 32 to 37 may be contested by the person concerned before the Administrative Tribunal of Québec.

“CHAPTER V

“PENAL PROVISIONS

“42. Anyone who hinders the work of any of the persons listed below, impedes them, misleads them by an act, concealment, omissions or false declarations, refuses or neglects to obey an order that such a person may give under this Act or the Acts concerned or refuses or neglects to lend them assistance commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and to a fine of \$7,500 to \$1,500,000 in any other case:

(1) an inspector, a penal investigator or any person responsible for lending assistance to or accompanying them;

(2) any person authorized by the Minister under the second paragraph of section 4 or designated by the Minister under the first paragraph of section 17; or

(3) any person authorized by the Minister to carry out work under a provision of this Act or the Acts concerned.

“43. Anyone who fails or neglects to comply with a notice of execution sent under section 17 commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure, to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and, in any other case, to a fine of \$15,000 to \$3,000,000.

“44. Anyone who fails to comply with an order rendered by a judge under section 55 commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure, to a maximum term of imprisonment of three years, or to both the fine and imprisonment, and, in any other case, to a fine of \$30,000 to \$6,000,000.

“45. The Government or the Minister may determine the provisions of a regulation the Government or the Minister has made under this Act or the Acts concerned whose contravention constitutes an offence and renders the offender liable to a fine the minimum and maximum amounts of which are set by the Government or the Minister. The Government or the Minister may also provide that, despite article 231 of the Code of Penal Procedure, a contravention renders the offender liable to a term of imprisonment or to both the imprisonment and the fine.

The maximum penalties set under the first paragraph may, in particular, vary according to the importance of the standards to which the contravention relates, but may not exceed

(1) in the case of a natural person, \$1,000,000 or, despite article 231 of the Code of Penal Procedure, a maximum term of imprisonment of three years, or both; and

(2) in any other case, \$6,000,000.

“46. The fines prescribed by this Act and the Acts concerned are doubled for a second offence and tripled for a subsequent offence. The maximum term of imprisonment is five years less a day for a second or subsequent offence.

Furthermore, if an offender commits an offence under this Act or the Acts concerned after having previously been found guilty of any such offence and if, without regard to the amounts prescribed for a second or subsequent offence, the minimum fine to which the offender was liable for the first offence was equal to or greater than the minimum fine prescribed for the second offence, the minimum and maximum fines and, if applicable, the term of imprisonment prescribed for the second offence become, if the prosecutor so requests, those prescribed in the case of a second or subsequent offence.

“47. If an offence under this Act or the Acts concerned is committed by a director or officer of a legal person, partnership or association without legal personality, the minimum and maximum fines that would apply in the case of a natural person for this offence are doubled.

“48. If an offence under this Act or the Acts concerned continues for more than one day, it constitutes a separate offence for each day it continues.

In particular, anyone who continues, day after day, to use a facility or infrastructure or to carry on an activity without holding the required authorization, without obtaining an amendment to an existing authorization or without having declared an activity under one of the Acts concerned commits a separate offence for each day.

“49. Anyone who, by an act or omission, helps a person to commit an offence under this Act or the Acts concerned or induces a person, by encouragement, advice, consent, authorization or order to commit such an offence commits that offence and is liable to the same penalty as that prescribed for the offence they helped or induced the person to commit.

“50. In any penal proceedings related to an offence under this Act or the Acts concerned, proof that the offence was committed by an agent, mandatory or employee of any party is sufficient to establish that it was committed by that party, unless the party establishes that it exercised due diligence and took all necessary precautions to prevent the offence.

“51. If a legal person or agent, mandatory or employee of a legal person, partnership or association without legal personality commits an offence under this Act or the Acts concerned, the director or officer of the legal person, partnership or association is presumed to have committed the offence, unless it is established that they exercised due diligence and took all necessary precautions to prevent the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership, unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

“52. A professional within the meaning of the Professional Code (chapter C-26) who knowingly produces false or misleading information with regard to a document produced in accordance with a provision of any of the Acts concerned and for which the provision of the Act requires the signature of a professional is presumed to have personally produced a false or misleading document even if another person was under the obligation to produce the document.

If penal proceedings are brought against a professional under the first paragraph, the Minister must inform the syndic of the professional order concerned. The same applies for any offence committed by a professional under the Acts concerned with regard to a false or misleading signature or attestation.

“53. In determining the penalty, the judge takes into account aggravating factors such as

(1) the seriousness of the harm or damage, or of the risk of serious harm or damage, to human health, to the environment, including vegetation and wildlife, or to the safety of persons or property;

(2) the specific nature of the environment or place affected, in particular, whether the feature affected is unique, rare, significant or vulnerable;

(3) the fact that the offender acted intentionally, or was negligent or reckless;

- (4) the foreseeable character of the offence or the failure to follow recommendations or warnings to prevent it;
- (5) the cost to society of repairing the harm or damage;
- (6) the dangerous nature of the substances resulting in the offence;
- (7) the lasting or irreparable damage caused by the offence;
- (8) the offender's behaviour after committing the offence, in particular, whether the offender attempted to cover up the offence or omitted to take rapid measures to prevent or limit the damage or to remedy the situation;
- (9) the fact that the offender has previously failed to comply with legislation, regulations or by-laws aimed at conserving or protecting human health or the environment, including vegetation and wildlife;
- (10) the fact that, by committing the offence or omitting to take measures to prevent it, the offender
 - (a) increased their revenue;
 - (b) decreased their expenses;
 - (c) obtained any other benefit by committing the offence; or
 - (d) intended to obtain the benefits mentioned in subparagraphs *a*, *b* or *c*; and
- (11) the fact that the offender failed to take reasonable measures to prevent the commission of the offence or limit its effects despite the offender's financial ability to do so, given, in particular, the size of the offender's undertaking and the offender's assets, turnover and revenues.

A judge who, despite the presence of an aggravating factor, decides to impose the minimum fine must give reasons for the decision.

“54. On an application made by the prosecutor and submitted with the statement of offence, the judge may impose, in addition to any other penalty, a further fine on the offender not exceeding the financial benefit realized by the offender as a result of the offence, even if the maximum fine was imposed.

“55. In the judgment, the judge may order an offender who has been found guilty under this Act or one of the Acts concerned

- (1) to refrain from any action or activity that could lead to the continuation or repetition of the offence;
- (2) to carry out any action or activity to prevent the offence from being continued or repeated;

(3) to prepare any plan, submit it to the Minister for approval and abide by it once it is approved;

(4) to provide the Minister with any study, opinion or analysis that the situation requires or pay an amount of money to a person or body designated by the judge to provide such studies, opinions or analyses;

(5) to take the appropriate measures to remedy the failures that were ascertained;

(6) to take one or more of the following measures, with priority given to those determined by the judge as being best for attaining the objective of the Act that was violated:

(a) to restore things to the state they were in prior to the offending act;

(b) to restore things to a state approaching their original state;

(c) to repair or mitigate damage resulting from the commission of the offence;

(d) if the offence concerns carrying on an activity without having first obtained the authorization required under one of the Acts concerned, to pay the financial compensation that would have been required under the Act concerned for the issue of the authorization, in accordance with the calculation rules set out for that purpose;

(e) to perform community service in favour of the environment, living species, the safety of persons or property or the conservation of biodiversity, subject to the conditions determined by the judge;

(f) to pay compensation, in a lump sum or otherwise, for repair of damage resulting from the commission of the offence;

(g) to pay, as compensation for damage resulting from the commission of the offence, an amount of money to the Electrification and Climate Change Fund established under section 15.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) or to the Fund for the Protection of the Environment and the Waters in the Domain of the State established under section 15.4.38 of that Act;

(h) to pay, in the manner specified by the judge, an amount of money to an educational institution to create scholarships for anyone enrolled in a program of studies related to the environment; and

(i) to implement any other compensatory measure;

(7) to provide security or deposit an amount of money to guarantee performance of the offender's obligations;

(8) to make public, under the conditions determined by the judge, the conviction and the imposition of any prevention or repair measures; and

(9) to inform, at the offender's cost, any indirect victim of the facts related to the commission of the offence.

Moreover, if the Minister, in carrying out this Act or the Acts concerned, has taken measures in the offender's place and stead, the judge may order the offender to reimburse the Minister for the direct and indirect costs of such measures, including interest.

The judge may also, in the judgment, order the forfeiture of the property seized during an inspection or investigation. The rules set out in the Code of Penal Procedure apply to the property forfeited.

“56. The prosecutor must give the offender at least 10 days' prior notice of any application concerning subparagraphs 5 and 6 of the first paragraph of section 55, unless the parties are in the presence of a judge. The judge must, before issuing an order concerning those applications and on the request of the offender, grant the offender what the judge considers a reasonable period of time in which to present evidence with regard to the prosecutor's application.

“57. When someone refuses or neglects to do something ordered by the court, the Minister may cause the thing to be done at the expense of the offender and may recover the costs from the offender, with interest and other charges.

“58. When determining a fine higher than the minimum fine prescribed in this Act or the Acts concerned, or when determining the time within which an amount must be paid, the judge may take into account the offender's ability to pay, provided the offender provides proof of assets and liabilities.

“59. The prescription period for penal proceedings for offences under this Act or the Acts concerned is the longer of

(1) five years from the date the offence was committed; or

(2) two years from the date on which the inspection or penal investigation that led to the discovery of the offence began

(a) if false declarations were made to the Minister, an inspector, a penal or administrative investigator, a person responsible for lending assistance to or accompanying them or a person authorized by the Minister under the second paragraph of section 4 or the first paragraph of section 17; or

(b) in the other cases provided for by the Acts concerned.

In the cases referred to in subparagraph 2 of the first paragraph, the certificate of the Minister, the inspector or the investigator constitutes, in the absence of evidence to the contrary, conclusive proof of the date on which the inspection or investigation began.

“CHAPTER VI

“CLAIMS AND RECOVERY

“60. The Minister may claim payment from any person of an amount owed to the Minister under this Act or the Acts concerned by notification of a notice of claim.

If a notice of claim applies to more than one debtor, the debtors are solidarily liable.

“61. Despite section 60, the claim is made

(1) by the person designated by the Minister under section 17 if it concerns sending a notice of execution; or

(2) by the person designated by the Minister under section 22 if it concerns imposing a monetary administrative penalty.

“62. Unless otherwise provided, any amount owing bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002), from the 31st day after notification of the notice referred to in section 61.

The interest is capitalized monthly.

“63. The notice of claim must indicate

(1) the amount claimed;

(2) the reasons why the amount is owing; and

(3) the time from which it bears interest.

If the notice of claim concerns the imposition of a monetary administrative penalty or the payment of the financial compensation or the fees referred to in section 17, the notice must also mention the debtor’s right to obtain a review of the decision before the Bureau de réexamen and the time limit for applying for a review. In any other case, the notice must mention the debtor’s right to contest the claim before the Administrative Tribunal of Québec and the time limit for doing so.

The notice also includes information on the procedure for payment and recovery of the amount claimed. The debtor is also informed that failure to pay the amount owing could result in the refusal to issue an authorization required under one of the Acts concerned or the amendment, suspension, revocation or cancellation of any such authorization and, if applicable, that the facts on which the claim is founded could result in a notice of execution, in an order or in civil or penal proceedings.

“64. Notification of a notice of claim interrupts the prescription provided for in the Civil Code for the recovery of an amount owing.

“65. Any notice of claim, other than a notice of claim notified under section 17 or 22, may, within 30 days of notification of the notice, be contested by the debtor concerned before the Administrative Tribunal of Québec.

“66. The directors and officers of a legal person that has defaulted on payment of an amount owed are solidarily liable, with the legal person, for payment of the amount, unless they establish that they exercised due care and diligence to prevent the failure which led to the claim.

In the case of a partnership or an association without legal personality, all partners, except the special partners of a limited partnership, are presumed to be directors of the partnership or association, unless there is evidence to the contrary that one or more of them, or a third person, has been appointed to manage the affairs of the partnership or association.

“67. The reimbursement of an amount owing is secured by a legal hypothec on the debtor’s movable and immovable property.

“68. The Minister and the debtor of an amount owing may enter into an agreement with regard to its payment.

The agreement or the payment, in whole or in part, of the amount owing does not constitute, for the purposes of any monetary administrative penalty or penal proceedings, an acknowledgement of the facts giving rise to it.

“69. The Minister may, if the debtor fails to pay the amount owing in its entirety or to adhere to the conditions of an agreement entered into under section 68, issue a recovery certificate upon, as applicable,

(1) expiry of the time prescribed for applying for a review, before the Bureau de réexamen, of a decision referred to in this Act or the Acts concerned;

(2) expiry of the time prescribed for contesting, before the Administrative Tribunal of Québec, a decision of the Bureau de réexamen or a notice of claim other than a notice of claim notified in accordance with section 17 or 22 referred to in this Act or the Acts concerned; or

(3) expiry of 30 days after the decision of the Administrative Tribunal of Québec confirming a decision of the Bureau de réexamen or a notice of claim other than a notice of claim notified in accordance with section 17 or 22 referred to in this Act or the Acts concerned.

However, a recovery certificate may be issued before expiry of the time referred to in the first paragraph if the Minister is of the opinion that the debtor is attempting to evade payment.

The recovery certificate states the debtor's name and address and the amount of the debt.

“70. When the Minister of Revenue allocates, after a recovery certificate has been issued and in accordance with section 31 of the Tax Administration Act (chapter A-6.002), a refund owed to a person by reason of the application of a fiscal law to the payment of an amount owed by that person under this Act or an Act concerned, the allocation interrupts the prescription provided for in the Civil Code as regards the recovery of that amount.

“71. Upon the filing of a copy of the final decision stating the amount of the debtor's debt and the certificate of the Minister at the office of the competent court, the decision becomes enforceable, as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

“72. The debtor is required to pay recovery charges incurred by the Minister in the cases and under the conditions determined by a regulation of the Minister.

“73. The Minister may, by agreement, delegate to another department or to a public body all or some of the powers relating to the recovery of an amount owing under this Act or the Acts concerned.

“CHAPTER VII

“ACCOUNTABILITY

“74. The Minister keeps a register of the following information related to the notices of execution sent under this Act:

(1) the notice of execution sent under the second paragraph of section 17, including the date on which it takes effect;

(2) the date and nature of the failure for which the notice was sent and the legislative and regulatory provisions under which the measures were imposed;

(3) the name of the municipality in whose territory the failure occurred;

(4) if the notice concerns a legal person, its name and the address of its head office or the address of one of its establishments or the business establishment of one of its agents;

(5) if the notice concerns a partnership or association without legal personality, the name and address of the partnership or association;

(6) if the notice concerns a natural person, the person's name, the name of the municipality in whose territory the person resides and, if the failure occurred during the course of business of the person's enterprise, the enterprise's name and address;

(7) if applicable, the date of receipt of an application for review and the date and conclusions of the Bureau de réexamen's decision;

(8) if applicable, the date a proceeding was brought before the Administrative Tribunal of Québec and the date and conclusions of the Tribunal's decision, as soon as the Minister is made aware of the information;

(9) if applicable, the date any proceeding was brought against the Administrative Tribunal of Québec's decision, the nature of the proceeding and the date and conclusions of the decision rendered by the court concerned, as soon as the Minister is made aware of the information; and

(10) any other information the Minister considers of public interest.

“75. The Minister keeps a register of the following information related to the monetary administrative penalties imposed under this Act or the Acts concerned:

(1) the date the penalty was imposed;

(2) the date and nature of the failure for which the penalty was imposed and the legislative and regulatory provisions under which it was imposed;

(3) the name of the municipality in whose territory the failure occurred;

(4) if the penalty concerns a legal person, the legal person's name and the address of its head office or one of its establishments or the business establishment of one of its agents;

(5) if the penalty concerns a partnership or association without legal personality, the name and address of the partnership or association;

(6) if the penalty concerns a natural person, the person's name, the name of the municipality in whose territory the person resides and, if the failure occurred during the course of business of the person's enterprise, the name and address of the enterprise;

(7) the amount of the penalty imposed;

(8) if applicable, the date of receipt of an application for review and the date and conclusions of the decision of the Bureau de réexamen;

(9) if applicable, the date a proceeding was brought before the Administrative Tribunal of Québec and the date and conclusions of the Tribunal's decision, as soon as the Minister is made aware of the information;

(10) if applicable, the date any proceeding was brought against the Administrative Tribunal of Québec's decision, the nature of the proceeding and the date and conclusions of the decision rendered by the court concerned, as soon as the Minister is made aware of the information; and

(11) any other information the Minister considers of public interest.

“76. The Minister keeps a register of the following information related to findings of guilt for offences under this Act or the Acts concerned:

(1) the date of conviction;

(2) the nature of the offence and the legislative or regulatory provisions under which the offender was convicted;

(3) the date of the offence and the name of the municipality in whose territory it was committed;

(4) if the offender is a legal person, its name and the address of its head office or one of its establishments or the business establishment of one of its agents;

(5) if the offence concerns a partnership or association without legal personality, the name and address of the partnership or association;

(6) if the offence concerns a natural person, the person's name, the name of the municipality in whose territory the person resides and, if the offence was committed during the course of business of the person's enterprise, the name and address of the enterprise;

(7) if the offence concerns an officer or director of a legal person, partnership or association without legal personality, the officer's or director's name, the name of the municipality in whose territory the officer or director resides and, as applicable, the name and the address of the head office of the legal person or one of its establishments or the business establishment of one of its agents, or the name and address of the partnership or association;

(8) the penalty imposed by the judge;

(9) if applicable, the date a proceeding was brought against the decision rendered, the nature of the proceeding and the date and conclusions of the decision rendered by the competent court, as soon as the Minister is made aware of the information; and

(10) any other information the Minister considers of public interest.

“77. Subject to the right-of-access restrictions provided for in sections 28, 28.1 and 29 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the documents and information contained in the registers established under sections 74 to 76 are public, except information concerning the location of threatened or vulnerable species.

The Minister must publish such documents and information on the Minister’s department’s website with due dispatch.

“CHAPTER VIII

“REMEDIES

“DIVISION I

“BUREAU DE RÉEXAMEN

“78. A review board known as the “Bureau de réexamen” is established as an administrative unit within the Ministère du Développement durable, de l’Environnement et des Parcs.

The Minister designates the persons who are part of the unit, who must belong to a unit that is separate from the unit to which the persons whose decisions are subject to review belong.

“79. The Bureau de réexamen is responsible for processing applications for review under this Act, that is, those relating to the notices of execution referred to in section 17 and to the monetary administrative penalties imposed under this Act or the Acts concerned.

“80. After giving the applicant an opportunity to submit observations and, if applicable, produce documents to complete the applicant’s record, the Bureau de réexamen renders a decision on the basis of the record, unless it considers it necessary to proceed in some other manner. The Bureau de réexamen may confirm, quash or amend the decision under review.

“81. Applications for review must be processed promptly.

In the case of an application concerning payment of an amount owing, if the review decision is not rendered within 30 days of receipt of the application or, if applicable, of the time granted to the applicant to submit observations or documents, the interest provided for in section 62 on the amount owing ceases to accrue until the decision is rendered.

“82. The review decision must be written in clear, concise terms, and must include reasons. It must be notified to the applicant, who must be informed of the applicant’s right to contest the decision before the Administrative Tribunal of Québec and of the time limit for doing so.

The review decision is published on the website of the Ministère du Développement durable, de l'Environnement et des Parcs.

“83. A decision is executory despite its review, unless it concerns an amount owing. In such a case, subject to the second paragraph of section 81, even if the decision is not executory, interest nevertheless accrues from the date provided for in section 62.

“84. A Bureau de réexamen decision may be contested by the person concerned before the Administrative Tribunal of Québec within 30 days of the decision's notification.

“DIVISION II

“ADMINISTRATIVE TRIBUNAL OF QUÉBEC

“85. A proceeding before the Administrative Tribunal of Québec under this Act must be brought within 30 days of notification of the contested decision.

“86. When rendering a decision concerning a notice of claim, the Administrative Tribunal of Québec may rule on the interest accrued between the date the contestation was brought and the date of the Tribunal's decision.

“87. A proceeding brought before the Administrative Tribunal of Québec does not suspend the execution of a decision, unless, on a motion heard and judged on an urgent basis, a member of the Tribunal orders otherwise because of the urgency of the situation or because of the risk of serious and irreparable harm.

If the Tribunal issues such an order, the proceeding is heard and judged on an urgent basis.

Despite the first paragraph, a proceeding to contest a decision relating to an amount owing suspends execution of the decision. In such a case, even if the decision is not executory, interest nevertheless accrues.

“88. Any person may intervene before the Administrative Tribunal of Québec with respect to proceedings brought under this Act.

“CHAPTER IX

“REGULATORY POWER

“89. The Minister may, by regulation, set the rate applicable to the costs related to an inspection or investigation conducted under this Act or the Acts concerned, including the cost of sampling, measurement, testing, analysis or excavation.

“90. The Minister may, by regulation, set the fees payable by any person the Minister specifies that are intended to cover the costs incurred for control and monitoring measures under this Act or the Acts concerned, in particular costs related to inspecting facilities and examining information or documents provided to the Minister.

The fees set under the first paragraph are based, in particular, on the nature of the activities, their location and the characteristics of the facilities. They are also set on the basis of the costs incurred to process documents, including costs incurred to examine them.

The fees may vary according to the nature, scope and cost of the project, the class of the source of contamination, the characteristics of the enterprise or establishment, in particular its size, and the complexity of the technical and environmental aspects of the record.

Under such a regulation, a person who has set up an environmental management system or a system to ensure the safety of persons and property that meets a recognized Québec, Canadian or international standard may be exempted from paying all or part of the fees referred to in the first paragraph, on the conditions determined in the regulation.

“CHAPTER X

“MISCELLANEOUS PROVISIONS

“91. In any civil or penal proceeding instituted under this Act or the Acts concerned, the cost of any inspection or investigation, including the cost of any sampling, measurement, test, analysis or excavation, is included in the cost of the proceedings.

Expenses incurred by the Minister to determine the nature of the work required to restore things to their original state or, if applicable, to implement compensatory measures must also be included in the cost of proceedings.

“92. In any civil or penal proceeding instituted under this Act or the Acts concerned and in any proceeding brought before the Administrative Tribunal of Québec, a certificate of the analysis of a contaminant or other substance signed by a person having made the analysis at the request of the Minister is admissible in lieu of the person’s affidavit as regards the facts declared in it if the person attests on the certificate that they personally recorded the facts. The certificate is proof, in the absence of any evidence to the contrary, of the capacity of the person who signed it.

“CHAPTER XI**“TRANSITIONAL AND FINAL PROVISIONS**

“93. The general framework for applying monetary administrative penalties under section 21 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02), section 69.5 of the Natural Heritage Conservation Act (chapter C-61.01) and section 115.13 of the Environment Quality Act (chapter Q-2) remains applicable until it is replaced, with the necessary modifications, for the purposes of section 21 of this Act.

“94. The certificates issued to the persons referred to in section 16 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02), in sections 66, 66.3 and 66.4 of the Natural Heritage Conservation Act (chapter C-61.01), in section 28 of the Act respecting threatened or vulnerable species (chapter E-12.01), in sections 79 and 98 of the Pesticides Act (chapter P-9.3), in sections 119, 119.1, 120, 120.1 and 121.2 of the Environment Quality Act and in section 32 of the Dam Safety Act (chapter S-3.1.01) to attest to their capacity are deemed to have been issued under this Act.

“95. Any inspection, penal investigation or administrative investigation pending on 12 May 2022 initiated under the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions, the Natural Heritage Conservation Act, the Act respecting threatened or vulnerable species, the Pesticides Act, the Environment Quality Act or the Dam Safety Act is continued in accordance with the provisions of this Act.

“96. Any claim or recovery pending on 12 May 2022 initiated under the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions, the Natural Heritage Conservation Act, the Act respecting threatened or vulnerable species, the Pesticides Act, the Environment Quality Act or the Dam Safety Act is continued in accordance with the provisions of this Act.

“97. The Regulation respecting the rate to determine the costs of sampling, analysis, inspection or investigation included in the costs of civil or penal proceedings instituted for the purposes of the Environment Quality Act (chapter Q-2, r. 47) is deemed to have been made under section 89 of this Act.

The Regulation respecting the fees payable with respect to the traceability of excavated contaminated soils (chapter Q-2, r. 28.01) is deemed to have been made under section 90 of this Act.

“98. The Minister of Sustainable Development, Environment and Parks is responsible for the administration of this Act.”

CHAPTER II**AMENDING PROVISIONS****ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT**

2. Section 120 of the Act respecting land use planning and development (chapter A-19.1) is amended, in the second paragraph,

(1) by inserting “or a declaration of compliance under section 2.4 of the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37)” after “Title I of that Act”;

(2) by replacing “the attestation of an expert referred to in section 31.65 of that Act” by “a report signed by a professional within the meaning of section 31.42 of that Act”;

(3) by replacing “provisions of the rehabilitation plan” by “provisions of the rehabilitation plan or the declaration of compliance”.

3. Section 121 of the Act is amended, in the second paragraph,

(1) by inserting “or a declaration of compliance under section 2.4 of the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37)” after “Title I of that Act”;

(2) by replacing “the attestation of an expert referred to in section 31.65 of that Act” by “a report signed by a professional within the meaning of section 31.42 of that Act”;

(3) by replacing “provisions of the rehabilitation plan” by “provisions of the rehabilitation plan or the declaration of compliance”.

**ACT TO INCREASE THE NUMBER OF ZERO-EMISSION MOTOR
VEHICLES IN QUÉBEC IN ORDER TO REDUCE GREENHOUSE GAS
AND OTHER POLLUTANT EMISSIONS**

4. Section 9 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02) is amended by replacing the second paragraph by the following paragraph:

“The Minister may, by regulation,

(1) limit the number of credits referred to in the first paragraph that may be used by a motor vehicle manufacturer during a later period for the purpose of establishing the number of credits it has accumulated;

(2) determine a conversion factor applicable to the credits referred to in the first paragraph for their use by a motor vehicle manufacturer during a later period for the purpose of establishing the number of credits it has accumulated; and

(3) limit the number of consecutive periods later than the period in which the credits referred to in the first paragraph were accumulated and at the end of which those credits may be used by a motor vehicle manufacturer for the purpose of establishing the number of credits it has accumulated.”

5. The Act is amended by replacing Chapter IV by the following chapter:

“CHAPTER IV

“INSPECTION AND INVESTIGATION

“16. The provisions of Chapter II of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the inspections and investigations conducted and to the notices of execution that are notified for the purposes of this Act or the regulations.”

6. The Act is amended by inserting the following section before section 19:

“18.1. A monetary administrative penalty of \$5,000 may be imposed on a motor vehicle manufacturer that provides inaccurate information or an incomplete document for the purposes of this Act and the regulations.”

7. Section 19 of the Act is amended by replacing “\$1,000” by “\$1,500”.

8. Sections 20 to 29 of the Act are replaced by the following section:

“20. The provisions of Chapter III of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the imposition of a monetary administrative penalty on a motor vehicle manufacturer that fails to comply with a provision of this Act or the regulations.”

9. Section 31 of the Act is repealed.

10. Sections 33 to 46 of the Act are replaced by the following sections:

“33. Anyone who fails to provide information or documents required under this Act or necessary for its application, or fails to file them in the prescribed time, commits an offence and is liable to a fine of \$2,000 to \$100,000 in the case of a natural person and of \$6,000 to \$600,000 in any other case.

“34. Anyone who provides false or misleading information for the application of this Act and the regulations commits an offence and is liable to a fine of \$5,000 to \$500,000 in the case of a natural person and of \$15,000 to \$3,000,000 in any other case.

“35. The provisions of Chapter V of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to this chapter and to the penal provisions provided by regulation.”

11. Sections 47 to 58 of the Act are replaced by the following section:

“47. The provisions of Chapter VI of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to claims made by the Minister for the recovery of amounts owed to the Minister under this Act or the regulations.”

12. Section 62 of the Act is amended by striking out the second paragraph.

13. Section 62.1 of the Act is repealed.

**ACT TO AFFIRM THE COLLECTIVE NATURE OF WATER
RESOURCES AND TO PROMOTE BETTER GOVERNANCE OF WATER
AND ASSOCIATED ENVIRONMENTS**

14. Section 14 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2) is amended

(1) by replacing subparagraphs *a* and *b* of subparagraph 3 of the first paragraph by the following subparagraphs:

“(a) for the creation of a watershed body whose mandate is to coordinate concerted, integrated water resource management of each watershed in its integrated management zone. To do so, it

i. coordinates a consultation process, ensuring balanced representation of users and stakeholders from the sectors concerned;

ii. coordinates the development and subsequent updating of a water master plan;

iii. mobilizes users of the water and the territory to take action to foster the consistency and implementation of the water master plan, in particular by promoting it; and

iv. coordinates the water master plan follow-up and assessment processes; or

“(b) for the designation, in exceptional circumstances, of a body that is representative of the users and stakeholders in various sectors and responsible for carrying out the mandate normally conferred on a watershed body provided for in subparagraph a;”;

(2) by replacing “its mission” in the second paragraph by “its mandate”.

MUNICIPAL POWERS ACT

15. The Municipal Powers Act (chapter C-47.1) is amended by inserting the following section after section 91.1:

“91.2. A local municipality may grant assistance for the carrying out of work to maintain, upgrade or rehabilitate a dam. The local municipality may also, with the consent of the dam owner, carry out such work itself.

The value of assistance granted under the first paragraph may not exceed the actual cost of the work.

If the dam owner cannot be found, the municipality may, not earlier than the 30th day following the publication of a public notice announcing its intention to do so, carry out the work referred to in the first paragraph.

Where an owner refuses to consent to the carrying out of work on the owner’s dam despite a serious risk to the safety of persons or property, the Superior Court may, on application by the municipality, authorize the latter to carry out the work required to mitigate the risk. The application is heard and decided on an urgent basis.”

NATURAL HERITAGE CONSERVATION ACT

16. Section 22.2 of the Natural Heritage Conservation Act (chapter C-61.01) is repealed.

17. Section 52 of the Act is amended by replacing the first paragraph by the following paragraph:

“Despite section 51, inspectors, investigators, wildlife protection officers and any persons required to assist them or carry on activities as part of an inspection or investigation may be in an ecological reserve and carry on the activities necessary to their functions there.”

18. Section 66 of the Act is replaced by the following section:

“66. The provisions of Chapter II of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the inspections and investigations conducted and to the notices of execution that are notified for the purposes of this Act or the regulations.”

19. Sections 66.1 to 69 and 69.5 to 69.14 of the Act are repealed.

20. Section 69.17 of the Act is replaced by the following section:

“69.17. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on any person who

(1) carries on an activity or does something without first obtaining an authorization required under this Act or the regulations; or

(2) provides erroneous information or an incomplete document for the purposes of this Act and the regulations.”

21. Sections 69.19 to 69.21 of the Act are replaced by the following section:

“69.19. The provisions of Chapter III of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the imposition of a monetary administrative penalty on a person who fails to comply with a provision of this Act or the regulations.”

22. Section 71 of the Act is replaced by the following section:

“71. Whoever fails to comply with a condition of an authorization issued by the Minister under this Act or the regulations commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and to a fine of \$7,500 to \$1,500,000 in any other case.”

23. Section 72 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) provides false or misleading information for the purposes of this Act and the regulations.”

24. Sections 74 to 87 of the Act are replaced by the following section:

“74. The provisions of Chapter V of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to this chapter and to the penal provisions provided by regulation.”

25. Sections 88 to 97 of the Act are replaced by the following section:

“88. The provisions of Chapter VI of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to claims made by the Minister for the recovery of amounts owed to the Minister under this Act or the regulations.”

ACT RESPECTING THREATENED OR VULNERABLE SPECIES

26. The heading of Division V of the Act respecting threatened or vulnerable species (chapter E-12.01) is amended by replacing “, SEIZURE, CONFISCATION AND ARREST” by “AND INVESTIGATION”.

27. Section 25 of the Act is amended by striking out the last paragraph.

28. The Act is amended by inserting the following sections after section 25:

“**25.1.** The Minister may claim the direct and indirect costs of issuing an order from any person to whom the order applies.

If the order is contested before the Superior Court, the claim is suspended until the Court confirms all or part of the order.

“**25.2.** In the event of non-compliance with an order, the Minister may have it enforced at the expense of the offender.

The costs and interest arising from having the order so enforced constitute a prior claim on any private immovable concerned in the same manner and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code.

Articles 2654.1 and 2655 of the Civil Code apply, with the necessary modifications, to such a claim.”

29. Sections 27 to 38.1 of the Act are replaced by the following sections:

“**27.** The provisions of Chapter II of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the inspections and investigations conducted and to the notices of execution that are notified for the purposes of this Act or the regulations.

“**28.** Despite article 130 of the Code of Penal Procedure (chapter C-25.1) and section 6 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1), where the thing seized is perishable or likely to depreciate rapidly, the inspector or penal investigator may dispose of it in the manner prescribed by government regulation.

If the inspector or penal investigator has disposed of such a thing and it subsequently appears that there is no cause for confiscation, the inspector or penal investigator shall, at the request of the person entitled thereto, pay to that person the indemnity provided by government regulation, as replacement for the property.”

30. The Act is amended by inserting the following division after section 39:

“DIVISION VI.1

“MONETARY ADMINISTRATIVE PENALTIES

“39.1. A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed on any person who, in contravention of a provision of this Act, fails to transmit any information or document required under this Act or the regulations or to transmit the information or document within the prescribed time.

“39.2. A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on any person who, in contravention of a provision of this Act, fails to comply with any condition of an authorization issued by the Minister under this Act or the regulations.

“39.3. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on any person who

(1) carries on an activity or does something without having obtained an authorization required under this Act or the regulations; or

(2) provides erroneous information or an incomplete document for the purposes of this Act and the regulations.

“39.4. A monetary administrative penalty of \$2,000 in the case of a natural person and \$10,000 in any other case may be imposed on any person who

(1) carries on an activity prohibited under this Act; or

(2) fails to comply with an order made by the Minister under this Act.

“39.5. The provisions of Chapter III of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the imposition of a monetary administrative penalty on a person who fails to comply with a provision of this Act or the regulations.”

31. Sections 40 to 47 of the Act are replaced by the following sections:

“40. Anyone who refuses or neglects to transmit information or a document required under this Act or the regulations or fails to transmit the information or document within the prescribed time commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person and \$3,000 to \$600,000 in any other case.

“41. Anyone who fails to comply with any condition of an authorization issued by the Minister under this Act or the regulations commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and \$7,500 to \$1,500,000 in any other case.

“42. Anyone who

(1) carries on an activity or does something without obtaining an authorization required under this Act or the regulations, or

(2) provides false or misleading information for the purposes of this Act and the regulations,

commits an offence and is liable to a fine of \$5,000 to \$500,000 in the case of a natural person and \$15,000 to \$3,000,000 in any other case.

“43. Anyone who

(1) carries on an activity prohibited under this Act, or

(2) fails to comply with an order made under this Act, or in any way prevents or hinders its enforcement,

commits an offence and is liable to a fine of \$10,000 to \$1,000,000 in the case of a natural person and \$30,000 to \$6,000,000 in any other case.

“44. The provisions of Chapter V of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to this division and the penal provisions provided by regulation.

“45. The owner of private land on which a habitat of a threatened or vulnerable plant species is situated cannot be found guilty of an offence under section 17 or for violation of a standard or condition of management prescribed by regulation committed in that habitat unless that owner had prior notification of the existence of the habitat.

The Minister of Sustainable Development, Environment and Parks may request the registration, in the land register, of a reference to the existence of a habitat of a threatened or vulnerable plant species on the land. The Minister’s request is made by means of a notice filed at the registry office; such notice shall be in lieu of a notice of the existence of a habitat of a threatened or vulnerable plant species on that land in respect of any person who becomes the owner thereof after the registration.

“46. In the cases prescribed by the Government, by regulation, in which a habitat of a threatened or vulnerable plant species must be indicated, a person cannot be found guilty of an offence under section 17 or for violation of a standard or condition of management prescribed by regulation committed in that habitat unless the habitat has already been indicated in the manner prescribed by regulation or unless the person had prior notification of the existence of the habitat.”

32. Section 49 of the Act is amended by replacing “section 40 or 43” by “sections 40 to 43”.

33. The Act is amended by inserting the following division after section 49:

“DIVISION VII.1

“RECOVERY

“49.1. The provisions of Chapter VI of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to claims made by the Minister for the recovery of amounts owed to the Minister under this Act or the regulations.”

PETROLEUM RESOURCES ACT

34. Section 113 of the Petroleum Resources Act (chapter H-4.2) is amended by replacing “a certificate of an expert whose name appears on the list drawn up under section 31.65 of the Environment Quality Act (chapter Q-2) stating that the work referred to in Division IV.2.1 of Chapter I” by “a report signed by a professional within the meaning of section 31.42 of the Environment Quality Act (chapter Q-2) stating that the work referred to in Division IV of Chapter IV of Title I”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

35. Schedule III to the Act respecting administrative justice (chapter J-3) is amended

(1) by replacing “, 65, 69.20 and 89” and “, 118.12 or 118.13” in paragraph 3 by “or 65” and “or 118.12”, respectively;

(2) by replacing “against decisions of the Minister under sections 12, 14, 17, 23 and 25” in paragraph 4 by “under sections 2.3, 14, 34.2 and 35.4”;

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

“(8) proceedings under sections 41, 65 and 84 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1).”

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

36. The Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by inserting the following section after section 9:

“9.1. The Minister may delegate the exercise of the powers conferred on him by this Act or by another Act under the Minister's administration to the Deputy Minister, a member of the personnel of the department or the holder of a position within his department.

The Minister may, in writing, authorize the subdelegation of specified powers.”

37. Sections 13 to 14 of the Act are replaced by the following sections:

“13. The Minister has authority over the lands included in the waters in the domain of the State which, under any Act, order in council, title of ownership, order or notice, are not under the responsibility of another minister or a public body, in particular over those lands referred to in section 2 of the Watercourses Act (chapter R-13) and over those acquired by the Streams Commission, abolished in 1955. The Minister holds the rights and powers inherent in the right of ownership in respect of those lands.

The Minister holds the same rights and powers in respect of other lands in the domain of State over which he has authority under any Act, order in council, title of ownership, order or notice, excluding the power to alienate the lands.

In all cases, the Minister exercises his rights and powers in a manner consistent with the use of the lands concerned.

“13.1. The Minister shall be responsible for the management of water as a natural resource.

“13.2. With respect to dams, the Minister shall

(1) see to the application of rules relating to dam safety; and

(2) exercise the rights and powers inherent in the right of ownership in respect of the dams of the State, which, under any Act, order in council, title of ownership, order or notice, are not under the responsibility of another Minister or public body.

“13.3. In addition to the powers mentioned in section 12, the Minister may, for the performance of the functions referred to in sections 13 to 13.2, conduct studies concerning the dangers of flooding, soil erosion and landslides. The Minister may also prepare and implement programs to prevent or lessen the damage caused by those phenomena.”

38. Section 15.4.40 of the Act is amended, in the first paragraph,

(1) by replacing subparagraphs 6 to 17 by the following subparagraphs:

“(6) damages, including punitive damages, paid following a civil suit instituted on behalf of the Minister, in particular compensation obtained as a result of an action brought under the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2);

“(7) the sums collected for the management and conservation of the natural heritage under the Natural Heritage Conservation Act (chapter C-61.01);

“(8) the sums collected under the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) and the regulations made under that Act;

“(9) the sums collected under the Pesticides Act (chapter P-9.3), in particular those collected as regulatory fees, duties or charges under a regulation made under that Act;

“(10) the sums collected under the Environment Quality Act (chapter Q-2) or the regulations, in particular those collected as regulatory fees, duties or charges, to the extent that they are not required to be paid into the Electrification and Climate Change Fund;

“(11) the sums collected in connection with a concession of rights in the domain of the State and under the Minister’s authority, in particular those collected under the Watercourses Act (chapter R-13);

“(12) the sums collected under the Dam Safety Act (chapter S-3.1.01), in particular those collected as regulatory fees, duties or charges under a regulation made under that Act;

“(13) the revenue generated by the management, operation and use of public dams by third persons;

“(14) unless otherwise provided by this Act or by a regulation of the Government or a regulation of the Minister, the monetary administrative penalties imposed under an Act or regulation under the Minister’s administration;

“(15) unless otherwise provided by this Act or by a regulation of the Government or a regulation of the Minister, the fines paid by offenders for an offence against a provision of an Act or regulation under the Minister’s administration;

“(16) the costs or other sums collected by the Minister to compensate his expenditures or the costs incurred for the measures the Minister is authorized to take within the scope of his functions to protect or restore the environment;”;

(2) by replacing “government regulation” in paragraph 19 by “a regulation of the Government or a regulation of the Minister”.

39. Section 15.4.41 of the Act is replaced by the following section:

“15.4.41. The sums with regard to fees, duties or charges relating to the use, management or purification of water, in particular the sums from the charges referred to in the Regulation respecting the charges payable for the use of water (chapter Q-2, r. 42.1), as well as the sums with regard to compensation obtained as a result of an action brought under the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2) are allocated to the financing of any measures related to water governance or measures to protect and develop water resources.”

40. Section 15.4.41.1 of the Act is amended by replacing “referred to in subparagraph 6 of the first paragraph of section 15.4.40” in the first paragraph by “collected as compensation for adverse effects on wetlands and bodies of water under the Environment Quality Act (chapter Q-2)”.

41. Section 15.4.41.2 of the Act is amended by replacing “referred to in subparagraph 11.1 of the first paragraph of section 15.4.40” by “derived from charges prescribed by the Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43)”.

42. Section 15.4.41.3 of the Act is repealed.

43. The Act is amended by inserting the following sections after section 15.4.41.3:

“15.4.41.4. The sums collected with regard to contaminated soil under the Environment Quality Act (chapter Q-2) and the regulations made under that Act, in particular those collected as regulatory fees, duties or charges, are allocated to the financing of any measure related to the management of such soil.

“15.4.41.5. The sums collected under the Pesticides Act (chapter P-9.3) are allocated to the financing of programs fostering a decrease in and the rationalization of the use of pesticides.”

MINING ACT

44. Section 69 of the Mining Act (chapter M-13.1) is replaced by the following sections:

“69. The claim holder must obtain the authorization of the Minister before performing any impact-causing exploration work determined by regulation. The Minister issues the authorization provided the claim holder

(1) has paid the fees prescribed by regulation;

(2) has furnished the guarantee referred to in section 232.4 of this Act, where applicable; and

(3) has met the other conditions prescribed by regulation.

The claim holder provides to the Minister, at the Minister's request, any document or information relating to impact-causing exploration work covered by the application for authorization.

“69.1. The Minister may, where considered necessary by the Minister, impose conditions and requirements on the holder of the authorization mentioned in the first paragraph of section 69 that may, in particular and despite the provisions of this Act, concern work to be performed on the parcel of land subject to the claim.

“69.2. The authorization provided for in the first paragraph of section 69 is valid for a term of two years.

The Minister shall renew the authorization for a term of 12 months on the conditions and on payment of the fees prescribed by regulation. However, if mining activities are permanently discontinued, the authorization cannot be renewed.”

45. Section 291 of the Act, amended by section 67 of chapter 35 of the statutes of 2021, is again amended by inserting “69, 69.2,” after “63,”.

46. Section 306 of the Act, amended by section 70 of chapter 35 of the statutes of 2021, is again amended by replacing paragraph 8.3 by the following paragraphs:

“(8.3) determine, for the purposes of section 69, what constitutes impact-causing exploration work;

“(8.4) set, for the purposes of sections 69 and 69.2, the conditions for the issue and renewal of the authorization for impact-causing exploration work and the fees payable;”.

47. Section 316 of the Act is amended by inserting “69,” after “sections”.

PESTICIDES ACT

48. Section 1 of the Pesticides Act (chapter P-9.3) is amended

(1) by replacing “for external use on” by “for”;

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

“A pesticide includes any pest control product registered under the Pest Control Products Act (Statutes of Canada, 2020, chapter 28) as well as any seed coated with such a product.”

49. Section 2 of the Act is amended by replacing “does not apply” by “also applies”.

50. Section 4 of the Act is amended

(1) by inserting “or waste consisting in whole or in part of pesticides or contaminated by pesticides” at the end of the first paragraph;

(2) by striking out “emission, deposit, issuance or” in the second paragraph.

51. Section 9 of the Act is amended by inserting the following paragraph after paragraph 3:

“(3.1) prescribe and recognize the examinations and training necessary for the issue or renewal of a permit or certificate;”.

52. Section 10 of the Act is amended

(1) by inserting “manufacture, acquisition outside Québec, possession,” after “sale” in the first paragraph;

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

“It also applies to the management of waste consisting in whole or in part of pesticides or contaminated by pesticides.”

53. The Act is amended by inserting the following sections after section 19:

“19.1. The Minister may claim the direct and indirect costs of issuing an order from any person to whom the order applies.

If the order is contested before the Superior Court, the claim is suspended until the Court confirms all or part of the order.

“19.2. In the event of non-compliance with an order, the Minister may have it enforced at the expense of the offender.

The costs and interest arising from having the order so enforced constitute a prior claim on any private immovable concerned in the same manner and with the same rank as the claims described in paragraph 5 of article 2651 of the Civil Code.

Articles 2654.1 and 2655 of the Civil Code apply, with the necessary modifications, to such a claim.”

54. Sections 28 and 29 of the Act are replaced by the following section:

“28. This chapter applies to all activities relating to the manufacture and sale of pesticides and to the performance of work involving the use of pesticides. It also applies to the acquisition of pesticides outside Québec for sale in Québec or for the performance of work in Québec involving the use of those pesticides.

This chapter applies to both sales for resale and sales for use. However, it does not apply to the sale, for the purpose of use, of topical medication intended for animals.”

55. Section 32 of the Act is amended by striking out “and, for the purpose of the second paragraph of section 34, classes of household pesticides” in the first paragraph.

56. Section 34 of the Act is amended

(1) in the first paragraph,

(a) by adding the following subparagraph before subparagraph 1:

“(0.1) every person who manufactures pesticides;”;

(b) by inserting the following subparagraph after subparagraph 1:

“(1.1) every person who acquires pesticides outside Québec for sale in Québec or for the performance of work in Québec involving the use of those pesticides;”;

(c) by striking out “, for others and in return for remuneration,” in subparagraph 2;

(d) by striking out subparagraph 3;

(2) by striking out the second paragraph.

57. Section 38 of the Act is amended

(1) in the first paragraph,

(a) by inserting “government” before “regulation” in subparagraph 4;

(b) by replacing “regulation or” in subparagraph 5 by “government regulation or, in the cases prescribed by such a regulation,”;

(c) by inserting “government” before “regulation” in subparagraphs 6 to 8;

(2) by replacing “cancelled” in the third paragraph by “revoked”.

58. Section 40 of the Act is amended by inserting “in the manner and form prescribed by government regulation” after “writing” in the second paragraph.

59. Section 42 of the Act is amended by replacing “cancelled” by “revoked”.

60. Section 45 of the Act is amended by replacing “regulation or” by “government regulation or, in the cases prescribed by such a regulation,”.

61. Section 46 of the Act is amended

(1) by inserting “government” before “regulation” in the first paragraph;

(2) by replacing “fixed” in the second paragraph by “that he fixes”.

62. Section 48 of the Act is amended

(1) by inserting “, within the time and in the manner and form prescribed by government regulation,” after “shall” in the first paragraph;

(2) by inserting “no later than 30 days after the cessation, in the manner and form prescribed by government regulation” at the end of the second paragraph;

(3) by inserting “, within the time and in the manner and form prescribed by government regulation,” after “shall” in the third paragraph.

63. Section 49 of the Act is amended, in the first paragraph,

(1) by replacing “in subparagraph 1 or 2 of” by “in”;

(2) by replacing “in full view in each of his establishments” by “in the manner and form prescribed by government regulation”.

64. Section 50 of the Act is replaced by the following section:

“50. Every natural person who performs an activity referred to in a government regulation is required to hold a certificate issued by the Minister.”

65. Section 51 of the Act is amended by inserting “in accordance with a government regulation,” after “who,”.

66. Section 54 of the Act is amended

(1) in the first paragraph,

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

“(1) who has successfully completed the examination prescribed or recognized by the Minister for the issuance of the certificate applied for or who has obtained a certificate outside Québec and has established to the Minister’s satisfaction that he has the required competence to obtain the certificate;

“(1.1) in the cases prescribed by government regulation, who has successfully completed the training prescribed or recognized by the Minister for the issuance of the certificate applied for;”;

(b) by inserting “government” before “regulation” in subparagraphs 4 and 5;

(2) by replacing “cancelled” in the second paragraph by “revoked”.

67. Section 55 of the Act is amended, in the first paragraph,

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

“(1) has successfully completed

(a) the examination prescribed or recognized by the Minister for the renewal of the certificate applied for;

(b) the training prescribed or recognized by the Minister for the renewal of the certificate applied for; or

(c) the examination or training required by the Minister under paragraph 4 of section 61;”;

(2) by inserting “government” before “regulation” in subparagraph 2.

68. Section 57 of the Act is amended by replacing “cancelled” by “revoked”.

69. Section 60 of the Act is amended by inserting “, within the time and according to the conditions prescribed by government regulation,” after “certificate holder shall”.

70. Section 61 of the Act is amended by replacing “to submit to the examination referred to in subparagraph 1 of section 54” in the introductory clause by “to successfully complete an examination referred to in subparagraph 1 of section 54 or training referred to in subparagraph 1.1 of that section”.

71. Section 63 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) that the work has been or very likely will be performed by a person who is not a permit holder, by a natural person who is not the holder of a certificate prescribed by government regulation or by a natural person who, in contravention of a government regulation, does not act under the supervision of such a holder on the premises where work is performed;”.

72. The heading of Division V of the Act is amended by replacing “AND CANCELLATION” by “, CANCELLATION AND REVOCATION”.

73. Section 66 of the Act is amended

(1) by replacing “or cancel” in the portion before paragraph 1 by “, cancel or revoke”;

(2) by inserting “or to take the training” after “examination” in paragraph 3.

74. Section 68 of the Act is amended, in the second paragraph,

(1) by replacing “extend, renew or revise” in subparagraph 1 by “renew, revise or revoke”;

(2) by replacing “or cancels” in subparagraph 4 by “, revises, extends, cancels or revokes”;

(3) by replacing “submit to an examination” in subparagraph 6 by “take or successfully complete an examination or training”.

75. Sections 79 to 97 of the Act are replaced by the following section:

“**79.** The provisions of Chapter II of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the inspections and investigations conducted and to the notices of execution that are notified for the purposes of this Act or the regulations.”

76. Chapter VII of the Act, comprising sections 98 to 100, is repealed.

77. Section 105 of the Act is amended

(1) by replacing “storage, transportation, sale” by “sale, manufacture, acquisition outside Québec, possession, storage, transportation”;

(2) by inserting “as well as to the management of any waste consisting in whole or in part of pesticides or contaminated by pesticides” at the end.

78. Section 109 of the Act is amended

(1) by replacing “or renewal” in paragraph 4 by “, renewal, revision or revocation”;

(2) by inserting the following paragraphs after paragraph 11.1:

“(11.2) determine the activities that require the supervision of a certificate holder and the applicable conditions;

“(11.3) establish measures providing for the use of economic instruments, including fees or charges related to the distribution, sale, manufacture, acquisition outside Québec, possession, storage, transportation or use of pesticides and of any pesticide container, pesticide waste or equipment used for any such activities;

“(11.4) establish any rule that is necessary for or relevant to carrying out measures referred to in paragraph 11.3 and that pertains, in particular, to the determination of persons required to pay the fees or charges referred to in that paragraph, the conditions applicable to their collection and the interest and penalties payable if they are not paid;

“(11.5) determine the information that is public information and, if applicable, the terms and conditions relating to its distribution;”;

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

“Any regulatory provision made under this Act that concerns the active ingredients contained in pesticides must be evaluated every two years to take into account the evolution of scientific and technological knowledge applicable to it.”

79. The Act is amended by inserting the following chapter after section 109:**“CHAPTER VIII.1****“MONETARY ADMINISTRATIVE PENALTIES**

“109.1. A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed on anyone who fails

(1) to transmit to the Minister, within the time and on the conditions fixed, all or part of the information recorded in the registers prescribed under the first paragraph of section 46 concerning the nature, origin, properties, quantities and destination of the pesticides received, sold or used by the permit holder, in contravention of the second paragraph of that section;

(2) to keep up to date the registers referred to in the first paragraph of section 46;

(3) to keep the registers and other documents prescribed by regulation for the period indicated therein in accordance with section 47;

(4) to notify the Minister of the cessation of his activities, in contravention of the second paragraph of section 48, for the period indicated therein, and in the manner and form prescribed by regulation;

(5) to post his permit or a duplicate thereof in accordance with the first paragraph of section 49;

(6) to have his temporary permit or, as the case may be, a duplicate thereof issued by the Minister in his possession or to produce his permit to an inspector upon request, in contravention of the second paragraph of section 49; and

(7) to have, when carrying on his activities in Québec, his certificate in his possession or to produce it to an inspector upon request, in contravention of section 62.

“109.2. A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on anyone who fails

(1) to inform the Minister of any change which makes the information furnished for the issue or renewal of his permit inaccurate or incomplete, in accordance with the first paragraph of section 48, within the time and in the manner and form prescribed by regulation;

(2) to inform the Minister of any amalgamation, sale or transfer and of any change in the person’s name, in accordance with the third paragraph of section 48, within the time and in the manner and form prescribed by regulation; and

(3) to inform the Minister of any change that makes the information furnished for the issue or renewal of his certificate inaccurate or incomplete, in accordance with section 60.

“109.3. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed on anyone who

(1) manufactures pesticides without holding a permit issued by the Minister, in contravention of subparagraph 0.1 of section 34;

(2) sells pesticides or offers them for sale without holding a permit issued by the Minister, in contravention of subparagraph 1 of section 34;

(3) acquires pesticides outside Québec for sale in Québec or for the performance of work involving the use of those pesticides without holding a permit issued by the Minister, in contravention of subparagraph 1.1 of section 34;

(4) performs or offers to perform work involving the use of pesticides without holding a permit issued by the Minister, in contravention of subparagraph 2 of section 34;

(5) transfers a permit without the Minister's authorization, in contravention of section 43;

(6) fails to cause the activities authorized by his permit and requiring a certificate for their performance to be carried out by a natural person holding the certificate or by a natural person who, on the premises where the activities are carried out, acts under the supervision of the holder of such a certificate, in accordance with section 45; or

(7) performs an activity referred to by government regulation without holding a certificate issued by the Minister, in contravention of section 50.

The penalty provided for in the first paragraph may also be imposed on any person who

(1) provides erroneous information or a document that is incomplete for the purposes of this Act and the regulations; or

(2) allows or authorizes the entry of any erroneous information or incomplete document in any register, statement or other document required under this Act or the regulations.

“109.4. A monetary administrative penalty of \$2,000 in the case of a natural person and \$10,000 in any other case may be imposed on anyone who

(1) fails to comply with an order issued by the Minister under the first paragraph of section 13 or 14, or fails to comply with such an order within the time fixed;

(2) reopens or allows access to a place that is subject to an order without an order of the Minister issued to that effect, in contravention of the second paragraph of section 14; or

(3) fails to comply with an order issued by the Minister under section 15 or the first paragraph of section 17.

“109.5. The provisions of Chapter III of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the imposition of a monetary administrative penalty on a person who fails to comply with a provision of this Act or the regulations.”

80. Sections 110 to 122 of the Act are replaced by the following:

“110. Anyone who contravenes section 46 or 47, the second paragraph of section 48, or section 49 or 62 commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person and \$3,000 to \$600,000 in any other case.

“111. Anyone who contravenes the first or third paragraph of section 48 or section 60 commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and \$7,500 to \$1,500,000 in any other case.

“112. Anyone who

(1) contravenes subparagraph 0.1, 1, 1.1 or 2 of section 34, or section 45 or 50,

(2) transfers a permit without the Minister’s authorization, in contravention of section 43,

(3) provides information that is false or misleading for the purposes of this Act and the regulations, or

(4) allows or authorizes the entry of false or misleading information in any register, statement or other document required under this Act or the regulations,

commits an offence and is liable, in the case of a natural person, to a fine of \$5,000 to \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and, in any other case, to a fine of \$15,000 to \$3,000,000.

“113. Anyone who fails to comply with an order imposed on him under this Act, or in any way prevents or hinders its enforcement, commits an offence and is liable, in the case of a natural person, to a fine of \$10,000 to \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of three years, or to both the fine and imprisonment, and, in any other case, to a fine of \$30,000 to \$6,000,000.

“114. The provisions of Chapter V of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to this chapter and the penal provisions provided by regulation.

“CHAPTER IX.1**“CLAIMS AND RECOVERY**

“115. The provisions of Chapter VI of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to claims made by the Minister for the recovery of amounts owed to the Minister under this Act or the regulations.”

81. Section 127 of the Act is repealed.

82. Section 129 of the Act is amended, in the first paragraph,

(1) by inserting “the issue, revision, renewal or revocation of” after “applications for” in subparagraph 1;

(2) by inserting the following subparagraphs after subparagraph 2:

“(2.1) all contracts pronounced null by a court under section 65 for work involving the use of pesticides;

“(2.2) all decisions regarding a refusal to issue, revise, renew or revoke a permit or certificate, or regarding a suspension, revision, extension, cancellation or revocation of a permit or certificate, and all prior notices of such decisions;”;

(3) by adding the following subparagraph at the end:

“(6) all other information and documents prescribed by the Pesticides Management Code (chapter P-9.3, r. 1).”

83. The Act is amended by inserting “in the manner and form prescribed by government regulation” after “Minister” and by inserting “the” after “prescribed by” in the following provisions:

(1) the first paragraph of section 37;

(2) section 53.

84. The Act is amended by inserting “government” before “regulation” in the following provisions:

(1) subparagraphs 1 and 2 of the first paragraph of section 39;

(2) the first paragraph of section 41;

(3) sections 44 and 47;

(4) the first paragraph of section 56;

(5) section 59;

- (6) the first paragraph of section 125.

TREE PROTECTION ACT

85. Section 1 of the Tree Protection Act (chapter P-37) is amended

(1) by inserting “or could come in contact” and “electrical” after “come in contact” and “with”, respectively, in the second paragraph;

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

“Before felling any tree, sapling or shrub for precautionary reasons, a person must, by any appropriate means under the circumstances, notify the owner or occupant of the premises at least 24 hours prior to the felling. Any notice left in the absence of the owner must be left in a conspicuous place visible to the owner or occupant.”

ENVIRONMENT QUALITY ACT

86. The preliminary provision of the Environment Quality Act (chapter Q-2) is amended by inserting “, in particular by favouring the use of energy with a small carbon footprint,” after “greenhouse gases” in the second paragraph.

87. Section 1 of the Act is amended by replacing the definition of “person” in the first paragraph by the following definition:

““person”: a natural person, legal person, trust, partnership, cooperative or any other group of persons;”.

88. Section 21 of the Act is replaced by the following section:

“21. Anyone responsible for the accidental release into the environment of a contaminant referred to in section 20 or a hazardous material must, without delay, notify the Minister.

That person must also, without delay,

- (1) stop the release;

(2) in the case of a release of a contaminant, recover, clean or treat in situ the matter contaminated by the release or, if that cannot be done, remove the contaminated matter from the area affected by the release and ship it to an authorized site; and

(3) in the case of a release of a hazardous material, deal with the matter contaminated by the release in accordance with sections 70.5.1 to 70.5.5.

The Government may, by regulation, prescribe the cases in which a person other than the person responsible must comply with the obligations specified in the second paragraph, on the terms and conditions it determines.”

89. Section 30 of the Act is replaced by the following section:

“30. The holder of an authorization must obtain from the Minister an amendment to the authorization before making any change in the holder’s project if the change could result in the following impacts on the authorized activities:

(1) the possibility of a release into the environment of a contaminant not covered by the initial authorization or an increase in a previously authorized release, whether the release or increase is actual or potential;

(2) an increase in the production of property or services beyond the authorized quantity;

(3) an authorization under section 22 becoming required for an activity for which no authorization was required at the time the initial project was presented;

(4) the possibility of an alteration in the quality of the environment; or

(5) an incompatibility with the authorization issued, in particular with one of its conditions, restrictions or prohibitions.

Such an amendment is also required in the following cases:

(1) the holder intends to carry out a new activity for which an authorization is required under section 22;

(2) the change concerns a residual materials elimination facility or a hazardous materials management activity; or

(3) any other case determined by government regulation.

The amendment application must include the information and documents determined by government regulation.

The Minister may modify any condition, restriction or prohibition prescribed for an activity previously authorized in the context of the project, or impose further conditions, restrictions or prohibitions if this is necessary to take into account the impact of the change being sought and to protect the environment.

Before making a unilateral decision under the second paragraph, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the person concerned and grant the latter at least 15 days to submit observations.”

90. Section 31.0.2 of the Act is amended

- (1) by striking out “or municipality” in the first paragraph;
- (2) by replacing “115.5 to 115.7” in the third paragraph by “32 to 34 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1)”.

91. The Act is amended by inserting the following section after section 31.0.10:

“31.0.10.1. The declarant of an activity that is eligible for a declaration of compliance must, at the Minister’s request, provide to the Minister all the information and documents necessary for the assessment of whether a contaminant release complies with the standards prescribed by government regulation and with the conditions, restrictions or prohibitions determined in a regulation made under section 31.0.6 that apply to the activity.”

92. Section 31.4 of the Act is amended

- (1) by inserting “within the time and on the conditions fixed by the Minister,” after “time,”;

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

“If the project proponent fails to comply with the Minister’s requests within the time and on the conditions fixed by the Minister, the Minister may send an unfavourable recommendation to the Government.”

93. Section 31.5 of the Act is amended

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

“The Minister shall send his recommendation to the Government after analyzing the project, at the end of the environmental assessment. However, the Minister may send it before the end of the environmental assessment if the project proponent has failed to comply with the Minister’s requests under section 31.4.”;

- (2) by replacing the third paragraph by the following paragraph:

“The Government or any committee of ministers to which the Minister authorized by the Government to act in its stead belongs may issue an authorization for a project, with or without amendment and subject to the conditions, restrictions and prohibitions it determines, or it may refuse to issue an authorization. The Government or committee may also decide that the procedure shall continue despite an unfavourable recommendation from the Minister before the end of the procedure.”

94. The Act is amended by inserting the following section after section 31.5:

“31.5.1. Before sending an unfavourable recommendation under the first paragraph of section 31.5, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the project proponent and grant the latter at least 15 days to submit observations.”

95. Section 31.7 of the Act is amended by replacing the first and second paragraphs by the following paragraphs:

“The holder of an authorization must obtain from the Government an amendment of the authorization before making a change to the project that could have, on the work, structures, works or any other activities of the authorized project, the following impacts:

- (1) the possibility of a release into the environment of a contaminant not covered by the initial authorization or an increase in a previously authorized release, whether the release or increase is actual or potential;
- (2) the possibility of an alteration in the quality of the environment; or
- (3) an incompatibility with the authorization issued, in particular with one of its conditions, restrictions or prohibitions.

The first paragraph does not apply to changes subject to the environmental impact assessment and review procedure under section 31.1. In such a case, the holder of the authorization must follow the procedure provided for in this subdivision and obtain a new authorization from the Government.

The holder of an authorization must furnish all the information required to assess the impacts of the proposed changes on the environment. The holder must also study any matter raised more thoroughly and undertake research as requested for that purpose.”

96. Section 31.42 of the Act is replaced by the following section:

“31.42. For the purposes of this division,

- (1) a land characterization study required by a provision of this division must be signed by a professional;
- (2) a professional is a professional as defined in section 1 of the Professional Code (chapter C-26); the following are also considered to be professionals:
 - (a) any person authorized by a professional order to practise an activity reserved for members of the order;
 - (b) a person certified in the field of land characterization and rehabilitation by a certification organization accredited by the Standards Council of Canada under ISO Standard 17024; and

- (c) any other person determined by government regulation;
- (3) land includes the groundwater and surface water present; and
- (4) any study, plan, report or other document sent to the Minister under this division must be sent electronically in the format required by the Minister.”

97. Section 31.48 of the Act is replaced by the following section:

“31.48. Not later than 90 days after the completion of work or works made necessary by the implementation of a rehabilitation plan approved by the Minister, the person required to carry out the work or works shall send a report signed by a professional to the Minister. The purposes of such a report are

- (1) to confirm that the work has been carried out in accordance with the approved rehabilitation plan and that it has made it possible to stay within the regulatory limit values provided for in the plan; and
- (2) to confirm that the land characterization following the rehabilitation has been carried out in compliance with the guide prepared by the Minister under section 31.66.”

98. Section 31.53 of the Act is amended

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

“Any person intending to change the use of land where an industrial or commercial activity of a category designated by government regulation has been carried on is required to first send a characterization study of the land to the Minister and to the owner of the land unless such a study has previously been sent and is still current.”;

- (2) by striking out the second paragraph.

99. Section 31.58 of the Act is amended

- (1) by striking out “or municipality” in the first paragraph;
- (2) by replacing “, certified by an expert referred to in section 31.65,” in subparagraph 3 of the second paragraph by “signed by a professional”.

100. Section 31.65 of the Act is repealed.

101. Section 31.67 of the Act is replaced by the following section:

“31.67. Every land characterization study and every summary of such a study performed under this division must be performed in accordance with the guide prepared by the Minister under the first paragraph of section 31.66 and the conditions, if any, fixed by the Minister pursuant to section 31.49.”

102. Section 31.68.1 of the Act is amended

(1) by replacing “an expert referred to in section 31.65, who must attest that the rehabilitation will be carried out” in the second paragraph by “a professional, who must attest that the rehabilitation measures will be carried out”;

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

“In addition, not later than 90 days after the completion of the rehabilitation measures referred to in the first paragraph, the declarant must send a report signed by a professional to the Minister. The purposes of such a report are

(1) to confirm that the rehabilitation measures have been carried out in compliance with the conditions, restrictions and prohibitions prescribed by the government regulation; and

(2) to confirm that the land characterization following the rehabilitation has been carried out in compliance with the guide prepared by the Minister under section 31.66.”

103. The Act is amended by inserting the following section after section 51:

“**51.1.** No one may own, use, permit the use of, offer for sale or lease, exhibit for sale or lease, or sell or lease a device for tampering with a motor vehicle pollution control system.”

104. Section 53 of the Act is amended

(1) by inserting “, their offer for sale or lease, their exhibition for sale or lease and their sale or lease” after “use” in paragraph *a*;

(2) by replacing “the use of certain classes of motor vehicles or engines” in paragraph *b* by “the use, offer for sale or lease, exhibition for sale or lease and sale or lease of motor vehicles, engines or devices”;

(3) by replacing “or engines” in paragraph *c* by “, engines and devices”.

105. Section 53.23 of the Act is replaced by the following sections:

“**53.23.** The management plan may be amended at any time by the council of the regional municipality.

“**53.23.1.** The management plan must be revised by the council of the regional municipality every seven years. The revision period begins on the date of the fifth anniversary of the coming into force of the management plan or on any earlier date if the council adopts a resolution to that effect.

“**53.23.2.** Sections 53.7 to 53.21 apply, with the necessary modifications, to the amendment and revision of the management plan.”

106. The Act is amended by inserting the following section after section 53.31.0.2:

“53.31.0.3. The council of a local municipality may, by by-law, despite any applicable regulations and by-laws and on the conditions it imposes, authorize the granting of permits for the use of land or the construction, alteration or occupation of buildings so that facilities required to ensure the return of returnable containers may be established or maintained.”

107. Section 70.5.1 of the Act is amended by adding the following paragraph at the end:

“In addition, the person responsible for the hazardous material released into the environment must write down the nature and quantity of the contaminated matter that was recovered and, if applicable, the contact information of the recipient of the removed matter. The person must keep the information for a minimum period of five years and furnish it to the Minister on request.”

108. Section 95.1 of the Act is amended, in the first paragraph,

(1) by replacing subparagraph 13 by the following subparagraphs:

“(13) to determine the terms governing authorization, approval, accreditation or certification applications and any application to amend, renew, maintain, suspend, revoke or cancel those applications and the conditions applicable to such applications;

“(13.1) to determine the terms governing the sending of a notice of transfer required under this Act and the applicable conditions;”;

(2) by striking out subparagraphs 17 and 19;

(3) in subparagraph 20,

(a) by inserting “, reports, documents and information” after “records”;

(b) by replacing “the period for which they must be preserved” by “the conditions governing their preservation, in particular the period”;

(4) by replacing “their form and content and the conditions governing their preservation and sending” in subparagraph 21 by “the terms and conditions governing their sending”;

(5) by inserting the following subparagraph after subparagraph 21:

“(21.1) to determine the information and documents that are public and, if applicable, the terms and conditions relating to their dissemination;”;

(6) by inserting the following subparagraph after subparagraph 25:

“(25.1) to prescribe the terms according to which and the format in which the data, samples and analyses must be collected, compiled and sent to the Minister and the terms according to which and the format in which the calculations, verifications and any other monitoring measure must be done and sent to the Minister;”;

(7) by striking out “municipality”, “municipalities”, “or municipality” and “or municipalities” wherever they appear.

109. Section 95.4 of the Act is repealed.

110. Section 114 of the Act is amended

(1) in the first paragraph,

(a) by striking out the first occurrence of “or municipality” in the introductory clause;

(b) by replacing the second occurrence of “or municipality” in the introductory clause by “and any owner, lessee or person in charge of a site concerned by the contravention”;

(c) by inserting the following subparagraph after subparagraph 4:

“(4.1) characterize and rehabilitate a land;”;

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

“Any person who, as owner or lessee or in any other capacity, has custody of land in respect of which an order has been issued must give free access to the land at any reasonable time to any person accessing it or carrying out work on it, subject, however, to that person restoring the site to its former state and compensating the owner or custodian of the land, as the case may be, for any damage sustained.

The person subject to the order must also apply for the registration of a notice of land use restriction in the land register in the following cases:

(1) the order provides for land use restrictions; and

(2) a restoration plan sent in compliance with a measure ordered under the first paragraph provides for land use restrictions.

Section 31.47 applies to the fifth paragraph, with the necessary modifications.”

III. The Act is amended by inserting the following section after section 114.1:

“114.2. The Minister may, in an order issued in respect of a person who has carried on an activity without first obtaining an authorization, approval, certificate, attestation, accreditation or certification required under this Act, require the payment of any compensation referred to in section 46.0.5 and any fees determined under section 95.3 that would have been payable but for that contravention.”

II2. Section 115.2 of the Act is amended

(1) by striking out the second sentence in the first paragraph;

(2) by striking out “or municipality” in the second paragraph.

II3. Section 115.4.5 of the Act is amended by inserting “, the protection of the health, safety, welfare and comfort of human beings as well as the protection of other living species and property” after “environmental quality”.

II4. Division II of Chapter VI of Title I of the Act, comprising sections 115.5 to 115.12, is repealed.

II5. Sections 115.13 to 115.22 of the Act are repealed.

II6. Section 115.23 of the Act is amended

(1) in the first paragraph,

(a) by striking out “or municipality” in the introductory clause;

(b) by inserting the following subparagraph after subparagraph 2:

“(2.1) to write down information or keep a document;”;

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

“The penalty provided for in the first paragraph may also be imposed on any person who fails to make a characterization study available to the Minister, in accordance with the third paragraph of section 31.59 or the third paragraph of section 70.5.5.”

II7. Section 115.24 of the Act is amended

(1) by replacing “or municipality that” in the introductory clause of the first paragraph by “who”;

(2) in the second paragraph,

(a) by replacing “or municipality that” in the introductory clause by “who”;

(b) by replacing “an expert’s certificate under” in subparagraph 4 by “a report signed by a professional in accordance with”;

(c) by inserting “or the fourth paragraph of section 114” at the end of subparagraph 5;

(d) by replacing subparagraph 7 by the following subparagraph:

“(7) fails to keep in good working order and to use in an optimal manner an apparatus or equipment to abate the release of contaminants into the environment, in accordance with section 123.5.”

118. Section 115.25 of the Act is amended

(1) in the first paragraph,

(a) by replacing “or municipality that” in the introductory clause by “who”;

(b) by inserting “or hazardous material” after “contaminant” in subparagraph 1;

(c) by replacing “under” in subparagraph 1 by “under the first paragraph of”;

(d) by replacing “31.0.5.1, 31.1” in subparagraph 2 by “31.1, 31.51, 31.51.1, 31.54”;

(e) by replacing “referred to in section 30 or 31.7 with regard to an activity authorized by the Government or the Minister” in subparagraph 3 by “to the person’s project having one of the impacts provided for in section 30 or 31.7 on the authorized activities”;

(f) by replacing “section 31.0.12, 31.6, 31.7.1” in subparagraph 4 by “the second paragraph of section 31.0.5 or 31.0.12, sections 31.6 or 31.7.1”;

(g) by replacing subparagraph 6 by the following subparagraphs:

“(6) fails to carry out or to transmit to the Minister a characterization study, in contravention of this Act;

“(6.1) fails to submit a land rehabilitation plan for the Minister’s approval or to submit the documents that must accompany such a plan, in contravention of this Act;”;

(h) by inserting the following subparagraph after subparagraph 9.1:

“(9.2) carries on an activity prohibited by section 51.1;”;

(i) by adding the following subparagraph at the end:

“(11) furnishes erroneous information or incomplete documents for the application of this Act or the regulations.”;

(2) in the second paragraph,

(a) by replacing “or municipality that” by “who”;

(b) by replacing “section 31.0.5,” by “the first paragraph of section 31.0.5 or section”.

119. Section 115.26 of the Act is amended, in the first paragraph,

(1) by replacing “or municipality that” in the introductory clause by “who”;

(2) by replacing subparagraph 3 by the following subparagraphs:

“(3) is responsible for the accidental release of a hazardous material or a contaminant into the environment and fails to stop the release as required under subparagraph 1 of the second paragraph of section 21;

“(3.1) is responsible for the accidental release of a contaminant into the environment and fails to recover, clean or treat in situ the matter contaminated by the release, or to remove the contaminated matter from the area affected by the release and ship it to an authorized site, as required under subparagraph 2 of the second paragraph of section 21;”;

(3) by inserting “and remove all contaminated matter that is not cleaned or treated in situ” after “recover them” in subparagraph *a* of subparagraph 9.

120. Section 115.27 of the Act is replaced by the following sections:

“115.27. The provisions of Chapter III of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the imposition of a monetary administrative penalty on a person who fails to comply with a provision of this Act or the regulations.

“115.27.1. Despite section 30 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1), the amounts of the monetary administrative penalties prescribed by a regulation made under paragraph 2 of section 46.15 may exceed the maximum amounts prescribed in section 30.”

121. Section 115.29 of the Act is amended

(1) by inserting “, 123.4” after “70.7” in paragraph 1;

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

“(2) fails to write down information or to keep a document;”.

122. Section 115.30 of the Act is amended

(1) in paragraph 1,

(a) by inserting “, the fourth paragraph of section 114” after “70.5.4”;

(b) by inserting “or 123.5” after “123.1”;

(2) by striking out paragraph 6.

123. Section 115.31 of the Act is amended

(1) in the first paragraph,

(a) by replacing “the first paragraph of section 30, section 31.0.5.1,” in subparagraph 1 by “the first and second paragraphs of section 30, the second paragraph of section 31.0.5, section”;

(b) by replacing “55” in subparagraph 1 by “51.1”;

(c) by replacing “into the environment, as required under” in subparagraph 2 by “or a hazardous material into the environment, as required under the first paragraph of”;

(d) by replacing “section 31.0.5,” in subparagraph 4 by “the first paragraph of section 31.0.5, or section”;

(e) by replacing subparagraph 6 by the following subparagraph:

“(6) furnishes false or misleading information for the application of this Act and the regulations;”;

(f) by striking out subparagraph 8;

(2) by striking out the second paragraph.

124. Section 115.32 of the Act is amended

(1) by replacing “, 65.3, 70.5.1,” in paragraph 1 by “or 65.3, the first paragraph of section 70.5.1 or section”;

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

“(2) is responsible for an accidental release of a contaminant or hazardous material and fails to stop the release, as required under subparagraph 1 of the second paragraph of section 21,

“(2.1) is responsible for an accidental release of a contaminant and fails to recover, clean or treat in situ the matter contaminated by the release or fails to remove the contaminated matter from the area affected by the release and ship it to an authorized site, as required under subparagraph 2 of the second paragraph of section 21,”.

125. Sections 115.34 to 115.46 of the Act are replaced by the following section:

“115.34. The provisions of Chapter V of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to this division and to the penal provisions provided by regulation.

However, with respect to the prescription period provided for in paragraph 2 of section 59 of that Act, they also apply to

(1) offences referred to in section 20 of this Act;

(2) offences referred to in subparagraphs 2 and 3 of the second paragraph of section 21 of this Act or any other offence related to a hazardous material referred to in Division VII.1 of Chapter IV of Title I of that Act;

(3) offences related to the transmission of a characterization study referred to in sections 31.51 and 31.53 of this Act; and

(4) offences referred to in section 66 of this Act.”

126. Sections 115.48 to 115.57 of the Act are replaced by the following section:

“115.48. The provisions of Chapter VI of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to claims made by the Minister for the recovery of amounts owed to the Minister under this Act or the regulations.”

127. Sections 118.5.1 and 118.5.2 of the Act are repealed.

128. Section 118.5.3 of the Act is amended by replacing “to 118.5.2” in the first paragraph by “and 118.5.0.1”.

129. The Act is amended by inserting the following section after section 118.6:

“118.6.1. The Government may, by regulation, in the cases and on the conditions it determines, prescribe the conditions of operation applicable to the accredited or certified persons.”

130. Section 118.9 of the Act is amended

(1) by striking out “the declaration required by the Minister under section 115.8 as well as” in the third paragraph;

(2) by replacing “115.5 to 115.7” in the fourth paragraph by “32 to 34 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1)”.

131. Section 118.12 of the Act is amended

(1) by striking out “municipality or” in the first paragraph;

(2) by replacing subparagraph 5 of the second paragraph by the following subparagraph:

“(5) refuses to approve a rehabilitation plan submitted under Division IV of Chapter IV of Title I, approves the plan with amendments or refuses an amendment, requested under section 31.60, to such a plan;”;

(3) by striking out subparagraph 10 of the second paragraph.

132. Section 118.13 of the Act is repealed.**133.** Section 118.14 of the Act is replaced by the following section:

“118.14. The Minister must, on making a decision under section 118.12, notify the decision to the person concerned and inform them of their right to contest the decision before the Administrative Tribunal of Québec.”

134. Section 118.16 of the Act is amended by striking out the third paragraph.**135.** Sections 119 to 121.4 of the Act are replaced by the following sections:

“119. The provisions of Chapter II of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the inspections and investigations that are conducted and to the notices of execution that are notified for the purposes of this Act or the regulations.

“120. If a municipality is required to apply all or part of a regulation made under this Act, the municipality’s inspectors, duly authorized by it, are invested with the powers set out in section 5 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) for the purposes of the regulation.

Sections 7 and 20 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation apply to municipal inspectors. The monetary administrative penalties and the offences referred to in sections 23 and 42, respectively, of that Act also apply with respect to municipal inspectors.”

136. Sections 123.4 and 123.5 of the Act are replaced by the following sections:

“**123.4.** Any person who carries on an activity referred to in section 22 without holding an authorization because such an authorization was not required at the time the activity started must provide the Minister, on the terms and conditions and within the time determined by the Minister, with any information or document needed to verify the compliance of the activity with the rules applicable to it.

“**123.5.** Any person who uses an apparatus or equipment to abate the release of contaminants into the environment must keep it in good working order and use it in an optimal manner.”

137. The Act is amended by striking out, with the necessary modifications, “municipality” and “municipalities” in the following provisions:

- (1) the first and fourth paragraphs of section 2.2;
- (2) the first paragraph of sections 23 and 23.1;
- (3) the first paragraph of section 29;
- (4) the second paragraph of section 31.0.6;
- (5) section 31.0.9;
- (6) the second paragraph of sections 31.0.10 and 31.0.11;
- (7) the first paragraph of section 31.3.1;
- (8) the second paragraph and subparagraph 2 of the fifth paragraph of section 31.3.5;
- (9) subparagraph *c* of the first paragraph of section 31.9;
- (10) the second paragraph of section 31.20;
- (11) section 31.43, wherever they appear;
- (12) the first paragraph of section 31.49;
- (13) sections 31.50 and 31.51.0.1, wherever they appear;

- (14) the first paragraph of sections 31.59 and 31.60;
- (15) sections 31.61 and 31.62, wherever they appear;
- (16) the second paragraph of section 31.68.3;
- (17) paragraph 1 of the third paragraph of section 31.76;
- (18) paragraph 7 of section 31.80;
- (19) subparagraph 1 of the first paragraph of section 31.100;
- (20) the first paragraph of sections 46.1 and 46.8, wherever they appear;
- (21) subparagraph *a* of paragraph 3 of section 46.8.2;
- (22) the first paragraph of section 46.9;
- (23) sections 46.11 and 46.15, wherever they appear;
- (24) the last sentence of section 49;
- (25) sections 53.31 and 58;
- (26) the first paragraph of section 64.4;
- (27) the second paragraph of section 64.7;
- (28) section 64.13;
- (29) the second paragraph and the first sentence of the third paragraph of section 65, wherever they appear;
- (30) section 65.3;
- (31) the first paragraph of section 65.4;
- (32) sections 65.5 and 68.1;
- (33) the fourth paragraph of section 70.5.4;
- (34) section 70.7, wherever they appear;
- (35) the third paragraph of section 70.8;
- (36) the second sentence of the second paragraph of section 94;
- (37) section 114.1;
- (38) the first paragraph of section 114.3;

- (39) section 115.0.1, wherever they appear;
- (40) the third paragraph of section 115.1;
- (41) section 115.4.1;
- (42) the second paragraph of section 115.4.2;
- (43) the second sentence of the first paragraph of section 115.28;
- (44) the first paragraph of section 118.4;
- (45) paragraph *k* of section 118.5;
- (46) section 118.6, wherever they appear;
- (47) the second paragraph of section 118.7;
- (48) section 118.8, wherever they appear, and the first paragraph of section 118.11;
- (49) section 118.17;
- (50) the first paragraph of section 124.5;
- (51) section 199, wherever they appear.

WATERCOURSES ACT

138. Section 83.1 of the Watercourses Act (chapter R-13) is amended by inserting the following paragraph after the third paragraph:

“The Minister may also claim from any owner or operator the costs of making an order under this Act. If the order applies to more than one person or partnership, the debtors are solidarily liable.”

139. Section 84.1 of the Act is amended by replacing the first paragraph by the following paragraph:

“The Minister may claim payment from any person or partnership of any amount owed to the Minister under this Act or the regulations.”

140. Section 84.6 of the Act is replaced by the following section:

“84.6. When the Minister of Revenue allocates, after a recovery certificate has been issued and in accordance with section 31 of the Tax Administration Act (chapter A-6.002), a refund owed to a person by reason of the application of a fiscal law to the payment of an amount owed by that person under this Act, the allocation interrupts the prescription provided for in the Civil Code as regards the recovery of that amount.”

DAM SAFETY ACT

141. The Dam Safety Act (chapter S-3.1.01) is amended by inserting the following sections after section 2:

“**2.1.** Every dam must be maintained in working order such that it is unlikely to compromise the safety of persons or property.

The Government may, by regulation, establish rules with regard to maintaining dams in such working order.

“**2.2.** Dams are classified according to whether they belong to the class of high-capacity dams, low-capacity dams or small dams.

The following dams are considered to be high-capacity dams:

(1) dams 1 metre or more in height having an impounding capacity greater than 1,000,000 m³; and

(2) dams 2.5 metres or more in height having an impounding capacity greater than 30,000 m³.

Dams 2 metres or more in height to which the second paragraph does not apply are considered to be low-capacity dams.

Dams 1 metre or more in height to which the second and third paragraphs do not apply are considered to be small dams.

If there are two or more dams on the rim of a single reservoir, all of them belong to the most restrictive class applicable to one of them.

“**2.3.** The classification provided for in section 2.2 is effected and reviewed by the Minister in accordance with the conditions determined by government regulation.

Before making a decision on the classification of a dam or the revision of that classification, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the owner of the dam and grant the owner at least 15 days to submit observations and documents in support of them.

The Minister’s decision may be contested by the owner before the Administrative Tribunal of Québec within 30 days of the decision’s notification.”

142. Section 4 of the Act is repealed.

143. Sections 7 to 10 of the Act are replaced by the following sections:

“7. Any modification to the plans and specifications must be prepared by an engineer and, if it results from a complete or partial update of studies, calculations or opinions submitted in support of the application for authorization, must be submitted to the Minister for approval before the work concerned by the modification is undertaken.

The following documents must be submitted in support of an application for approval:

- (1) the modified plans and specifications, as well as a consequent update of the information and documents concerned; and
- (2) a certificate of an engineer stating that the modified plans and specifications conform to the safety standards prescribed by government regulation.

The Government may, by regulation, determine the other information or documents that must be submitted with an application for approval.

“8. The Minister may require an applicant to submit any information, document, study or expert opinion the Minister considers necessary to the assessment of an application for authorization or an application for approval.

“9. On issuing an authorization or an approval, the Minister may fix the time within which the work concerned must be completed and prescribe any other condition.

“10. On completion of the work authorized under section 5, the owner must inform the Minister of the completion of the work and forward to the Minister, not later than 90 days after so informing the Minister, a certificate of an engineer stating that the work has been carried out in conformity with the plans and specifications and, where applicable, with the conditions set out in the authorization and with the modifications approved under section 7. The certificate must also, where applicable, mention the other modifications made to the plans and specifications for which the Minister’s approval was not required in accordance with section 7.”

144. Section 12 of the Act is replaced by the following section:

“12. Every authorization granted under section 5 or approval granted under section 7 is transferable. However, the transferee is required to first send a notice of transfer to the Minister.

Within 30 days of receiving the notice, the Minister may notify to the transferor and transferee a notice of the Minister’s intention to oppose the transfer. If the Minister does not send such a notice within that time, the transfer is deemed to have been completed.

The Minister's notice of intention must grant the transferor and transferee at least 15 days to submit their observations.

Within 15 days of receiving the observations or of the expiry of the period for submitting them, the Minister shall notify the Minister's decision to the transferor and transferee.

Once the transfer of an authorization or an approval has been completed, the new holder has the same rights and obligations as the transferor."

145. Section 13 of the Act is amended by inserting " , and the Minister shall publish it on the Minister's department's website" at the end of the second paragraph.

146. Section 14 of the Act is amended by replacing the third paragraph by the following paragraph:

"Before making a decision on a dam's classification, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the owner of the dam and grant the owner at least 15 days to submit observations and documents in support of them."

147. Section 17 of the Act is amended

(1) by striking out " , in which case the owner must first be advised of the Minister's intention and given an opportunity to present observations" in the second paragraph;

(2) by striking out the third paragraph.

148. The Act is amended by inserting the following section after section 17:

"17.1. The Minister shall maintain a register of applications for the approval of outlines of remedial measures and of implementation schedules; the register must also mention any approvals granted.

The information contained in the register is public information, and the Minister shall publish it on the Minister's department's website."

149. Section 19 of the Act is amended

(1) by replacing "must remain available for inspection by the Minister" in the third paragraph by "must be kept at the Minister's disposal";

(2) by striking out the fifth paragraph.

150. Section 20 of the Act is amended by striking out the second paragraph.

151. The Act is amended by inserting the following section after section 22:

“22.1. In the cases and on the conditions it determines, the Government may, by regulation, exempt from any provision of this division any set of high-capacity dams that have the common characteristics that the Government determines.

In exercising its power, the Government takes in particular into consideration the classification parameters for high-capacity dams determined by regulation in compliance with the second paragraph of section 14.”

152. Section 23 of the Act is amended by striking out the third paragraph.

153. Section 25 of the Act is amended by striking out the second, third and fourth paragraphs.

154. Section 28 of the Act is repealed.

155. The Act is amended by inserting the following heading after the heading of Chapter IV:

“DIVISION I

“REGISTER OF DAMS”.

156. Section 31 of the Act is amended by striking out “1 metre or more in height” and “such” in the first paragraph.

157. Section 32 of the Act is replaced by the following:

“DIVISION II

“INSPECTION AND INVESTIGATION

“32. The provisions of Chapter II of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the inspections and investigations conducted and to the notices of execution that are notified for the purposes of this Act or the regulations.

“DIVISION III

“ORDERS”.

158. The Act is amended by inserting the following section after section 33:

“33.1. If a person does not comply with a provision of this Act or the regulations, with an authorization or approval granted or order issued under this Act or with a safety program approved under this Act, in particular by doing work or erecting structures or works in contravention of those provisions, or of the authorization, approval, order or safety program, the Minister may, on the conditions the Minister determines, order the person to remedy the situation by doing one or more of the following:

- (1) put a stop to the project;
- (2) demolish all or part of the work, structures or works concerned;
- (3) restore all or part of the premises to the state they were in before the work or other activities began or the structures or works were erected, or to a state approaching their original state; or
- (4) take any other measure the Minister considers necessary to remedy the situation.”

159. Section 35 of the Act is replaced by the following:

“34.1. Before making an order under section 33, 33.1 or 34, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the person concerned and grant that person at least 15 days to submit observations and documents in support of them.

Despite the first paragraph, the Minister may issue an order without first notifying the prior notice if the order is made in urgent circumstances or to prevent serious or irreparable injury or damage to persons or property. In such a case, the person on whom the order is served may, within the time the Minister specifies, submit observations to the Minister for a review of the Minister’s decision.

“34.2. Any order issued by the Minister may be contested by the person concerned before the Administrative Tribunal of Québec, within 30 days of the order’s notification.

The proceeding brought before the Tribunal does not suspend the execution of the order unless, upon a motion heard and judged on an urgent basis, a member of the Tribunal orders otherwise by reason of urgency or of the risk of serious and irreparable injury or damage.

If the Tribunal issues such an order, the proceeding shall be heard and judged on an urgent basis.

“34.3. The Minister may delegate the power to make an order under section 34, except the power to order the demolition of a work, to any person the Minister designates. However, that person may not make an order unless of the opinion that the situation poses a risk of serious or irreparable injury or damage to persons or property.

The order is valid for a period of not more than 90 days.

Any order following such an order may be made only by the Minister.

Any order made under this section is deemed to have been made by the Minister for the purposes of this Act.

“34.4. The Minister may claim the direct and indirect costs of issuing an order from any person to whom the order applies.

If the order is contested before the Administrative Tribunal of Québec, the Minister’s claim is suspended until the Tribunal confirms all or part of the order.

“34.5. In the event of non-compliance with an order, the Minister may cause the order to be carried out or the appropriate remedial measures to be taken at the owner’s expense. The Minister may recover the cost, with interest and other costs, in particular by claiming the security or guarantee furnished by the owner who has failed to comply.

“34.6. The Minister shall maintain a register of orders made and of notices prior to such orders issued under this Act.

The information contained in the register is public information and the Minister shall publish the information on the Minister’s department’s website.

“DIVISION IV

“INTERVENTION WITH THE AUTHORIZATION OF THE COURT

“35. The Minister may, where a dam is likely to compromise the safety of persons or property and its owner is unknown, cannot be found or cannot be ascertained, apply to a judge of the Superior Court to authorize the Minister to take any measure the Minister considers appropriate, including the performance of remedial work, or the immediate removal of the dam, with the cost claimed, with interest and other costs, from the owner if the Minister ever comes to ascertain or find the owner. The judge may also authorize the Minister to transfer ownership of the dam to any other person or partnership.

“DIVISION V**“REFUSAL, SUSPENSION, MODIFICATION AND REVOCATION**

“35.1. The Minister may refuse to grant an authorization or to give an approval required by this Act to any person who

(1) fails to comply with the obligations incumbent on the person under the Act or the regulations; or

(2) has made false or misleading statements to the Minister.

The Minister may also, for the same reasons, suspend or revoke an authorization or approval.

In the case of a safety program, the Minister may terminate it before its expiry if, in addition to the reasons referred to in the first paragraph, the owner no longer meets the conditions for approval of the program.

“35.2. The Minister may, on the Minister’s own initiative, modify, suspend or revoke an authorization or approval to ensure the safety of the dam concerned.

“35.3. Before unilaterally including conditions in an authorization or approval under section 9, 17 or 23, or making a decision pursuant to section 35.1 or 35.2, the Minister must notify the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the person and grant that person at least 15 days to submit observations and produce documents in support of them.

A decision referred to in section 35.2 may be made without first notifying the prior notice if it is made in urgent circumstances or to prevent serious or irreparable injury or damage to persons or property. In such a case, the applicant may, within the time the Minister specifies, submit observations to the Minister for a review of the Minister’s decision.

“35.4. Any decision referred to in section 35.3 as well as any opposition to the transfer of an authorization or an approval provided for in section 12 may, within 30 days of its notification, be contested by the person concerned before the Administrative Tribunal of Québec.

The proceeding brought before the Tribunal does not suspend the execution of the decision unless, upon a motion heard and judged on an urgent basis, a member of the Tribunal orders otherwise by reason of urgency or of the risk of serious and irreparable injury.

If the Tribunal issues such an order, the proceeding shall be heard and judged on an urgent basis.

“DIVISION VI**“MONETARY ADMINISTRATIVE PENALTIES**

“35.5. A monetary administrative penalty of \$250 in the case of a natural person and \$1,000 in any other case may be imposed

(1) on any person who, in contravention of a provision of this Act, fails to submit a document, review or expert evaluation or to provide information or fails to do so in the prescribed time, if no other monetary administrative penalty is provided for such a failure by this Act or any of the regulations; and

(2) on any high-capacity dam owner who, in contravention of section 21, fails to establish the required register, fails to keep it current or fails to keep it at the disposal of the Minister.

“35.6. A monetary administrative penalty of \$500 in the case of a natural person and \$2,500 in any other case may be imposed on any high-capacity dam owner who,

(1) in contravention of section 19,

(a) fails to have an impounded water management plan prepared or updated by an engineer for the works or fails to keep it at the Minister’s disposal; or

(b) fails to prepare or update an emergency action plan for the works or fails to keep it at the disposal of the Minister; or

(2) in contravention of section 20, fails to comply with the conditions applicable to the monitoring of the works.

“35.7. A monetary administrative penalty of \$750 in the case of a natural person and \$3,500 in any other case may be imposed

(1) on anyone who, in contravention of section 7, fails to have the Minister approve any modification to the plans and specifications that results from a complete or partial update of studies, calculations or opinions submitted in support of an application for authorization;

(2) on any high-capacity dam owner who,

(a) in contravention of section 10, fails to inform the Minister that the work is completed or fails to forward the required documents within the time prescribed; or

(b) fails to comply with the conditions for the approval of the owner’s safety program; and

(3) on any holder of an authorization or of an approval, other than an approval relating to a safety program, who fails to comply with its conditions.

“35.8. A monetary administrative penalty of \$1,000 in the case of a natural person and \$5,000 in any other case may be imposed

(1) on any dam owner who, in contravention of the first paragraph of section 2.1, fails to maintain the dam in working order such that it is unlikely to compromise the safety of persons or property;

(2) on any promoter or owner of a dam who

(a) provides the Minister with erroneous information or an incomplete document for the purposes of this Act or the regulations;

(b) carries out a project referred to in section 5 without having obtained the authorization to do so or, in the cases provided for in section 11, without having obtained a new authorization;

(c) carries out a project under section 29 without having filed the required declaration with the Minister; and

(3) on any high-capacity dam owner who,

(a) in contravention of section 17, fails to forward to the Minister the safety review or fails to forward to the Minister an outline of the remedial measures the owner intends to take or the implementation schedule; or

(b) in any situation liable to compromise the safety of the dam,

i. fails to inform the Minister of the situation; or

ii. where there is a threat to persons or property, fails to inform the civil protection authorities.

“35.9. A monetary administrative penalty of \$2,000 in the case of a natural person and \$10,000 in any other case may be imposed

(1) on any high-capacity dam owner who, in any situation liable to compromise the safety of the dam, fails to immediately take the measures necessary to remedy the situation; and

(2) on anyone who

(a) carries out a project referred to in section 5 although the Minister refused to grant the authorization to do so or suspended or revoked such an authorization; or

(b) fails to comply with an order imposed under this Act or, in any manner whatsoever, prevents the carrying out of such an order.

“35.10. The provisions of Chapter III of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to the imposition of a monetary administrative penalty on a person who fails to comply with a provision of this Act or the regulations.”

160. Section 36 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 3:

“(3.1) prescribing, in the cases it determines, the use of forms made available by the Minister;”;

(2) by replacing “9” in subparagraph 6 by “7”;

(3) by striking out subparagraph 7.

161. Sections 38 to 45 of the Act are replaced by the following sections:

“38. The following are liable to a fine of not less than \$1,000 nor more than \$100,000 in the case of a natural person, and not less than \$3,000 nor more than \$600,000 in any other case:

(1) anyone who, in contravention of a provision of this Act, fails to submit information, or a document, review or expert evaluation or fails to do so in the prescribed time, if no other penalty is provided for such an offence, and

(2) any high-capacity dam owner who, in contravention of section 21, fails to establish the required register, fails to keep it current or fails to keep it at the disposal of the Minister.

“39. Any high-capacity dam owner who,

(1) in contravention of section 19,

(a) fails to have an impounded water management plan prepared or updated by an engineer for the dam or fails to keep it at the disposal of the Minister; or

(b) fails to prepare or update an emergency action plan for the dam or fails to keep it at the disposal of the Minister; or

(2) in contravention of section 20, fails to comply with the conditions applicable to the monitoring of the works;

is liable to a fine of not less than \$2,500 nor more than \$250,000 in the case of a natural person and not less than \$7,500 nor more than \$1,500,000 in any other case.

“40. The following are liable to a fine of not less than \$4,000 nor more than \$250,000 in the case of a natural person and not less than \$12,000 nor more than \$1,500,000 in any other case:

(1) anyone who, in contravention of section 7, fails to have the Minister approve any modification to the plans and specifications that results from a complete or partial update of studies, calculations or opinions submitted in support of an application for authorization;

(2) any high-capacity dam owner who,

(a) in contravention of section 10, fails to inform the Minister of the completion of the work or fails to forward the required documents to the Minister within the time prescribed; or

(b) fails to comply with the conditions for the approval of the owner’s safety program; and

(3) any holder of an authorization or of an approval, other than an approval relating to a safety program, who fails to comply with its conditions.

“41. The following are liable, in the case of a natural person, to a fine of not less than \$5,000 nor more than \$500,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and in any other case to a fine of not less than \$15,000 nor more than \$3,000,000:

(1) any dam owner who, in contravention of the first paragraph of section 2.1, fails to maintain the dam in working order such that it is unlikely to compromise the safety of persons or property;

(2) anyone who

(a) carries out a project referred to in section 5 without having obtained the authorization to do so or, in the cases provided for in section 11, without having obtained a new authorization; or

(b) provides information that is false or misleading for the purposes of this Act or the regulations;

(3) any high-capacity dam owner who,

(a) in contravention of section 17, fails to forward to the Minister the safety review or fails to forward to the Minister an outline of the remedial measures the owner intends to take or the implementation schedule; or

(b) in any situation liable to compromise the safety of the dam,

i. fails to inform the Minister of the situation; or

ii. where there is a threat to persons or property, fails to inform the civil protection authorities; and

(4) any promoter or owner of a dam who carries out a project referred to in section 29 without having filed the required declaration with the Minister.

“42. The following are liable, in the case of a natural person, to a fine of not less than \$10,000 nor more than \$1,000,000 or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of three years, or to both the fine and imprisonment, and in any other case to a fine of not less than \$30,000 nor more than \$6,000,000:

(1) any high-capacity dam owner who, in any situation liable to compromise the safety of the dam, fails to immediately take the measures necessary to remedy the situation; and

(2) anyone who

(a) carries out a project referred to in section 5 although the Minister refused to grant the authorization required to do so or suspended or revoked such an authorization; or

(b) fails to comply with an order imposed under this Act or, in any manner whatsoever, prevents the carrying out of such an order.

“43. The maximum penalties prescribed in section 42 apply to an offence described in sections 38 to 42 if the harm or damage caused by the offence to the safety of persons or property is sufficiently serious to justify heavier penalties.

“44. The provisions of Chapter V of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to this chapter and to the penal provisions provided by regulation.”

162. Section 46 of the Act is replaced by the following section:

“46. The provisions of Chapter VI of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) apply to claims made by the Minister for the recovery of amounts owed to the Minister for the purposes of this Act or the regulations.”

ACT TO AMEND THE ENVIRONMENT QUALITY ACT TO
MODERNIZE THE ENVIRONMENTAL AUTHORIZATION SCHEME
AND TO AMEND OTHER LEGISLATIVE PROVISIONS, IN
PARTICULAR TO REFORM THE GOVERNANCE OF THE GREEN
FUND

163. Section 287 of the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4) is amended by replacing “115.5 to 115.10 of the Environment Quality Act. In such a case, the Minister must send the notification provided for in section 115.11 of that Act to the laboratory concerned” in the second paragraph by “32 to 36 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1). For that purpose, the Minister must send the notification provided for in section 39 of that Act to the laboratory concerned”.

TERMS AND CONDITIONS FOR THE SIGNING OF CERTAIN
DOCUMENTS OF THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

164. The Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001, r. 1) are amended by inserting the following section after section 1:

“**1.1.** In addition to the persons contemplated in section 1 and under the same conditions, a member of the personnel of the Ministère du Développement durable, de l'Environnement et des Parcs or the holder of a position of the department to whom a power has been delegated under section 9.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) may sign any document relating to the exercise of the power so delegated if the purpose of the document is to be binding on or attributed to the Minister.”

165. Section 2 of the Terms and conditions is amended by replacing “115.5 to 115.7 of that Act” in paragraph 4 by “32 to 36 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1)”.

166. Section 2.1 of the Terms and conditions is amended by replacing paragraph 6 by the following paragraph:

“(6) the exercise of the rights and powers provided for in section 13 and paragraph 2 of section 13.2 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001);”.

167. Section 3 of the Terms and conditions is amended by replacing “9” in paragraph 1 by “7”.

168. Section 8 of the Terms and conditions is amended by replacing “as an inspector of plant life under section 28 of the Act respecting threatened or vulnerable species, to act as an inspector under section 79 of the Pesticides Act, to act under section 84 of the Watercourses Act, to act under sections 119, 119.1, 120 and 120.1 of the Environment Quality Act or to act as an inspector under section 66 of the Natural Heritage Conservation Act” in paragraph 1 by “under sections 4, 8, 13 and 19 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1) or under section 84 of the Watercourses Act”.

REGULATION RESPECTING THE REGULATORY SCHEME APPLYING TO ACTIVITIES ON THE BASIS OF THEIR ENVIRONMENTAL IMPACT

169. Section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) is amended by striking out the definition of “declaration of antecedents”.

170. Section 9 of the Regulation is replaced by the following section:

“**9.** Any layout, infrastructure, works or facility governed by this Regulation must be maintained in good condition and used in an optimal way according to the use for which it was designed.”

171. Section 27 of the Regulation is amended by replacing “subparagraphs 1 to 4 of the first paragraph” by “the first and second paragraphs”.

172. Section 28 of the Regulation is repealed.

173. Section 36 of the Regulation is amended

(1) by replacing “section 115.5, 115.6 or 115.7 of the Act” in subparagraph 2 of the first paragraph by “sections 32 to 34 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (2022, chapter 8, section 1)”;

(2) by replacing “section 115.5, 115.6 or 115.7 of the Act applies” in subparagraph 2 of the third paragraph by “sections 32 to 34 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation apply”.

174. Section 354 of the Regulation is amended by replacing paragraphs 2 and 3 by the following paragraph:

“(2) fails to maintain in good condition a layout, infrastructure, works, or any facility governed by this Regulation or fails to use it in an optimal way according to the use for which it was designed.”

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

175. Any power that can be delegated under section 9.1 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001), enacted by section 36 of this Act, and that was exercised before 12 May 2022 by the Deputy Minister, a member of the personnel or a holder of a position within the department is presumed to be valid.

Only the Minister may rebut that presumption if, however, the Minister shows that a member of the personnel or a holder of a position within the department was not authorized to act on the Minister's behalf.

176. An authorization issued under section 69 of the Mining Act (chapter M-13.1) before the coming into force of section 44 of this Act is deemed to be an authorization issued under section 69 of the Mining Act, as replaced by section 44 of this Act, for the unexpired term of the authorization.

From the coming into force of section 44 of this Act, any pending authorization application is continued and decided in accordance with section 69 of the Mining Act, as replaced by section 44 of this Act.

177. The Government must, not later than 31 December 2024 and in accordance with section 53 of the Environment Quality Act (chapter Q-2), amended by section 104 of this Act, make a regulation providing for the prohibition, not later than 31 December 2035, of the offering for sale or for lease, of the exhibition for sale or for lease purposes, and of the sale or lease of certain classes of motor vehicles that emit pollutants.

178. Section 115.8 of the Environment Quality Act, repealed by section 114 of this Act, continues to apply to any application for the issue, amendment or renewal of an authorization referred to in the Environment Quality Act until a regulation made under subparagraph 13 of the first paragraph of section 95.1 of the Environment Quality Act providing a provision to the same effect is in force.

179. Until the coming into force of a new regulation made under the second paragraph of section 14 of the Dam Safety Act (chapter S-3.1.01) and despite any contrary provision of the Dam Safety Regulation (chapter S-3.1.01, r. 1), the Minister may revise the classification of any existing high-capacity dam if, in particular on the basis of a dam failure analysis or dam safety review

provided to the Minister or on the basis of an inspection, the Minister has reasonable grounds to believe that a dam classification parameter must be revised.

The third paragraph, enacted by section 146 of this Act, and the fourth paragraph of section 14 of the Dam Safety Act apply to the decision on the classification of the dam in such a case.

180. The owner of a dam who, not later than 31 December 2023, has failed to forward to the Minister a review assessing the safety of that dam in accordance with section 16 of the Dam Safety Act is required to submit such a safety review to the Minister, accompanied by the outline of the remedial measures the owner intends to take and their implementation schedule, despite any contrary provision of the Dam Safety Act or the Dam Safety Regulation, not later than 31 December 2023.

In the event of non-compliance with the first paragraph, sections 35.8 and 41 of the Dam Safety Act, enacted respectively by sections 159 and 161 of this Act, apply.

181. The owner of a dam for which an outline of the remedial measures is approved by the Minister under section 17 of the Dam Safety Act not later than 12 May 2022 must apply those remedial measures to that dam not later than 12 November 2023 if, on that date, the related implementation schedule has expired or will expire.

In the event of non-compliance with the first paragraph, sections 35.7 and 40 of the Dam Safety Act, enacted respectively by sections 159 and 161 of this Act, apply.

182. Until the coming into force of a regulation made under section 22.1 of the Dam Safety Act, enacted by section 151 of this Act, and despite any provision to the contrary, the owner of a high-capacity dam that is in a “low” or “very low” failure consequence category and is not on the rim of a reservoir of a dam that is in a failure consequence category equal to or greater than “moderate” within the meaning of the Dam Safety Regulation is not required to

(1) have a safety review carried out or forward to the Minister a safety review, referred to in section 16 of the Dam Safety Act, to assess the safety of the dam;

(2) forward to the Minister for approval an outline of the remedial measures the owner intends to apply to the dam and the related implementation schedule referred to in section 17 of the Dam Safety Act;

(3) apply to that dam the remedial measures approved by the Minister in accordance with section 17 of the Dam Safety Act; or

(4) prepare and keep current an impounded water management plan referred to in the first paragraph of section 19 of the Dam Safety Act.

183. Until the coming into force of the first regulation amending the Dam Safety Regulation made after 12 May 2022 and subject to section 181 of this Act, sections 76 to 78 of that Regulation apply from 12 May 2022

(1) to any existing high-capacity dam in a failure consequence category that is equal to or greater than “moderate” within the meaning of that Regulation, but which was unknown to the Minister;

(2) to any dam that comes to be considered a high-capacity dam in a failure consequence category that is equal to or greater than “moderate” within the meaning of that Regulation and has never been the subject of a safety review; and

(3) to any high-capacity dam that, following review, has been placed in a failure consequence category equal to or greater than “moderate” within the meaning of that Regulation and has never been the subject of a safety review.

However, the time limit referred to in the first paragraph of section 78 of that Regulation is computed from, as the case may be, the Minister’s knowledge of the dam, the dam’s category change or the review of the dam failure consequence category instead of from the coming into force of the Dam Safety Act.

184. This Act comes into force on 12 May 2022, except

(1) sections 44 to 47, which come into force on the date of coming into force of the first regulation that amends, after 12 May 2022, the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);

(2) subparagraphs *a* and *b* of paragraph 1 of section 56, sections 62 to 64 and section 69, which come into force on the date or dates set by the Government;

(3) sections 96 to 102, which come into force on 12 April 2023.

2022, chapter 9

AN ACT TO AMEND THE EDUCATIONAL CHILDCARE ACT TO IMPROVE ACCESS TO THE EDUCATIONAL CHILDCARE SERVICES NETWORK AND COMPLETE ITS DEVELOPMENT

Bill 1

Introduced by Mr. Mathieu Lacombe, Minister of Families

Introduced 21 October 2021

Passed in principle 2 December 2021

Passed 7 April 2022

Assented to 12 April 2022

Coming into force: 12 April 2022, except

(1) sections 1 to 3, 6 and 7, paragraph 2 of section 9, section 10, paragraphs 1 and 2 of section 11, sections 12 to 15, 18, 28, 41, 43, 45 and 46, paragraph 2 of section 49 insofar as it adds “section 2.2” and “95” to the second paragraph of section 101.3 of the Educational Childcare Act (chapter S-4.1.1), sections 50 to 56, section 69 insofar as it adds “2.2” to section 116 of that Act, sections 77 to 84, paragraph 2 of section 86, section 88, and section 92 insofar as it adds “2.2” to section 75 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2), which come into force on 1 September 2022;

(2) sections 8 and 30 to 32, paragraphs 8, 9 and 12 of section 58, sections 61, 66 and 85, and section 92 insofar as it adds “52” to section 75 of the Educational Childcare Regulation and strikes out “53” in that section, which come into force on 1 September 2026;

(3) sections 5, 16 and 35, paragraph 2 of section 49 insofar as it adds “and fifth”, “13.1” and “and 59.6, the first paragraph of section 59.9 and sections 59.10, 59.12” to the second paragraph of section 101.3 of the Educational Childcare Act and strikes out “59.1” in that paragraph, paragraphs 1, 6 and 7 of section 58, paragraph 1 of section 59, section 62 insofar as it adds “13.1” to section 110 of that Act, section 69 except insofar as it adds “2.2” to section 116 of that Act, section 92 insofar as it adds “59.2, 59.6, 59.10” to section 75 of the Educational Childcare Regulation, and section 99, which come into force on the date to be determined by the Government.

Legislation amended:

Educational Childcare Act (chapter S-4.1.1)

(cont'd on next page)

Regulations amended:

Reduced Contribution Regulation (chapter S-4.1.1, r. 1)
Educational Childcare Regulation (chapter S-4.1.1, r. 2)

Explanatory notes

The purpose of this Act is to improve access to the educational childcare services network and complete its development.

To that end, the Act reinforces children's right to receive quality personalized educational childcare services by introducing the obligation for the Minister of Families to issue an invitation to submit a project for the development of subsidized educational childcare services when the Minister finds that the supply of such services in a given territory does not meet the demand. The Act specifies that the right to receive educational childcare services applies from a child's birth and indicates when that right expires, on the basis of the child's age and school attendance.

In addition, the Act amends the mechanism for assessing educational childcare service needs to enable the Minister to determine the childcare services supply necessary to meet the demand for such services in the various territories the Minister determines and to establish priorities specific to those territories. For those purposes, the Act sets out a process for consulting each of the regional advisory committees it establishes and defines the mandate of those committees.

Furthermore, the Act amends the process whereby the Minister assigns new subsidized childcare spaces. It thus provides that, when the Minister intends to assign such spaces, the Minister is to issue an invitation to categories of permit applicants or permit holders to submit a project, which invitation is to be first addressed to childcare centre permit applicants or permit holders. The invitation may specify the participation of the Minister in the financing and planning of the construction project as well as that of any person designated by the Minister, in particular in the planning, management or control of the development or construction project or in the supply of the facility.

The Act also introduces the possibility for a childcare centre or day care centre permit holder that has undertaken certain steps to acquire a facility to be authorized, on certain conditions, to provide childcare in a temporary facility.

Furthermore, the Act introduces a mechanism allowing permit holders for childcare centres or day care centres delivering subsidized childcare to provide childcare to a number of children that is higher than the number stated on their permit during a period in which arrivals and departures overlap, when providing childcare to two groups of children successively.

In addition, the Act increases the current limits on the number of children to whom childcare may be provided in a facility, and on the maximum number of subsidized childcare spaces allowed per person or related persons holding two or more childcare permits. The Act abolishes the limit on the number of facilities and subsidized childcare spaces that may be developed by childcare centres.

The Act repeals the provisions concerning childcare provided in private residences for which recognition by an accredited home educational childcare coordinating office is not required, and introduces new exceptions to the obligation to hold such recognition or a permit in order to provide such services to children for a contribution. Therefore, the Act allows a natural person, among others, to look after up to two children or to look after only children who ordinarily live together, and also allows certain types of occasional childcare.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act also introduces measures enabling the Minister to act, in certain circumstances, including to maintain the childcare services provided by a permit holder that ceases to operate or that intends to do so.

The Act modifies the rules regarding the single window for access to educational childcare services. More specifically, it provides that, in order to be allowed to receive such services, a child must be registered with the single window according to the terms and conditions prescribed by regulation. Such a regulation may provide for assigning one or more ranks to a child with a view to his or her admission as well as the requirements, criteria and priorities for such admission, including to give priority to children living in precarious socio-economic contexts.

As concerns home childcare and the rules governing it, the Act introduces the possibility for the Minister to modify the accreditation of a home educational childcare coordinating office in order to increase or decrease the number of subsidized childcare spaces indicated in the accreditation. It also provides that the Minister may issue instructions to ensure the coherence of the coordinating offices' actions and practices, and introduces a process to establish the level of satisfaction of home educational childcare providers with those practices. Furthermore, the Act increases to five years the term of the recognition of a person recognized as a home educational childcare provider as well as the term of the accreditation of the coordinating offices, and provides that an additional function of those offices is to conduct prospecting in the territory assigned to them in order to find and guide persons who could be interested in becoming home educational childcare providers. The Act allows a person whose application for recognition has been refused to bring proceedings before the Administrative Tribunal of Québec.

In addition, the Act introduces special rules applicable to Aboriginal persons, including allowing the Government to enter into an agreement with an Aboriginal nation or community on any matter within the scope of the Educational Childcare Act or the regulations in order to take Aboriginal realities into account; such an agreement is to have precedence over that Act and the regulations.

Lastly, to ensure its implementation, the Act contains various measures, including penal and regulatory measures, as well as transitional and consequential provisions.



Chapter 9

AN ACT TO AMEND THE EDUCATIONAL CHILDCARE ACT TO IMPROVE ACCESS TO THE EDUCATIONAL CHILDCARE SERVICES NETWORK AND COMPLETE ITS DEVELOPMENT

[Assented to 12 April 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

EDUCATIONAL CHILDCARE ACT

1. Section 1 of the Educational Childcare Act (chapter S-4.1.1) is amended

(1) by replacing “provided by educational childcare providers covered by this Act” in the first paragraph by “intended for children before their admission to school”;

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

“A further object of this Act is to foster the harmonious development of an educational childcare service supply that is sustainable and that takes into account the needs of parents, in order to facilitate the reconciliation of their parental responsibilities with their professional or student responsibilities, as well as their right to choose the educational childcare provider.”

2. Section 2 of the Act is replaced by the following sections:

“**2.** Every child has a right to quality personalized educational childcare services from birth until the child’s admission to preschool or elementary school education or, failing that, until the first day of the school calendar of the school year, within the meaning of the Education Act (chapter I-13.3), following the that in which the child reaches six years of age. A child who ceases to attend school after being admitted also has a right to educational childcare services until the first day of the school calendar of the school year following that in which the child reaches six years of age.

The above right must be exercised taking into account the availability, organization and resources of educational childcare providers. It must also be exercised having regard to the rules set out in this Act relating to access to educational childcare services, including the obligation for those providers to fill their service supply using exclusively the registrations entered in the single window for access to educational childcare services, and the rules relating to subsidies, including those concerning the allocation of subsidized childcare spaces.

The implementation of that right is reinforced by the obligation imposed on the Minister to take the measures referred to in section 93.0.3 so that the educational childcare service supply in each territory meets the demand for such services.

“2.1. Educational childcare centres, day care centres and recognized home educational childcare providers, with the support, in the latter’s case, of home educational childcare coordinating offices that this Act allows to be accredited, are the educational childcare providers that contribute to the fulfilment of the objectives of this Act.

“2.2. Educational childcare providers covered by this Act may provide childcare only to the children referred to in the first paragraph of section 2.”

3. Section 4 of the Act is repealed.

4. Section 5 of the Act is amended

(1) by replacing “include activities” in the introductory clause of the first paragraph by “be”;

(2) by replacing “particularly their emotional, social, moral” in subparagraph 1 by “enabling them to develop, at their own pace, all facets of their person, particularly their emotional, social”;

(3) by replacing “development of a healthy lifestyle, healthy eating habits and behaviour” in the second paragraph by “acquisition of healthy lifestyle habits, healthy eating habits and behaviours”;

(4) by inserting the following paragraph after the second paragraph:

“In applying the program, educational childcare providers must take into account the children’s environment.”

5. Section 5.1 of the Act is amended by adding the following paragraph at the end:

“The Minister publishes the results of the childcare educational quality assessment and improvement process on the Minister’s department’s website within 60 days after they are obtained, and the administrator of the single window for access to educational childcare services does the same on the single window’s website. In addition, educational childcare providers must inform the parents of the children to whom they provide childcare that those results have been published, within 30 days after receipt of a notice to that effect from the Minister.”

6. Section 6 of the Act is replaced by the following section:

“6. No person may, personally or through another, provide or offer to provide childcare services to a child referred to in the first paragraph of section 2, in return for a contribution, unless the person holds a childcare centre or day care centre permit or is a home educational childcare provider recognized by an accredited home educational childcare coordinating office.

The prohibition set out in the first paragraph does not apply to

(1) natural persons who are own-account workers and who, in a private residence where childcare is not already being provided,

(a) look after up to two children; or

(b) look after only children who ordinarily live together;

(2) day camp or vacation camp operators;

(3) non-profit community organizations whose overall mission is financed by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) and that, incidentally to their main mission, provide occasional childcare in a place other than an educational institution;

(4) non-profit legal persons that, in an educational institution, provide occasional childcare exclusively to children of students attending that institution while the latter are pursuing their studies and where the latter can make themselves available if needed; or

(5) persons who provide occasional childcare to children whose parents are on site and can be reached if needed at one of the following locations:

(a) a health and social services institution;

(b) a commercial establishment;

(c) a fair, an exhibition or a place where a one-time event is held; and

(d) a place where a deliberative assembly is held.”

7. The Act is amended by inserting the following section after section 6:

“6.0.1. For the purposes of the first paragraph of section 6, childcare services offered or provided to a child as a benefit to a parent as an employee or client or as a person attending or frequenting an institution or establishment are deemed to be offered or provided in return for a contribution, even if no monetary consideration is required for those services.”

8. Sections 6.1 and 6.2 of the Act are repealed.

9. Section 8 of the Act is amended

(1) by replacing “a maximum of five” in subparagraph 1 of the first paragraph by “one or more”;

(2) by inserting the following subparagraph after subparagraph 1.1:

“(1.2) undertake to provide childcare only to children referred to in the first paragraph of section 2;”;

(3) by striking out the second paragraph.

10. Section 10 of the Act is amended by replacing the first paragraph by the following paragraph:

“The Minister may, except in the case of a project selected under section 93.0.1, refuse to issue a childcare centre permit given the subsidies available or the relevance of subsidizing a permit applicant for the proposed territory or if the educational childcare service supply necessary to meet the demand for such services, determined under section 11.2, is achieved in the proposed territory.”

11. Section 11 of the Act is amended

(1) by inserting the following subparagraph after subparagraph 1.1 of the first paragraph:

“(1.1.1) the person undertakes to provide childcare only to children referred to in the first paragraph of section 2;”;

(2) by replacing “under section 93, granted the applicant such spaces on the recommendation of the advisory committee concerned” in the second paragraph by “under section 93.0.1, granted the applicant such spaces”;

(3) by inserting “, and of a permit applicant or permit holder who has obtained the authorization referred to in section 16.1 to maintain the provision of childcare services to children who would otherwise not have any” at the end of the second paragraph.

12. Section 11.1 of the Act is amended, in the first paragraph,

(1) by striking out “consults the advisory committee concerned established under section 103.5 and” in the introductory clause;

(2) by replacing “the childcare service needs and priorities for developing such services” in subparagraph 2 by “the necessary educational childcare service supply determined under section 11.2”.

13. Section 11.2 of the Act is replaced by the following section:

“11.2. The Minister assesses, at least once a year and for all of Québec, the educational childcare service needs in each territory the Minister determines, and identifies, if necessary, the priorities for developing such services. For those purposes, the Minister considers, among other factors, the permits already issued, the permit applications and other applications for authorization under section 21 or section 21.1 awaiting a decision, demographic variations, the recognitions granted to home educational childcare providers, the registrations entered in the single window for access to educational childcare services, and how well childcare service needs are already being met.

Subsequently, the Minister consults the regional advisory committee established under section 103.5 that is responsible for the territory concerned. The Minister requests, within the time determined by the Minister, the opinion of the committee on the assessment of needs and on the development priorities identified under the first paragraph.

The committee may then recommend that the Minister consider certain elements, specific to that territory, with respect to the childcare service needs, the development priorities, the allocation of subsidized childcare spaces or the issue of a day care centre permit.

At the conclusion of that exercise, the Minister determines, for each territory, the educational childcare service supply necessary to meet the demand for such services. The Minister then establishes whether the supply meets the demand and makes a projection of those findings for any period determined by the Minister. The Minister may also adjust the development priorities the Minister has identified.

The Minister publishes on the Minister’s department’s website, for the benefit of permit applicants and permit holders, the necessary information on the educational childcare service needs and priorities for developing such services specific to each territory and makes public his or her assessment, the determination made under the fourth paragraph and the opinions and recommendations given by the committees under this section.

When the Minister assesses the childcare service needs and establishes the priorities for developing such services within an Aboriginal community, the Minister consults only the community concerned or, if applicable, the person or body designated by the community to represent it in such matters.

For the purposes of this section, the territories are determined by the Minister in such a way as to ensure, for all of Québec, optimal measurement of educational childcare service needs. The Minister publishes, on the Minister’s department’s website, his or her method for determining territories as well as the territories determined, which must be of at least the same size as the territories of the home educational childcare coordinating offices.”

14. The Act is amended by inserting the following section after section 11.2:

“11.3. Each year, the Minister consults the Minister of Education, Recreation and Sports to ensure consistency between the development of educational childcare services and preschool educational services where those services are intended for children who may use either type of services.”

15. Section 12 of the Act is amended by striking out “, where this number differs from the number referred to in paragraph 3” in paragraph 5.

16. The Act is amended by inserting the following section after section 13:

“13.1. Despite section 13, permit holders for childcare centres or day care centres delivering subsidized childcare may, when providing childcare to two groups of children successively in the same facility, provide childcare to a number of children that is higher than the number stated on the permit during a period in which arrivals and departures overlap, in the cases, on the conditions and without exceeding the duration determined by government regulation.”

17. The Act is amended by inserting the following sections after section 16:

“16.1. The Minister may, in exceptional circumstances and temporarily, where a permit holder ceases operations in one or more facilities or is about to do so, authorize a childcare centre permit applicant or permit holder to maintain the provision of childcare services to the children who would otherwise not have any, at the address of the facility appearing on the permit of the holder ceasing operations or at any other address determined by the Minister.

Where no childcare centre permit applicant or permit holder is able to ensure that services are maintained to the Minister’s satisfaction, the authorization may be granted to a day care permit applicant or permit holder.

Where the Minister authorizes a permit applicant, the Minister issues a temporary permit to the applicant for the purposes of this section.

“16.2. In the cases provided for in section 16.1, the Minister may authorize, for a specified period, a permit holder to provide childcare services according to standards that depart from those established by or under this Act or may exempt the permit holder from the application of certain standards, except a standard established under subparagraph 13 or 13.1 of the first paragraph of section 106.

The Minister establishes the period and applicable standards by issuing a directive.

“16.3. The Minister makes public, on the Minister’s department’s website, the names of the permit applicants or permit holders to whom the Minister has granted an authorization under section 16.1 as well as any directive issued under section 16.2.

“16.4. The Minister may, for the period the Minister determines, authorize a childcare centre permit holder and a person that already holds a day care centre permit to whom subsidized childcare spaces have been allocated and whose project involves work to construct or develop a facility to provide childcare to children in a temporary facility.

Sections 18 to 20 of the Act do not apply to the temporary facility.

The Government establishes, by regulation, the conditions and standards applicable in such circumstances and determines the standards from which the holder is exempt.”

18. Section 21 of the Act is amended by replacing the second paragraph by the following paragraph:

“The Minister may, except in the case of a project selected under section 93.0.1, refuse to grant the authorization given the subsidies available and the relevance of subsidizing a permit holder for the proposed territory or if the educational childcare service supply necessary to meet the demand for such services, determined under section 11.2, is achieved in the proposed territory.”

19. The heading of Division II of Chapter II of the Act is amended by inserting “, MODIFICATION” after “TERM”.

20. Section 24 of the Act is amended

(1) by adding the following paragraph before the first paragraph:

“The Minister may modify a permit where a change is made to one of the elements listed in section 12.”;

(2) by replacing “9 and 11” in the first paragraph by “11 and 40.2”.

21. Section 28 of the Act is amended by striking out “without first complying with section 30” in paragraph 6.

22. Section 30 of the Act is replaced by the following section:

“30. A permit holder must, at least 90 days before ceasing to operate in one or more facilities, notify in writing the Minister and the parents of the children attending the childcare centre or day care centre, inform the Minister of the number and age of the children receiving childcare, and comply with any other condition determined by regulation.

The permit is then modified or revoked, for any facility concerned, as of the date set out in the notice.”

23. The heading of Division IV of Chapter II of the Act is amended by inserting “DAY CARE CENTRE” before “PARENTS”.

24. The Act is amended by inserting the following sections after section 40:

“40.0.1. The Minister must ensure that the actions and practices of the coordinating offices accredited by the Minister are coherent.

To that end, the Minister may, by instruction, prescribe any procedure that a coordinating office must follow, any document it must use or any information it must provide.

“40.0.2. At least once a year, the Minister must conduct or commission a study, investigation or survey involving all the persons recognized as home educational childcare providers to establish their level of satisfaction with regard to the practices of their home educational childcare coordinating office. The Minister may require the coordinating offices to participate in the assessment of their services, to provide the required information and documents and to fill out an assessment questionnaire.”

25. Section 42 of the Act is amended

(1) by inserting “, in compliance with the instructions given by the Minister under the second paragraph of section 40.0.1” after “it” in the introductory clause;

(2) by inserting “or of subsidies referred to in the third paragraph of section 96” after “providers” in paragraph 5;

(3) by inserting the following paragraphs after paragraph 6:

“(6.1) to conduct prospecting in the territory assigned to it in order to find and guide persons who could be interested in becoming home educational childcare providers;

“(6.2) to promote home childcare as a method of providing educational childcare services;”.

26. Section 45 of the Act is amended by replacing “three” by “five”.

27. Section 46 of the Act is replaced by the following section:

“46. The Minister must publish and keep up to date, on the Minister’s department’s website, a list of all the accredited coordinating offices, indicating, for each office, the territory assigned to it and the term of the accreditation granted to it or renewed.”

28. Section 47 of the Act is amended by adding the following paragraph at the end:

“The Minister may also, on the Minister’s initiative, during the term of an accreditation, modify the accreditation to increase or decrease the number of spaces determined under section 44. In the case of a decrease, the terms set out in section 93.0.7 apply.”

29. The Act is amended by inserting the following subdivision after section 51:

“§4. — *Cessation of operations*

“**51.1.** A coordinating office must, at least 90 days before ceasing to operate, notify in writing the Minister and the home educational childcare providers recognized by it and comply with any other condition determined by regulation.

It must send a copy of the register referred to in section 59 to the Minister with that notice.

It must also, within 10 days of the Minister’s request, send the records it has established under this Act or the regulations as well as any modification made to the register referred to in the second paragraph to the Minister or to any person designated by the Minister.

The second and third paragraphs apply, with the necessary modifications, to a coordinating office whose accreditation is not renewed or is revoked by the Minister.”

30. Section 52 of the Act is amended

(1) by replacing “may” in the portion following paragraph 2 by “must, unless the person meets the conditions prescribed in subparagraph 1 of the second paragraph of section 6,”;

(2) by inserting “, other than a day care centre permit holder,” after “natural person” in the introductory clause;

(3) by replacing “six” in paragraph 2 by “nine”;

(4) by adding the following paragraph at the end:

“A person referred to in subparagraph 1 of the second paragraph of section 6 who looks after children referred to in that subparagraph elsewhere than at the children’s residence may, if the person so requests, be recognized by a coordinating office. In such a case, the person’s recognition is subject to the conditions prescribed by this Act and the regulations.”

31. Section 53 of the Act is repealed.

32. Section 53.1 of the Act is amended by replacing “sections 52 and 53” in the first paragraph by “section 52”.

33. Section 55 of the Act is amended by replacing “three-year” by “five-year”.

34. Section 57.1 of the Act is amended by inserting “a home educational childcare coordinating office acting within the scope of its functions or” after “except in the case of” in the third paragraph.

35. Chapter IV.1 of the Act is replaced by the following chapter:

“CHAPTER IV.1

“ACCESS TO EDUCATIONAL CHILDCARE SERVICES

“59.1. The Minister designates a person or body to establish and administer a single window for access to educational childcare services. The Minister may also establish it, administer it himself or herself or entrust its administration to a third party.

“59.2. All educational childcare providers must register with the single window according to the terms and conditions determined by government regulation.

“59.3. Despite section 59.2, educational childcare providers that provide services within an Aboriginal community are not required to register with the single window and are exempt from the application of sections 59.4, 59.6, 59.9, 59.10 and 59.12.

“59.4. The single window is a referral and matching tool intended to ensure an educational childcare service supply that meets the needs of parents and promotes equality of opportunity for children, while complying with admission criteria and the rank or ranks assigned to a child under this chapter.

Any rank assigned to a child may relate to a determined territory, an educational childcare provider or a category of educational childcare providers, or to a combination of those factors. In addition, depending on the admission requirements, criteria and priorities that may be determined under the third paragraph, and on the type of childcare services required, the rank assigned to a child is likely to vary and may be expressed in numbers, letters or categories.

The Government determines, by regulation, the terms and conditions for registering a child with the single window and for assigning one or more ranks to the child, as well as those for selecting, matching and referring a child registered with the single window. The Government also determines, by regulation, the requirements, criteria and priorities for admitting children to an educational childcare provider or category of educational childcare providers. The regulation must facilitate access to educational childcare services for children with special needs.

The Government may also determine, by regulation, the information and documents that must be provided to the Minister or the administrator of the single window by the educational childcare providers or the parents, in particular with regard to children’s admission, exclusion or attendance, or to the cessation of their attendance.

“59.5. For a child to receive educational childcare services provided by an educational childcare provider, other than a provider referred to in section 59.3, the child must be registered with the single window according to the terms and conditions determined by regulation.

“59.6. Educational childcare providers may not admit a child to their facility or to a home childcare service if the child is not already registered with the single window.

“59.7. Permit holders for childcare centres or day care centres delivering subsidized childcare must establish their admission policies in accordance with the requirements determined by regulation.

Children who live in precarious socio-economic situations must be given priority in the admission policies of educational childcare providers referred to in the first paragraph, to the extent and on the terms determined by regulation. To that end, the Minister may develop deprivation indexes or use existing indexes.

“59.8. Day care centres that do not provide subsidized childcare and recognized home educational childcare providers may, subject to section 59.6, admit the children of their choice according to the admission criteria they determine.

“59.9. When permit holders for childcare centres or day care centres delivering subsidized childcare intend to admit a child, they must first notify the single window administrator to obtain the referral of children from the administrator.

The referral of children via the single window and their matching with a permit holder referred to in the first paragraph must be done in accordance with the terms and conditions determined by regulation.

The referral and matching must also be done in such a way as to anticipate the measures that could be required to enable the integration of a child with special needs into a permit holder’s centre.

“59.10. All educational childcare providers must immediately inform the single window administrator when they admit a child.

“59.11. A parent may refuse to have their child admitted to a particular educational childcare provider.

“59.12. Permit holders for childcare centres or day care centres delivering subsidized childcare that refuse to admit a child who has been referred to them by the single window must notify the single window administrator and the parent of the refusal and inform the parent in writing of the reasons for the refusal.”

36. Section 78 of the Act is amended

(1) by replacing “statements to an inspector or refuse to provide an inspector with the information” in the first paragraph by “representations to an inspector or refuse to provide an inspector with the information or a document”;

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

“The person in charge of the premises being inspected and any other person present are required to assist the inspector. Likewise, the person holding information or having custody, possession or control of any document relating to the application of this Act must, at the inspector’s request, give the information or document to the inspector within a reasonable time and facilitate its examination.”

37. The Act is amended by inserting the following section after section 78:

“**78.1.** An inspector may, by a formal demand delivered by any means that allows proof of receipt, require any person to communicate, by the same means, within a reasonable time specified by the inspector, information or documents relating to the application of this Act.

The person to whom the demand is made must comply with the demand within the specified time, whether or not the person has already communicated such information or such a document or a reply to a similar demand made under this Act.”

38. Section 81 of the Act is amended by replacing “fax machine or any other electronic means, provided the intended recipient can be so reached” by “any means of communication that allows proof of receipt”.**39.** The Act is amended by inserting the following sections after section 81:

“**81.0.1.** No person may hinder an investigator in the exercise of investigation functions, make misleading representations to an investigator or refuse to provide an investigator with the information or a document he or she has the right to obtain under this Act.

“**81.0.2.** An investigator may not be prosecuted for any act done in good faith in the exercise of investigation functions.”

40. Section 89 of the Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) to an applicant for recognition as a home educational childcare provider, for the establishment of home childcare; or”.

41. Section 90 of the Act is amended by replacing the second paragraph by the following paragraphs:

“Such childcare is intended for children referred to in the first paragraph of section 2.

Home educational childcare providers may not receive a subsidy for the childcare they provide, within their childcare operation, to their own children or to children who ordinarily live with them. Nor may they receive a subsidy for childcare provided to their assistants’ children or to children who ordinarily live with their assistants, if the services are provided at the children’s residence.”

42. Section 91 of the Act is amended by replacing “likewise” by “, according to the conditions and priorities the Minister determines,”.

43. Section 93 of the Act is replaced by the following sections:

“93. The total number of subsidized childcare spaces corresponds to the total number of spaces authorized under the permits for all childcare centres and daycare centres that have entered into a subsidy agreement with the Minister as well as under the accreditations of all the home educational childcare coordinating offices.

“93.0.1. When the Minister intends to assign new subsidized childcare spaces to permit applicants or permit holders, the Minister issues an invitation to submit a project to create such spaces for part or all of Québec.

Such an invitation is first addressed to childcare centre permit applicants or permit holders. If no project is submitted by them or is selected, the invitation may then be addressed to any other permit applicant or permit holder.

The invitation sets out the terms and conditions the project must comply with and the categories of permit applicants or permit holders for which the invitation is intended, if applicable. It may also specify the participation of the Minister in the financing or planning of the construction project as well as that of any person designated by the Minister, in particular in the planning, management or control of the development or construction project or in the supply of a facility.

Following the invitation, the Minister selects one or more projects from among those that meet the conditions of the invitation and then allocates the places among the permit applicants or permit holders whose project has been selected.

Before allocating spaces within an Aboriginal community, the Minister consults the community concerned or, if applicable, the person or body designated by the community to represent it in such matters.

“93.0.2. When the Minister intends to assign new subsidized childcare spaces to a home educational childcare coordinating office for it to distribute the spaces, the Minister modifies the coordinating office’s accreditation in accordance with subdivision 2 of Division I of Chapter III of the Act.

“93.0.3. The Minister must take measures to ensure that the educational childcare service supply in each territory meets the demand for such services. Accordingly, when the Minister finds, at the conclusion of the process set out in section 11.2, that the Minister’s projected service supply in a given territory does not meet the demand, the Minister issues, within six months of that finding, an invitation in accordance with section 93.0.1.

“93.0.4. Where the subsidized childcare spaces assigned to a permit applicant or a permit holder are not made available within the time determined by the Minister, the Minister may recover the spaces in order to reallocate or cancel them.

The same is true where such a childcare space becomes unoccupied otherwise than in the situation provided for in section 93.0.8.

Before recovering or cancelling childcare spaces in accordance with this section, the Minister must notify the permit applicant or permit holder in writing and give the applicant or holder at least 15 days to submit observations. The Minister’s decision, with reasons, is then communicated in writing.

“93.0.5. Where a permit applicant or permit holder delays or neglects, or experiences significant difficulties in, completing construction or development work for which subsidies have been granted, the Minister may, in addition to any other action the Minister may take or any right the Minister may have, propose the participation of any person designated by the Minister in order to complete the required work.

“93.0.6. A coordinating office may reallocate a childcare space assigned to a home educational childcare provider if it becomes unoccupied.

“93.0.7. Where a home coordinating office fails to make available the childcare spaces that have been allocated to it, the Minister may recover those spaces in order to reallocate them in accordance with section 93.0.1 or section 93.0.2 or to cancel them.

Where the Minister intends to decrease the number of spaces granted to a coordinating office without the latter having consented to it, the Minister must notify the coordinating office in writing and give it at least 15 days to submit observations. After the expiry of that period, the Minister renders a decision in writing, with reasons.

“93.0.8. Where a permit holder ceases to operate in one or more facilities, the Minister recovers, if applicable, the subsidized childcare spaces that were assigned to it. Despite sections 11.2 and 93.0.1, the Minister may then assign such spaces or reallocate the spaces recovered to the childcare centre permit holder or permit applicant best able to ensure the continuity of childcare provided in the territory served, while granting attendance priority to the children affected by the cessation of operations.

Where no childcare centre permit holder or permit applicant is able to ensure that services are maintained to the Minister’s satisfaction, the authorization may be granted to a day care permit applicant or permit holder.

“93.0.9. When allocating subsidized childcare spaces to permit applicants or permit holders, the Minister makes public, on the Minister’s department’s website, the criteria used to assess the projects and allocate the spaces as well as the decisions rendered concerning the projects accepted.”

44. Section 93.1 of the Act is replaced by the following section:

“93.1. In no case may a person who holds two or more day care centre permits or related persons who hold two or more day care centre permits be allocated more than 500 subsidized childcare spaces.”

45. Sections 94 and 94.2 of the Act are repealed.

46. Section 95 of the Act is replaced by the following section:

“95. An educational childcare provider may not provide childcare to both children benefiting from subsidized childcare spaces and others not occupying subsidized childcare spaces.”

47. Section 96 of the Act is amended by adding the following paragraph at the end:

“The Minister may also pay a subsidy referred to in paragraph 1.1 of section 89 to a coordinating office for it to redistribute according to the terms and conditions determined by the Minister.”

48. Section 101 of the Act is amended by replacing “ou de la révocation de son permis ou de son agrément” in the French text by “, de la révocation de son permis ou du retrait de son agrément”.

49. Section 101.3 of the Act is amended

(1) by inserting “, 81.0.1” after “78” in the first paragraph;

(2) by replacing “the first paragraph of section 5.1 or any of sections 13, 14, 16, 20, 59.1, 59.2 and 102” in the second paragraph by “section 2.2, the first and fifth paragraphs of section 5.1 or any of sections 13, 13.1, 14, 16, 20, 59.2 and 59.6, the first paragraph of section 59.9 and sections 59.10, 59.12, 95 and 102”;

(3) by replacing the third paragraph by the following paragraph:

“The amount of the administrative penalty is \$750 in the case of a natural person and \$1,500 in other cases.”

50. The heading of Chapter VIII.2 of the Act is replaced by the following heading:

“REGIONAL ADVISORY COMMITTEE”.

51. Section 103.5 of the Act is replaced by the following section:

“103.5. The Minister establishes a regional advisory committee for every territory the Minister determines.

The function of each committee is to advise the Minister on the educational childcare service needs and priorities for developing such services in its territory, in accordance with section 11.2.

In addition, a committee must conduct any analysis the Minister requests it to conduct and give its opinion on any matter submitted to it by the Minister, including any matter concerning the development of educational childcare services, the steps leading to the issue of a day care centre permit and the process for assigning, recovering and allocating subsidized childcare spaces.”

52. Section 103.6 of the Act is amended

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

“Each committee is composed of the following members:

(1) one person designated by each of the regional county municipalities of the territory concerned;

(2) one person designated by the director or directors of youth protection acting in the territory concerned;

(3) one person designated by the integrated health and social services centres of the territory concerned who is not under the authority of a director of youth protection;

(4) one person designated by the school service centres and school boards of the territory concerned;

(5) one person designated by a regional economic development agency of the territory concerned;

(6) one person designated by a community organization with a family-related mandate designated by the Minister; and

(7) one person designated by the body most representative of the childcare centres of the territory concerned.”;

(2) by replacing the first sentence of the second paragraph by the following sentences: “For the purposes of subparagraph 1 of the first paragraph, any local municipality whose territory is not included in that of a regional county municipality, with the exception of a local municipality whose territory is included in the urban agglomeration of Ville de Montréal, Ville de Québec, Ville de Longueuil, Ville de La Tuque or Municipalité des Îles-de-la-Madeleine, is considered a regional county municipality. In the case of those municipalities, the urban agglomeration council is considered a regional county municipality.”;

(3) by replacing the third paragraph by the following paragraphs:

“All regional advisory committee members designated under the first paragraph must work or reside in the territory of their committee.

A person designated under the first paragraph who, due to an impediment or a temporary inability to act, is unable to attend a committee meeting may be replaced by a person mandated for that purpose by the body or bodies that designated the person.”

53. Section 103.7 of the Act is amended

(1) by replacing “non-renewable five-year term” in the first paragraph by “term not exceeding five years”;

(2) by inserting “or until their term is renewed” at the end of the second paragraph.

54. Section 103.8 of the Act is amended by adding the following paragraph at the end:

“The quorum at meetings of a committee is a majority of its members. If a quorum cannot be obtained, the Minister may, if the Minister considers it appropriate or at the request of the committee, designate one or more ad hoc members.”

55. The Act is amended by inserting the following section after section 103.8:

“103.8.1. The Minister may issue a directive establishing any of the committee’s operating rules, including those relating to conflicts of interest, their disclosure and ethics.”

56. Section 103.9 of the Act is amended by replacing “Advisory committee members” by “Members or ad hoc members of a regional advisory committee”.

57. Section 104 of the Act is replaced by the following section:

“104. A person whose permit application or application for recognition as a home educational childcare provider is denied or whose permit or recognition is suspended, revoked or not renewed or a parent who believes he or she has been wronged by a decision under section 88 may contest the decision of the Minister or the home educational childcare coordinating office, as applicable, before the Administrative Tribunal of Québec within 60 days after being notified of the decision.”

58. Section 106 of the Act is amended, in the first paragraph,

(1) by inserting “, and determine the cases, conditions and duration of the overlapping period during which more children than the number stated on the permit may be provided childcare in accordance with section 13.1” at the end of subparagraph 3;

(2) by inserting the following subparagraph after subparagraph 3:

“(3.1) prescribe standards aimed at ensuring the health of children that are applicable to educational childcare providers, their facilities or their residence, as applicable, and require educational childcare providers to send the Minister the results of any analysis that may be required by the Minister regarding such matters;”;

(3) by inserting the following subparagraph after subparagraph 4:

“(4.1) determine the persons required to take a first aid course and the persons qualified to offer the course, identify the course that must be taken or prescribe its content, its duration and the manner in which it must be offered, and the terms for maintaining the training of the persons having taken it;”;

(4) by inserting the following subparagraph after subparagraph 5:

“(5.1) establish the conditions and standards applicable when a permit holder is authorized, under section 16.4, to provide childcare services in a temporary facility and determine, from among the standards that would otherwise be applicable, those from which the holder is exempt in those circumstances;”;

(5) by inserting the following subparagraphs after subparagraph 8:

“(8.1) establish the time limit for issuing, and the content and form of, the attestation setting out the experience accumulated for qualification purposes that a permit holder must issue to a member of its childcare staff when the staff member’s employment is terminated or when the permit holder ceases to operate in a facility;

“(8.2) establish the time limit for issuing, and the content and form of, the attestation setting out the experience accumulated for qualification purposes that a coordinating office must issue to a home educational childcare provider it has recognized when the home childcare provider’s recognition is terminated;

“(8.3) determine the conditions for the issue or renewal of a certificate of recognition of qualification by the Minister, prescribe the certificate’s content and prescribe the information that a permit holder, home educational childcare coordinating office, recognized home educational childcare provider or childcare staff member must provide for that purpose;”;

(6) by replacing subparagraph 14 by the following subparagraphs:

“(14) determine the terms and conditions according to which an educational childcare provider must register with the single window for access to educational childcare services designated by the Minister;

“(14.0.1) determine the terms and conditions for registering a child with the single window for access to educational childcare services and those for matching and referring a registered child;

“(14.0.2) determine the requirements, criteria and priorities for admitting a child to an educational childcare provider or category of educational childcare providers;

“(14.0.3) determine the terms and conditions for assigning a rank or ranks to, and for selecting, a child registered with the single window for access to educational childcare services;

“(14.0.4) determine the information and documents that must be provided to the Minister or the administrator of the single window for access to educational childcare services by educational childcare providers or parents, in particular with regard to children’s admission, exclusion or attendance or to the cessation of their attendance;

“(14.0.5) determine the requirements relating to the establishment and content of the admission policies of permit holders for childcare centres or day care centres delivering subsidized childcare;

“(14.0.6) prescribe to what extent and according to what terms children living in a precarious socio-economic situation must be given priority in the admission policies of permit holders for childcare centres or day care centres delivering subsidized childcare;”;

(7) by inserting the following subparagraph after subparagraph 15:

“(15.1) determine the formalities to be followed when taking children on an outing;”;

(8) by replacing “, to an educational childcare provider or to the person referred to in section 6.1” in subparagraph 18 by “or to an educational childcare provider”;

(9) by striking out subparagraph 18.1;

(10) by inserting “in one or more facilities” at the end of subparagraph 19;

(11) by inserting the following subparagraph after subparagraph 23:

“(23.1) establish the number, nature and terms of visits that a home educational childcare coordinating office is required to make to a home educational childcare provider;”;

(12) by striking out subparagraphs 29.4 to 29.7.

59. Section 108 of the Act is amended

(1) by inserting “, 14.0.1, 15.1” after “14” in the first paragraph;

(2) by replacing “3, 4, 5” in the third paragraph by “3 to 5.1”.

60. Section 108.1 of the Act is amended by replacing “\$1,000 to \$10,000” by “\$2,500 to \$12,500”.

61. Section 109 of the Act is amended by replacing “53” by “52”.

62. Section 110 of the Act is amended by replacing “13, 14, 16, 17, 20, 22, 25 or 30” by “13, 13.1, 14, 16, 17, 20, 22 or 25”.

63. The Act is amended by inserting the following section after section 110:

“**110.1.** A permit holder that contravenes a provision of the first paragraph of section 30 is guilty of an offence and is liable to a fine of \$2,500 to \$12,500.”

64. Section 111 of the Act is amended by replacing “\$250 to \$1,000” by “\$500 to \$2,500”.

65. The Act is amended by inserting the following section after section 112:

“**112.1.** An accredited home educational childcare coordinating office that contravenes section 51.1 is guilty of an offence and is liable to a fine of \$2,500 to \$12,500.”

66. Section 113.4 of the Act is repealed.

67. Section 114 of the Act is amended by replacing “\$250 to \$1,000” by “\$500 to \$2,500”.

68. Section 115.1 of the Act is amended by replacing “section 78” by “a provision of section 78 or 81.0.1”.

69. Section 116 of the Act is amended by replacing “59.1, 59.2” by “2.2, 59.2 and 59.6, the first paragraph of section 59.9 and sections 59.10, 59.12”.

70. Section 117 of the Act is amended by replacing “\$250 to \$1,000” by “\$500 to \$2,500”.

71. The Act is amended by inserting the following section after section 119:

“119.1. The prescription period for a penal proceeding for an offence under this Act or the regulations is the longer of

(1) three years from the date the offence was committed; and

(2) two years from the date on which the inspection or investigation that led to the discovery of the offence was begun if false representations were made to the Minister or to one of the Minister’s public servants.

In the cases referred to in subparagraph 2 of the first paragraph, the Minister’s, inspector’s or investigator’s attestation indicating the date on which the investigation record was opened constitutes conclusive proof of that date, in the absence of evidence to the contrary. However, in such cases, no proceedings may be instituted if more than five years have passed since the date of the commission of the offence.”

72. The Act is amended by inserting the following section after section 121:

“121.1. To enable the application of measures ensuring that Aboriginal realities are taken into account, the Government may enter into an agreement on any matter within the scope of this Act or the regulations with an Aboriginal nation represented by all the band councils or northern village councils of the communities forming the nation, by the Makivik Corporation or by the Cree Nation Government, with an Aboriginal community represented by its band council, by its northern village council or by a group of communities so represented or, in the absence of such councils, with any other Aboriginal group.

Such an agreement has precedence over this Act and the regulations. However, a person covered by an agreement is exempt from the incompatible provisions of this Act or the regulations only to the extent that the person complies with the agreement.

An agreement entered into under this section must be tabled in the National Assembly within 30 days after it is signed or, if the Assembly is not sitting, within 30 days after resumption. It must also be published in the *Gazette officielle du Québec*.”

73. Section 122 of the Act is amended by replacing “The Minister may establish” in the first paragraph by “The Minister may, on the Minister’s initiative or at the request of a third party, establish or authorize”.

74. Section 124 of the Act is replaced by the following section:

“**124.** The maximum duration of a pilot project is three years. The Minister may extend the duration by up to two years if the Minister considers it necessary.

The results of a pilot project must be published by the Minister, on the Minister’s department’s website, not later than one year after it ends.”

75. The Act is amended by inserting the following section after section 153:

“**153.1.** A non-profit community organization that establishes that, on 21 October 2021, it met all the conditions set out in subparagraph 3 of the second paragraph of section 6 of this Act, as it reads as of 1 September 2022, other than the condition that a public body referred to in that paragraph finance its overall mission, may apply to the Minister, not later than 11 July 2022, for recognition as such. An application for recognition may not be made after that date.

When the Minister recognizes such an organization under the first paragraph, the Minister issues it recognition that allows it to avail itself of the exception under subparagraph 3 of the second paragraph of section 6 of the Act as of 1 September 2022, to the extent and as long as the organization complies with all the other conditions.”

76. The Act is amended by replacing all occurrences of “10 days” in sections 29, 49, 68 and 97 by “15 days”.

REDUCED CONTRIBUTION REGULATION

77. Section 1 of the Reduced Contribution Regulation (chapter S-4.1.1, r. 1) is amended

(1) by striking out “for children under 5 years of age on 30 September of the reference year” in the second paragraph;

(2) by striking out the third paragraph.

78. Section 4 of the Regulation is revoked.

79. Section 6 of the Regulation is amended by striking out “under 5 years of age on 30 September of the reference year” in the introductory clause of the first paragraph.

80. Section 7 of the Regulation is revoked.

81. Sections 8 and 10 of the Regulation are amended by replacing all occurrences of “6, 7 and 12” by “6 and 12”.

82. Section 11 of the Regulation is amended by striking out “under 5 years of age on 30 September of the reference year”.

83. Section 14 of the Regulation is amended

(1) by striking out “, except if the child is at least 5 years of age on 30 September of the reference year and has been admitted to preschool or elementary school education” in subparagraph 4 of the second paragraph;

(2) by striking out the third paragraph;

(3) by inserting “Furthermore,” at the beginning of the fourth paragraph.

84. Section 25 of the Regulation is amended by striking out “7,”.

EDUCATIONAL CHILDCARE REGULATION

85. Chapter I.1 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2) is revoked.

86. Section 7 of the Regulation is amended

(1) by replacing “80 children” in the introductory clause by “100 children”;

(2) by replacing paragraphs 3 and 4 by the following paragraph:

“(3) 4 years of age and older.”

87. Subdivision 5 of Division I of Chapter II of the Regulation is revoked.

88. Section 21 of the Regulation is amended by replacing paragraphs 3 and 4 by the following paragraph:

“(3) one member for 10 or fewer children present from 4 years of age and older.”

89. The Regulation is amended by inserting the following division after section 44:

“DIVISION IV

“TEMPORARY FACILITIES

“44.1. A permit holder authorized, under section 16.4 of the Act, to provide childcare to children in a temporary facility must be sure to comply with all the standards applicable under this Regulation, except the standards set out in the following provisions:

- (1) subparagraphs *c* and *d* of paragraph 10 of section 10;
- (2) section 16.1;
- (3) paragraphs 2, 4 and 7 of section 32; and
- (4) paragraph 6 of section 33.

The permit holder is also exempt from the application

(1) of paragraph 1 of section 33 and paragraph 1 of section 34, provided the holder has a refrigerator and, if the holder provides childcare to children under 18 months of age, a hot plate in his or her facility;

(2) of paragraph 2 of section 33, provided the holder, if the holder provides childcare to children under 18 months of age, reserves space for a cloakroom for those children; and

(3) of the obligation set out in paragraph 3 of section 33 to have one toilet and washbasin on each storey to which children have access, to the extent that that equipment is not located more than one storey from the storey to which children have access.”

90. Sections 49 and 50 of the Regulation are revoked.

91. The heading of subdivision 4 of subdivision 2 of Division II of Chapter III of the Regulation is amended by replacing “*Non-renewal*” by “*Refusal, non-renewal*”.

92. Section 75 of the Regulation is amended by replacing “5.2, 53, 53.1, 54, 58” in paragraph 1 by “2.2, 5.2, 52, 53.1, 54, 58, 59.2, 59.6, 59.10”.

93. Section 76 of the Regulation is amended by replacing “home educational childcare provider, the coordinating office must notify the provider in writing” in the first paragraph by “home educational childcare provider or before refusing to issue a recognition, the coordinating office must notify the person concerned in writing”.

94. Section 124 of the Regulation is amended by striking out “17,”.

95. Section 125 of the Regulation is amended by replacing “45 and 47 to 49” by “45 and 47 to 48.1”.

96. Section 127 of the Regulation is amended by replacing “80 children” by “100 children”.

OTHER AMENDING PROVISION

97. Unless the context indicates otherwise, in any Act or regulation, including the title, except for the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), and in any other document,

(1) “childcare provider” is replaced by “educational childcare provider”;

(2) “home childcare provider” is replaced by “home educational childcare provider”;

(3) “home childcare coordinating office” is replaced by “home educational childcare coordinating office”, except in section 1 of the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011), where it is replaced by “coordinating office”.

The replacements referred to in the first paragraph also apply, with the necessary modifications, to the plural form of the replaced expressions.

TRANSITIONAL AND FINAL PROVISIONS

98. A child who, on 12 April 2022, is admitted to preschool education services or elementary school instructional services and who is receiving childcare provided by an educational childcare provider may continue to receive such childcare until 31 August 2022. Despite any contract provision to the contrary, the child may not continue to receive those services as of 1 September 2022.

99. Despite the time limit prescribed in the fifth paragraph of section 5.1 of the Educational Childcare Act (chapter S-4.1.1), enacted by section 5, the first publication by the Minister of the results of the childcare educational quality assessment and improvement process is made

(1) with regard to a permit holder, as of the time all permit holders have been assessed at least once, regardless of the date of the assessment; and

(2) with regard to a home educational childcare provider, as of the time all home educational childcare providers have been assessed at least once, regardless of the date of the assessment.

Permit holders and home educational childcare providers whose permit or recognition was obtained in the year preceding the date of the first publication by the Minister are not taken into account in determining that date.

100. From 1 September 2022 until 1 September 2026, sections 6.1, 6.2 and 113.4 of the Educational Childcare Act do not apply to a person referred to in subparagraph 1 of the second paragraph of section 6 of that Act, as enacted by section 6.

101. With regard to a home educational childcare coordinating office whose accreditation is in force on 12 April 2022, section 45 of the Educational Childcare Act, as amended by section 26, applies only from the first renewal of the accreditation after that date.

102. Section 93.0.5 of the Educational Childcare Act, enacted by section 43, applies, with the necessary modifications, to a project involving construction or development work for which subsidies were granted to the permit applicant or permit holder before 1 September 2022.

103. From 12 April 2022 until 1 September 2022 and despite any provision to the contrary, an educational childcare service supply advisory committee established under section 103.5 of the Educational Childcare Act retains competence only with regard to permit applications for day care centres that do not provide subsidized childcare filed before 12 April 2022. Any application received by the Minister before that date and not yet decided by the committee must be analyzed by the committee concerned, which must produce its recommendations not later than 1 September 2022.

All permit applications for day care centres that do not provide subsidized childcare filed between 12 April 2022 and 1 September 2022 are suspended. At the end of that period, those applications must be analyzed in accordance with the Educational Childcare Act, as it reads as of 1 September 2022.

Between 12 April 2022 and 1 September 2022, the Minister assumes, with the necessary modifications, all the other responsibilities of an educational childcare service supply advisory committee.

104. The term of any member of an educational childcare service supply advisory committee designated under subparagraphs 3, 4, 8 or 9 of the first paragraph of section 103.6 of the Educational Childcare Act, as it read before 1 September 2022, continues without interruption within a regional advisory committee as if the member had been designated under, respectively, subparagraph 4, 7, 5 or 6 of the first paragraph of section 103.6, as they read as of that date.

The term of a member designated under subparagraph 2 of the first paragraph of section 103.6 of the Educational Childcare Act, as it read before 1 September 2022, continues without interruption as if the member had been designated under subparagraph 2 or 3 of the first paragraph of section 103.6, according to whether or not they are under the authority of the director of youth protection, as they read as of that date.

For the purposes of section 103.7 of the Educational Childcare Act, as amended by section 53, the term of a member referred to in the first or second paragraph is deemed to start on 1 September 2022. The term of any other member ends on that date.

105. Despite any inconsistent provision, a person who, between 12 April 2022 and 1 September 2026, files an application for recognition with a coordinating office may be recognized as a home educational childcare provider without having successfully completed the training referred to in paragraph 8.1 of section 51 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2).

The same applies with respect to the person's obligation to comply with paragraph 9 of section 60 of the Regulation and to the obligation to comply with sections 5 and 57.1 of the Educational Childcare Act.

However, to maintain recognition, the person must, not later than 12 months after obtaining the recognition, successfully complete the training referred to in the first paragraph and send the documents establishing completion to the coordinating office and, not later later than 24 months after recognition, send the coordinating office his or her educational program and implement it as well as comply with section 57.1 of the Educational Childcare Act.

In addition, on receiving the documents sent under this section, the coordinating office applies sections 61 and 62 of the Educational Childcare Regulation, with the necessary modifications.

106. If the expiry date of the recognition of a home educational childcare provider is later than 11 April 2022, it is postponed to two years from the date appearing in the notice of acceptance referred to in section 62 of the Educational Childcare Regulation that was issued to the home educational childcare provider.

107. The Government may, by a regulation made before 12 April 2024, enact any other transitional provision or measure useful for carrying out this Act.

A regulation made under the first paragraph is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) or to the date of coming into force set out in section 17 of that Act.

Such a regulation may also, if it so provides, apply from any date not prior to 12 April 2022.

108. The provisions of this Act come into force on 12 April 2022, except

(1) sections 1 to 3, 6 and 7, paragraph 2 of section 9, section 10, paragraphs 1 and 2 of section 11, sections 12 to 15, 18, 28, 41, 43, 45 and 46, paragraph 2 of section 49 insofar as it adds “section 2.2” and “95” to the second paragraph of section 101.3 of the Educational Childcare Act, sections 50 to 56, section 69 insofar as it adds “2.2” to section 116 of that Act, sections 77 to 84, paragraph 2 of section 86, section 88, and section 92 insofar as it adds “2.2” to section 75 of the Educational Childcare Regulation, which come into force on 1 September 2022;

(2) sections 8 and 30 to 32, paragraphs 8, 9 and 12 of section 58, sections 61, 66 and 85, and section 92 insofar as it adds “52” to section 75 of the Educational Childcare Regulation and strikes out “53” in that section, which come into force on 1 September 2026;

(3) sections 5, 16 and 35, paragraph 2 of section 49 insofar as it adds “and fifth”, “, 13.1” and “and 59.6, the first paragraph of section 59.9 and sections 59.10, 59.12” to the second paragraph of section 101.3 of the Educational Childcare Act and strikes out “59.1” in that paragraph, paragraphs 1, 6 and 7 of section 58, paragraph 1 of section 59, section 62 insofar as it adds “13.1” to section 110 of that Act, section 69 except insofar as it adds “2.2” to section 116 of that Act, section 92 insofar as it adds “59.2, 59.6, 59.10” to section 75 of the Educational Childcare Regulation, and section 99, which come into force on the date to be determined by the Government.

2022, chapter 10

AN ACT MAINLY TO END PETROLEUM EXPLORATION AND PRODUCTION AND THE PUBLIC FINANCING OF THOSE ACTIVITIES

Bill 21

Introduced by Mr. Jonatan Julien, Minister of Energy and Natural Resources

Introduced 2 February 2022

Passed in principle 16 March 2022

Passed 12 April 2022

Assented to 13 April 2022

Coming into force: on the date or dates to be set by the Government, except sections 74 to 76 of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1), which come into force on 13 April 2022

– 2022-08-23: ss. 1 (except ss. 74-76 of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine), 2-123
O.C. 1313-2022
G.O., 2022, Part 2, p. 2463, 2464

Legislation enacted:

Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1)

Legislation amended:

Tax Administration Act (chapter A-6.002)

Act respecting land use planning and development (chapter A-19.1)

Natural Heritage Conservation Act (chapter C-61.01)

Act respecting the conservation and development of wildlife (chapter C-61.1)

Petroleum Resources Act (chapter H-4.2)

Act respecting Investissement Québec (chapter I-16.0.1)

Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)

Environment Quality Act (chapter Q-2)

Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1)

Act to amend the Act respecting the conservation and development of wildlife and other legislative provisions (2021, chapter 24)

Legislation repealed:

Act to limit oil and gas activities (2011, chapter 13)

(cont'd on next page)

Regulations amended:

Regulation respecting wildlife habitats (chapter C-61.1, r. 18)

Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1)

Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1)

Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2)

Explanatory notes

This Act enacts the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine. The effect of that Act is to prohibit exploration for petroleum and production of petroleum and brine. That Act also prohibits exploration for underground reservoirs where it is carried out for the purpose of exploring for, storing or producing petroleum or brine. It revokes petroleum exploration and production licences and authorizations to produce brine, and it provides that the Government must establish a compensation program pertaining to the revocation of licences. That Act requires, in particular, the holders of a revoked licence to permanently close wells and restore sites according to the terms and conditions it determines, except wells for which the Minister of Energy and Natural Resources may authorize pilot projects for the purpose of acquiring geoscience knowledge.

The Act validates the regulations made under the authority of the Petroleum Resources Act, certain decisions which effectively limit or prohibit, directly or indirectly, exploration for petroleum and underground reservoirs and production of petroleum and brine as well as the collection by the Minister of the annual fees for oil and gas activities.

The Act amends the Petroleum Resources Act to limit its scope to natural gas storage and natural gas and oil pipelines and, consequently, replaces the title of the Act to take into account those amendments. It also provides for new powers of inspection.

Lastly, the Act contains consequential and transitional provisions.



Chapter 10

AN ACT MAINLY TO END PETROLEUM EXPLORATION AND PRODUCTION AND THE PUBLIC FINANCING OF THOSE ACTIVITIES

[Assented to 13 April 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ENACTMENT OF THE ACT ENDING EXPLORATION FOR PETROLEUM AND UNDERGROUND RESERVOIRS AND PRODUCTION OF PETROLEUM AND BRINE

I. The Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine, the text of which appears in this chapter, is enacted.

“Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine

“AS, in the face of the climate emergency, Québec is committed to the energy transition;

“AS Québec declared itself bound, in 2016, by the Paris Agreement of the United Nations Framework Convention on Climate Change and as it joined the Beyond Oil and Gas Alliance in 2021;

“AS Québec aims to achieve carbon neutrality by 2050;

“AS, to achieve carbon neutrality, States must cease making any new investments in petroleum exploration and production;

“AS Québec wishes to maintain an investment climate that fosters energy innovation;

“AS the vast collective endeavour that is the energy transition has the potential to be a source of pride and of economic development, as well as the wellspring of the future, for all the regions of Québec;

“CHAPTER I**“GENERAL PROVISIONS**

“1. The purpose of this Act is to put an end to exploration for petroleum and underground reservoirs and production of petroleum and brine.

“2. For the purposes of this Act,

“brine” means any natural aqueous solution containing more than 4% by weight of dissolved solids;

“gas” means natural gas extracted from the subsoil and includes all substances, other than oil, that are produced with natural gas;

“oil” means crude oil, regardless of gravity, produced at a well head in liquid form and any other hydrocarbons, except coal and gas, and, in particular, hydrocarbons that may be extracted or recovered from deposits of oil sand, bitumen, bituminous sand, oil shale or from any other types of deposits on the subsoil;

“petroleum” means oil and gas;

“stratigraphic survey” means any opening in the ground, other than a seismic shotpoint, that is made to collect data on a geological formation, using samples and their analysis and technical surveys, conducted as part of preliminary investigations to eventually locate, design and construct a drilling site for exploration for or the production of petroleum or brine, or for exploration for or the operation of an underground reservoir and the well or wells which will be present on the site;

“underground reservoir” means any subsurface geological environment that contains or may contain petroleum in a natural porosity system or in a source rock;

“well” means any opening in the ground on a drilling site, other than a seismic shotpoint, that is made, is in the process of being made or is projected to be made for the purpose of exploring for, obtaining or producing petroleum, of withdrawing water to inject into an underground formation, of injecting gas, air, water or any other substance into such an underground formation, or for any other purpose.

“3. This Act is binding on the State.

“4. Petroleum, underground reservoirs and brine form part of the domain of the State.

“5. All activities carried out under this Act must be carried out in accordance with generally recognized best practices for ensuring the safety of persons and property and the protection of the environment.

“CHAPTER II**“END OF PETROLEUM EXPLORATION AND PRODUCTION, BRINE PRODUCTION AND EXPLORATION FOR UNDERGROUND RESERVOIRS**

“6. Petroleum exploration and production and brine production are prohibited.

Exploration for underground reservoirs is prohibited if it is intended for exploring for, storing or producing petroleum or brine.

“7. Petroleum exploration licences, petroleum production licences and authorizations to produce brine issued or deemed issued under the Petroleum Resources Act (chapter H-4.2), as it read on 12 April 2022, are revoked.

“8. Every person or partnership that, on 19 October 2021, held a petroleum exploration or production licence referred to in section 7 or held a share of a right conferred by such a licence is deemed a holder of a revoked licence and is solidarily liable for the performance of the obligations provided for in this Act.

A partnership which has carried out activities with respect to a licence that was held by one of its members on 19 October 2021 is also deemed a holder of a revoked licence.

The obligations provided for in this Act are indivisible.

Unless otherwise provided, the representative designated in accordance with the government regulations acts as the mandatary of the persons holding a share in respect of the licence.

“9. A petroleum exploration or production licence or a share of the right such a licence confers is deemed to have been transferred or surrendered on 19 October 2021 if the Minister received an application for transfer or surrender before that date and the Minister approved the application during the period from 19 October 2021 to 13 April 2022.

An application for transfer or surrender received by the Minister after 19 October 2021 is null and void.

“CHAPTER III**“OBLIGATIONS OF THE HOLDER OF A REVOKED LICENCE**

“10. Holders of a revoked licence must permanently close the wells drilled under their licence and restore the sites in compliance with this Act.

The obligation provided for in the first paragraph includes the obligation to seal off stratigraphic surveys.

The first paragraph does not apply to wells used under a storage licence within the meaning of the Act respecting natural gas storage and natural gas and oil pipelines (chapter H-4.2).

“11. Holders of a revoked licence subject to the obligation provided for in section 10 must send to the Minister, not later than 120 days after the coming into force of that section and in the form determined by the Minister, the following items:

- (1) the annual inspection worksheet prescribed by government regulation;
- (2) the demonstration that the planned work will be performed according to generally recognized best practices to ensure the safety of persons and property and the protection of the environment;
- (3) an emergency response plan; and
- (4) a plan for communication with the local communities.

“12. Holders of a revoked licence must send to the Minister, at the Minister’s request and within the time and in the manner determined by the Minister, the following items:

- (1) the results of cement tests carried out in a laboratory in compliance with the Industry Recommended Practice, IRP #: 25, Primary Cementing, published by the Drilling and Completions Committee;
- (2) any information, documents or samples of a geological or geophysical nature or relating to drilling; and
- (3) any information, documents or samples the Minister considers necessary for the purposes of this Act.

“CHAPTER IV

“PERMANENT WELL CLOSURE AND SITE RESTORATION

“DIVISION I

“PERMANENT WELL CLOSURE AND SITE RESTORATION PLAN

“13. Each of the wells referred to in section 10 must be the subject of a permanent well closure and site restoration plan, approved by the Minister under section 105 of the Petroleum Resources Act, as it read on 12 April 2022.

The Minister must carry out a hydrogeological study aimed in particular at characterizing the groundwater for the sites of wells drilled before 14 August 2014. The results of the study must be sent to the Minister of Sustainable Development, Environment and Parks and to the holder of the revoked licence within 18 months after the coming into force of section 10.

The Minister or the person authorized by the Minister for that purpose has access to the territory that was subject to the revoked licence to carry out the study.

“14. The Minister may require that the holder of a revoked licence subject to the obligation provided for in section 10 submit for approval, within the time specified by the Minister, a revision of their permanent well closure and site restoration plan.

The plan specifies the work to be performed upon closing the well and provides an estimate of the projected costs of the work. It contains, in particular, the items prescribed by government regulation.

The plan must be signed and sealed by an engineer.

“15. The Minister approves the revised permanent well closure and site restoration plan after obtaining a favourable opinion from the Minister of Sustainable Development, Environment and Parks.

The Minister may subject the approval of the plan to any condition or to any obligation the Minister determines.

“DIVISION II

“PERMANENT WELL CLOSURE AND SITE RESTORATION WORK

“16. The Minister notifies a notice of permanent well closure to the holder of a revoked licence subject to the obligation provided for in section 10, before the latest of the following dates:

(1) the 120th day after receipt by the Minister of the items sent under sections 11 and 12;

(2) the 120th day after the sending, by the Minister, of the results of the hydrogeological study provided for in section 13 to the Minister of Sustainable Development, Environment and Parks; or

(3) the 90th day after the approval, under section 15, of the revised permanent well closure and site restoration plan, if applicable.

“17. The holder of the revoked licence may begin the work provided for by the permanent well closure and site restoration plan once the following conditions are met:

(1) the holder has received the notice of permanent well closure notified by the Minister;

(2) the holder has informed in writing the owner or lessee, the local municipality and the regional county municipality, as applicable, at least 30 days before the work begins if the site concerned is located in whole or in part on private land or land leased by the State or in the territory of a local municipality; and

(3) the holder has informed the Minister in writing, at least seven days before the work begins, of the work start date.

“18. The Government determines, by regulation, the obligations of the holder of a revoked licence subject to the obligation provided for in section 10 with regard to permanent well closure and site restoration work, as well as the terms and conditions according to which that work is to be performed.

“19. Permanent well closure and site restoration work must be completed not later than, as the case may be,

(1) 12 months after notification of the notice of permanent well closure under section 16, in the case of a well that poses a risk; or

(2) 36 months after notification of the notice of permanent well closure under section 16, in the case of a well that does not pose a risk.

The Minister may, if the Minister considers it necessary, grant an extension of up to 12 months for the performance of the permanent well closure and site restoration work.

For the purposes of the first paragraph, a well is considered as posing a risk if one of the situations provided for by government regulation is detected.

The holder of the revoked licence must inform the Minister, as soon as possible, whenever they detect one of the situations referred to in the third paragraph.

“20. If the holder of the revoked licence fails to perform the permanent well closure and site restoration work within the applicable time, the Minister may, in addition to seeking any civil, administrative or penal remedy or measure, cause the work specified by the plan to be performed at the holder’s expense.

“21. The holder of the revoked licence or the person who performs the work at the Minister’s request has access, for the purposes of planning and performing the permanent well closure and site restoration work, to the territory that was subject to the revoked licence until the Minister declares being satisfied with the work.

“22. No one may move, disturb or damage equipment or material used or a facility erected under this division, unless they have written authorization from the Minister or the holder of the revoked licence.

“23. The holder of the revoked licence must, within 60 days after completing the permanent well closure and site restoration work, remove from the territory that was subject to the revoked licence all the property, except for the property used under a natural gas storage licence provided for by the Act respecting natural gas storage and natural gas and oil pipelines.

The Minister may, on request, grant an extension subject to the conditions the Minister determines.

Once the time has expired, the property remaining on lands in the domain of the State forms part of that domain of right and may be removed by the Minister at the expense of the holder of the revoked licence.

“24. The holder of the revoked licence must send to the Minister, within 90 days after the end of the work specified by the permanent well closure and site restoration plan,

(1) an end of activities report signed by an engineer including, in particular, the items prescribed by government regulation;

(2) a confirmation that all the property has been removed from the territory that was subject to the revoked licence; and

(3) a report signed by a professional within the meaning of section 31.42 of the Environment Quality Act (chapter Q-2) establishing that the restoration work has been performed in accordance with the permanent well closure and site restoration plan.

“25. The Minister declares being satisfied with the permanent well closure and site restoration work if

(1) the Minister is of the opinion, following an inspection carried out under Chapter VIII, that the work has been performed in accordance with the permanent well closure and site restoration plan approved by the Minister and with the provisions applicable under section 18 and if no sum is owing to the Minister with respect to the performance of the work;

(2) the Minister has obtained a favourable opinion from the Minister of Sustainable Development, Environment and Parks, in particular regarding groundwater quality; and

(3) the Minister has received the documents and information mentioned in section 24.

The Minister issues a declaration of satisfaction to the holder of a revoked licence.

“26. The holder of the revoked licence must enter the declaration of satisfaction in the land register within 30 days after the Minister issues it. The declaration is entered in the register of real rights of State resource development and, as applicable, in the file relating to the immovable affected by the well, either in the index of immovables or in the register of public service networks and immovables situated in territory without a cadastral survey.

The holder must send to the Minister a certified copy of the certified statement of registration of the declaration of satisfaction within 30 days of it being entered in the register. The holder must also, within the same time, send a copy to the owner or lessee, to the local municipality and to the regional county municipality, as applicable, if the site of the well is located in whole or in part on private land or land leased by the State or in the territory of a local municipality.

“CHAPTER V

“LIABILITY AND PROTECTIVE MEASURES

“27. The holder of a revoked licence is required, irrespective of anyone’s fault and up to, for each event, an amount determined by government regulation, to make reparation for any injury caused through or in the course of their work or activities, including a loss of non-use value relating to a public resource, in particular due to emanations or migrations of gas or spills of oil or other liquids. Beyond that amount, the holder of a revoked licence may be required to make reparation for injury caused through their fault or the fault of any of their subcontractors or employees in the performance of their functions. The holder nevertheless retains their right to bring a legal action, for the entire injury, against the author of the fault.

The holder of a revoked licence may not be relieved of liability by proving that the injury resulted from superior force. The cases of apportionment of liability set out in the Civil Code apply to any action brought against the holder of a revoked licence for sums in excess of the amount prescribed by government regulation and to any recursory action brought by the holder.

Only the Government may bring a legal action to recover a loss of non-use value relating to a public resource.

“28. Nothing in section 27 suspends or limits any legal action, of any kind, that may be brought against the holder of a revoked licence for a fault they or their subcontractors or employees may have committed.

“29. The Minister may, if a spill of liquid or an emanation or migration of gas from a well poses a risk for human health or safety, the safety of property or the protection of the environment, order the holder of a revoked licence, if applicable, or in any other case, a person who held a licence under which the well was drilled or the person who drilled the well, to perform the work that is necessary to remedy the situation or, if there is no other solution, to seal off the source of the spill, emanation or migration.

If the holder or the person referred to in the first paragraph fails to comply with the Minister's orders within the prescribed time, the Minister may cause the work to be performed or the source of the spill, emanation or migration to be sealed off at the holder's or person's expense.

The holder or the person referred to in the first paragraph or the person who performs the work under the second paragraph has access, for the purpose of planning or performing the work or sealing the source, to the well site.

“30. The holder of a revoked licence subject to the obligation provided for in section 10 must, until the declaration of satisfaction has been issued, comply with and implement the protective and safety measures prescribed by government regulation.

The Minister may order the holder to take any other protective or safety measure the Minister considers necessary.

If that holder fails to comply with a protective or safety measure, the Minister may cause the work required to be performed at the holder's expense.

“CHAPTER VI

“COMPENSATION PROGRAM

“31. The Government must, on the recommendation of the Minister of Natural Resources and Wildlife and the Minister of Finance and in accordance with the parameters set out in this chapter, establish a compensation program for the holders of a licence revoked under section 7.

The program is administered by the Minister of Natural Resources and Wildlife.

For the purposes of this chapter, “eligible person” means a person or a partnership referred to in section 8.

“32. The compensation paid under this chapter is composed solely of the amounts determined in the program that fall under the categories provided for in sections 33 to 35.

“33. Personal compensation is computed for each eligible person in respect of a revoked licence and is paid to that person in accordance with what is provided by the program.

The amount of that compensation is equal to the total of the amounts, each of which represents, among the expenses determined in the program, the expenses that fall under the category of exploration or development expenses and of related expenses, incurred by the eligible person or, if applicable, by members of a partnership that constitutes an eligible person, in respect of the

revoked licence, during the period from 19 October 2015 to 19 October 2021, for activities carried out on the territory that was subject to the revoked licence, to the extent that those expenses were paid.

“34. General compensation is computed for each revoked licence.

That compensation is paid, in accordance with what is provided by the program, to the eligible person or to the designated representative referred to in the fourth paragraph of section 8, as the case may be, and constitutes, if applicable, a solidary claim owed to all the eligible persons in respect of that licence.

The amount of that compensation is equal to the total of the amounts, each of which represents, among the sums determined in the program, the sums that fall under the following categories, except the expenses referred to in the second paragraph of section 33:

(1) the acquisition cost of the licence or the share by the holder of the revoked licence if such acquisition was made after 19 October 2015;

(2) the expenses related to compliance with the Petroleum Resources Act, as it read on 12 April 2022, the Mining Act (chapter M-13.1) or any other Act or regulation, incurred with respect to the revoked licence since 19 October 2015 or since the date of its transfer to the holder referred to in sections 8 and 9 if the transfer was made after that date, as applicable, to the extent that those expenses were paid;

(3) a maximum of 75% of the expenses related to the permanent well closure and site restoration carried out in accordance with this Act, as applicable;

(4) the expenses related to the preparation and sending of documents or information under this Act and its regulations, except those referred to in subparagraph 3 and those related to the preparation and sending of documents and information required under this chapter; and

(5) a sum for the items sent to the Minister under paragraph 2 of section 12.

The amount provided for in the third paragraph is reduced in proportion to the value of the share of the right conferred by the revoked licence held by the Government or a public body.

“35. Despite sections 33 and 34, the program may provide for the payment of a lump sum as compensation for certain expenses or sums falling under the categories provided for in those sections. The lump sum is computed in accordance with what is provided by the program.

“36. The compensation provided for in sections 33 and 34 is reduced by the amount of any debt owed to the Government or a public body and of any subsidy paid by them to an eligible person or, if applicable, to a member of a partnership that constitutes an eligible person for the purposes of this chapter, between 19 October 2015 and 19 October 2021, with respect to the revoked licence, except a tax debt or tax assistance.

The reduction mentioned in the first paragraph is made in the manner provided for in the program.

“37. The Minister entrusts to an external auditor the examination of the applications for compensation and the verification of the compliance of such applications and of the supporting documents or information provided; the external auditor must also make recommendations on the amount of compensation to be paid.

For the purposes of this section, the Minister retains the services of a member of the Ordre professionnel des comptables agréés du Québec.

No proceedings may be brought against an auditor for an act performed or omitted in good faith in the exercise of auditing functions.

“38. The Minister may require any person or any body to communicate documents or information, including personal information, for the purposes of computing the compensation or verifying compliance with the conditions for its payment.

The Minister may communicate to the Minister of Revenue any document or information, including personal information, for the purposes mentioned in the first paragraph or for the purposes of the Taxation Act (chapter I-3).

“39. The compensation may be paid, in full or in part, according to a schedule determined in the program, in particular on the basis of the permanent well closure and site restoration stages.

The program may provide that payment of compensation, in full or in part, is conditional on the communication of documents or information, the payment of a debt owed to the Government or compliance with a provision of this Act or of an Act or regulation of Québec.

The final payment of compensation is conditional on the filing, by eligible persons or, if applicable, by a member of a partnership that constitutes an eligible person for the purposes of this chapter, of the returns and reports required under a fiscal law, within the meaning of section 1 of the Tax Administration Act (chapter A-6.002), and on there being no overdue amount payable under such laws, in particular the special tax relating to the tax credit relating to mining, petroleum, gas or other resources, that must be paid following the previous payments, if applicable.

“40. Except for the amount that represents the total expenses falling under the category provided for in subparagraph 3 of the third paragraph of section 34, compensation may not be paid, in full or in part, before the Minister has issued, if applicable, a declaration of satisfaction under the second paragraph of section 25 to the holder of the revoked licence in respect of which the expenses were incurred.

Despite the first paragraph, the program may provide for the payment, within the framework of a pilot project referred to in Chapter VII, of compensation, in full or in part, for expenses falling under the categories provided for in sections 33 to 35, before the declaration of satisfaction is issued.

“41. Despite any provision to the contrary, the revocation of the licences and authorizations mentioned in section 7 entails no compensation or reparation, including for damages, other than that provided for in the compensation program.

“CHAPTER VII

“PILOT PROJECTS

“42. A pilot project implemented under this chapter must not result in allowing exploration for petroleum or underground reservoirs or petroleum or brine production.

“43. The Minister may, after consulting with the Minister of Sustainable Development, Environment and Parks, authorize by order published in the *Gazette officielle du Québec* the implementation of a pilot project that involves the use of a well subject to the obligation provided for in section 10.

In a case where an authorization is required under the Environment Quality Act, the pilot project may not be authorized before that authorization is issued.

A pilot project must allow the acquiring of geoscientific knowledge related to

- (1) carbon dioxide sequestration potential;
- (2) storage potential for hydrogen produced from a source of renewable energy;
- (3) geothermal potential;
- (4) the critical and strategic mineral potential of brine; and
- (5) any other activity that fosters the energy transition or carbon neutrality or that helps achieve the objectives of the fight against climate change.

The Minister determines the standards and obligations applicable within the framework of a pilot project, in particular to ensure the safety of persons and property and the protection of the environment, and to foster the involvement of local communities, which may differ from the standards and obligations provided for by this Act or the regulations. The Minister may also determine the provisions of a pilot project whose contravention constitutes an offence.

“44. The persons authorized by the Minister have the right to access the site of the pilot project.

If the site concerned is located in whole or in part in the territory of a local municipality, the persons authorized by the Minister must, at least 30 days before accessing the site, inform the local municipality and the regional county municipality in writing.

If the site concerned is located in whole or in part on private land or land leased by the State, the persons authorized by the Minister must also obtain written authorization from the owner or lessee at least 30 days before accessing the site or may acquire, by agreement, any real right or property necessary to access the site and perform the work there. Failing that, the authorized persons may not access the site.

“45. A pilot project is established for a period of up to three years which the Minister may extend, if the Minister considers it necessary, by up to two years.

The Minister may modify or terminate a pilot project at any time.

“46. The Minister publishes the results of the pilot project on the department’s website, not later than two years after the end of the pilot project.

“47. If applicable, the Minister determines, in the order that authorizes the implementation of the pilot project, the person responsible for the permanent well closure and site restoration in accordance with this Act, with the necessary modifications, as well as the prescribed time limits.

“CHAPTER VIII

“INSPECTION, INQUIRY AND PENAL PROVISIONS

“DIVISION I

“INSPECTION AND INQUIRY

“48. Every person authorized by the Minister to act as an inspector for the purposes of this Act and the regulations may, at any reasonable time, enter land, including private land, a building or a vehicle to examine the premises and conduct an inspection. Inspectors may, in such cases, by any reasonable, appropriate means:

- (1) record the state of a place or property situated there;
- (2) collect samples, conduct tests and perform analyses;
- (3) carry out any necessary excavation or drilling to assess the state of the premises;
- (4) install any measuring apparatus necessary for taking measurements on the premises and subsequently remove the apparatus;
- (5) take measurements, including continuous measurements, using an apparatus they install or that is already on the premises, for any reasonable period of time they determine;
- (6) access a facility, including a secure facility, found on the premises;
- (7) set in action or use an apparatus or equipment to ensure that the inspection is properly conducted or require the apparatus or equipment to be set in action or used within the time and according to the conditions they specify;
- (8) require the provision of any information relating to the application of this Act or the regulations and the communication of any relevant documents for examination, recording and reproduction;
- (9) use any computer, equipment or other thing that is on the premises to access data relating to the application of this Act or the regulations that is contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data; and
- (10) be accompanied by any person whose presence is considered necessary for the purposes of the inspection, who may then exercise the powers set out in subparagraphs 1 to 9.

An inspector may also immediately seize any thing if they have reasonable grounds to believe that it constitutes proof of an offence under this Act.

The rules established by the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things seized by the inspector under the second paragraph, except in respect of section 129 for the custody of the thing seized. In such a case, the inspector has custody of the thing seized even when it is submitted in evidence and until a judge declares it forfeited or orders it returned to its owner, unless the judge decides otherwise. However, the Minister may authorize an inspector to entrust the offender with the custody of the thing seized, and the offender must accept custody of it until a judge declares it forfeited or orders it returned to its owner.

The owner, lessee or custodian of land, a building or a vehicle being inspected and any person found there must lend assistance to an inspector in performing their duties.

The obligation set out in the fourth paragraph also applies to persons accompanying an inspector.

“49. An inspector may, by a request sent by registered mail or personal service, require a person to communicate by registered mail or personal service, within a reasonable time specified by the inspector, any information, document or sample relating to the application of this Act or the regulations.

“50. The inspector may order the suspension of any activity at a well if there are reasonable grounds to believe that this Act or the regulations have been contravened.

The inspector authorizes resumption of the work or activity when the inspector considers that the situation has been remedied.

“51. The Minister or any person the Minister designates as an investigator may inquire into any matter relating to the application of this Act or the regulations.

“52. When an investigation is conducted to enable the Minister to make a decision affecting the rights of the holder of a revoked licence or authorization, the investigator sends the report containing the inspection findings to the Minister and must, at the same time, send a copy of it to the holder.

“53. The inspector or investigator must, on request, produce identification and show the certificate of authority signed by the Minister.

“54. No proceedings may be brought against an inspector or investigator for acts performed in good faith in the exercise of their functions.

“DIVISION II

“PENAL PROVISIONS

“55. Anyone who, in contravention of a provision of this Act, of the regulations or of a pilot project implemented under Chapter VII, fails to

(1) communicate any information, document or sample required under this Act or the regulations;

(2) keep any information they are required to keep; or

(3) enter the declaration of satisfaction in the land register, in accordance with the first paragraph of section 26;

commits an offence and is liable to a fine of \$1,000 to \$100,000 in the case of a natural person and \$3,000 to \$600,000 in any other case.

“56. Anyone who

(1) prevents the holder of a revoked licence or a person performing permanent well closure work or site restoration work from having access to the territory that was subject to the licence or the authorization, in contravention of section 21; or

(2) moves, disturbs or damages equipment or material used or a facility erected, in contravention of section 22;

commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and \$7,500 to \$1,500,000 in any other case.

“57. Anyone who

(1) fails to revise a permanent well closure and site restoration plan in accordance with section 14;

(2) fails to perform the permanent well closure and site restoration work in accordance with sections 17 to 19;

(3) fails to inform the Minister, as soon as possible, when they detect any of the situations referred to in the fourth paragraph of section 19;

(4) fails to remove all property from the territory that was subject to their revoked licence, in contravention of section 23;

(5) contravenes a provision of a pilot project implemented under Chapter VII whose contravention constitutes an offence;

(6) fails to perform the necessary work or to seal off the source of a spill, emanation or migration in accordance with section 29;

(7) fails to comply with or to implement protective and safety measures in accordance with section 30;

(8) makes a false or misleading statement, enters false or misleading information in a register or a document or participates in the making of such a statement or such an entry; or

(9) in any manner whatsoever, hinders or attempts to hinder an inspector or investigator in carrying out the functions of their office, hampers them, misleads them by an act, concealment, omission or misrepresentations or who refuses or neglects to assist them;

commits an offence and is liable to a fine of \$5,000 to \$500,000 in the case of a natural person and \$15,000 to \$3,000,000 in any other case.

“58. Anyone who contravenes the provisions of section 6 or fails to perform the permanent well closure and site restoration provided for in section 10 or in the order authorizing a pilot project commits an offence and is liable to a fine of \$10,000 to \$1,000,000 in the case of a natural person and \$30,000 to \$6,000,000 in any other case.

“59. If a legal person or an agent, mandatary or employee of a legal person or of a partnership or association without legal personality commits an offence under this Act, the director or officer of the legal person, partnership or association is presumed to have committed the offence, unless it is established that they exercised due diligence and took all necessary precautions to prevent the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

“60. If an offence under this Act is committed by a director or officer of a legal person, partnership or association without legal personality, the minimum and maximum fines are twice those prescribed for a natural person for that offence.

“61. Penal proceedings for an offence under this Act or the regulations are prescribed one year from the date on which the prosecutor became aware of the commission of the offence. However, no proceedings may be instituted if more than five years have elapsed from the date of the commission of the offence.

“62. In the case of a subsequent offence, the fines are doubled.

“CHAPTER IX

“MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

“63. The Minister may, by order, delegate, generally or specifically, to any person the exercise of the powers conferred on the Minister under this Act.

The delegation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in the delegation.

The Regulation respecting the delegation of the exercise of powers relating to petroleum, natural gas, brine and underground reservoirs vested in the Minister of Natural Resources and Wildlife under the Mining Act (chapter M-13.1, r. 0.2) applies, with the necessary modifications, until an order is made under the first paragraph.

“64. A holder of a revoked licence subject to the obligation provided for in section 10 who does not have a permanent well closure and site restoration plan approved by the Minister in accordance with section 105 of the Petroleum Resources Act (chapter H-4.2), as it read on 12 April 2022 must, for each well referred to in section 10, submit to the Minister, for approval, a plan for each well in accordance with sections 14 and 15, with the necessary modifications, within the time the Minister specifies.

The first paragraph does not apply to the holder of a revoked licence who has submitted a plan for approval under the Petroleum Resources Act, as it read on 12 April 2022, before the coming into force of section 10. In such a case, the Minister approves the plan submitted in accordance with sections 14 and 15, with the necessary modifications.

The holder of a revoked licence referred to in the first paragraph must send to the Minister, within the time and in the form determined by the Minister, the items provided for in section 11.

Anyone who does not submit to the Minister a permanent well closure and site restoration plan in accordance with the first paragraph commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and \$7,500 to \$1,500,000 in any other case.

With respect to the holders of a revoked licence referred to in the first and second paragraphs, paragraph 3 of section 16 is deemed to read as follows:

“(3) the 90th day after the approval of the permanent well closure and site restoration plan under section 15, with the necessary modifications.”

“65. The Minister returns or reimburses the guarantee to the holder of a revoked licence who furnished a guarantee in accordance with section 103 of the Petroleum Resources Act, as it read on 12 April 2022, not later than 120 days after the date of coming into force of section 10.

“66. The permanent closure and restoration of a site of a well carried out in accordance with the Petroleum Resources Act, as it read on 12 April 2022, during the period between 19 October 2021 and the date of coming into force of section 10 are deemed to have been carried out in accordance with this Act to the extent that the permanent closure and restoration comply with this Act’s provisions, in particular the carrying out of the hydrogeological study required under the second paragraph of section 13.

From the coming into force of section 10, the permanent closure and restoration of the sites of those wells must be carried out in accordance with this Act, with the necessary modifications.

All wells in respect of which the Minister did not declare being satisfied under section 114 of the Petroleum Resources Act, as it read on 12 April 2022, before 19 October 2021 must be the subject of the hydrogeological study required under the second paragraph of section 13.

The expenses related to a permanent well closure and site restoration authorized by the Minister before 19 October 2021 under section 93 of the Petroleum Resources Act, as it read on 12 April 2022, are excluded from the computation of the general compensation provided for in section 34.

“67. The documents and information held by the Minister under Chapters I to V of this Act and those referred to in section 140 of the Petroleum Resources Act, as it read on 12 April 2022, sent to the Minister in relation to a licence revoked under section 7, are public information.

The Minister publishes, on the department’s website, an evolving progress report of the permanent well closure and site restoration work and of the inspections carried out under Chapter VIII in respect of the revoked licences for which compensation has been paid under Chapter VI. The progress report is updated every three months following the first compensation payment.

“68. For the purposes of section 10,

(1) the well covered by drilling authorization 2005FC130 is deemed to have been drilled under licence 2005RS120;

(2) the wells covered by drilling authorizations 1971FA158, 1980FA196, 1981FA198, 2003FA239, 2003FA241, 2003FA242 and 2004FA247 are deemed to have been drilled under licence 2006RS184;

(3) the well covered by drilling authorization 2000FB303 is deemed to have been drilled under licence 2006RS185;

(4) the well covered by drilling authorization 2007FC133 is deemed to have been drilled under licence 2007RS213;

(5) the well covered by drilling authorization 1983FC100 is deemed to have been drilled under licence 2008PG989;

(6) the well covered by drilling authorization 2008FA257 is deemed to have been drilled under licence 2008RS224;

(7) the well covered by drilling authorization 2005FC129 is deemed to have been drilled under licence 2009PG505;

(8) the wells covered by drilling authorizations 2008FA269 and 2009FA270 are deemed to have been drilled under licence 2009PG551;

(9) the stratigraphic survey bearing number CZ017 is deemed to have been drilled under licence 2009PG556;

(10) the well covered by drilling authorization 1985FA202 is deemed to have been drilled under licence 2009RS277;

(11) the well covered by drilling authorization 1956FA003 is deemed to have been drilled under licence 2010RS284; and

(12) the wells covered by drilling authorizations 2006FA251 and 2007FA255 are deemed to have been drilled under licence 2010RS285.

“69. The permanent closure of a well carried out in accordance with this Act is subject to section 82 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1), unless the well has an emanation at the surface vent of less than 50 m³ per day, in which case it is subject to the exemption provided for in section 85 of that Regulation.

“70. Until the Minister issues a declaration of satisfaction under the second paragraph of section 25 for all of the wells referred to in section 10, the holder of a revoked licence must

(1) maintain proof, in the form and manner prescribed by government regulation, that they are solvent to the amount provided for in the first paragraph of section 27; and

(2) maintain the monitoring committee established under section 28 of the Petroleum Resources Act, as it read on 12 April 2022, in the manner prescribed by government regulation.

Anyone who does not maintain proof of their solvency or does not maintain a monitoring committee in accordance with the first paragraph commits an offence and is liable to a fine of \$2,500 to \$250,000 in the case of a natural person and \$7,500 to \$1,500,000 in any other case.

“71. Section 139 of the Act respecting natural gas storage and natural gas and oil pipelines (chapter H-4.2) applies to wells drilled for the purposes of exploration for petroleum or underground reservoirs or of petroleum or brine production.

“72. The following provisions of the Regulation respecting petroleum exploration, production and storage on land (chapter H-4.2, r. 2) are deemed to have been made under this Act:

- (1) sections 6 to 21;
- (2) Division II of Chapter II, comprising sections 24 and 25;
- (3) Divisions IV and V of Chapter VI, comprising sections 110 to 119;
- (4) subdivisions 3 and 4 of subdivision 2 of Division I of Chapter XIV, comprising sections 298 to 314;
- (5) section 315; and

(6) Schedule 2.

“73. The following provisions of the Regulation respecting petroleum exploration, production and storage licences, and the pipeline construction or use authorization (chapter H-4.2, r. 3) are deemed to have been made under this Act:

(1) sections 7 to 15;

(2) subparagraph 3 of the second paragraph of section 116;

(3) section 160; and

(4) Division II of Chapter VIII, comprising sections 165 to 171.

“74. The Regulation respecting petroleum exploration, production and storage in a body of water (chapter H-4.2, r. 1), the Regulation respecting petroleum exploration, production and storage on land and the Regulation respecting petroleum exploration, production and storage licences, and the pipeline construction or use authorization are validated.

Despite any provision to the contrary, the provisions of the regulations mentioned in the first paragraph which limit or prohibit, directly or indirectly, exploration for petroleum and underground reservoirs and production of petroleum and brine provided for in the Petroleum Resources Act and the regulations entail no compensation or reparation, including for damages.

This section is declaratory.

“75. Any decision rendered before 13 April 2022 by the Government, the Minister or one of their employees or mandataries, which limits or prohibits, directly or indirectly, exploration for petroleum and underground reservoirs and production of petroleum and brine provided for in the Petroleum Resources Act and the regulations, is validated.

“76. Despite any inconsistent provision, the annual fees collected by the Minister for oil and gas activities from 13 June 2011 under the Petroleum Resources Act, as it read on 12 April 2022, or the Mining Act (chapter M-13.1) are deemed to have been validly collected. Those sums belong to the Government.

“77. The Minister of Natural Resources and Wildlife is responsible for the administration of this Act.”

CHAPTER II**AMENDING PROVISIONS****TAX ADMINISTRATION ACT**

2. Section 69.1 of the Tax Administration Act (chapter A-6.002) is amended by adding the following subparagraph at the end of the second paragraph:

“(z.11) the Minister of Natural Resources and Wildlife, solely to the extent that the information is necessary for the purposes of Chapter VI of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1).”

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

3. Section 6 of the Act respecting land use planning and development (chapter A-19.1) is amended by striking out “or any territory incompatible with petroleum exploration, production and storage of petroleum within the meaning of section 141 of the Petroleum Resources Act (chapter H-4.2)” in subparagraph 7 of the first paragraph.

4. Section 53.7 of the Act is amended by striking out “or a territory incompatible with petroleum exploration, production and storage within the meaning of section 141 of the Petroleum Resources Act (chapter H-4.2),” in the first paragraph.

5. Section 246 of the Act, amended by section 4 of chapter 35 of the statutes of 2021, is again amended by replacing “petroleum exploration, production and storage carried on in accordance with the Petroleum Resources Act” in the first paragraph by “gas storage carried on in accordance with the Act respecting natural gas storage and natural gas and oil pipelines”.

NATURAL HERITAGE CONSERVATION ACT

6. Section 2 of the Natural Heritage Conservation Act (chapter C-61.01) is amended by striking out the definitions of “brine”, “petroleum” and “underground reservoir” in the first paragraph.

7. Section 12.3 of the Act is amended by replacing subparagraph 3 of the second paragraph by the following subparagraph:

“(3) natural gas storage;”.

8. Section 49 of the Act is amended by replacing “petroleum or underground reservoir exploration, petroleum production or storage, or brine production” in subparagraph 3 of the first paragraph by “natural gas storage”.

9. Section 55 of the Act is amended by replacing “petroleum or underground reservoir exploration, petroleum production or storage, or brine production” in subparagraph 2 of the first paragraph by “natural gas storage”.

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

10. Section 122.3 of the Act respecting the conservation and development of wildlife (chapter C-61.1), enacted by section 64 of chapter 24 of the statutes of 2021, is amended

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

“(3) activities carried on for natural gas storage purposes;”;

(2) by striking out “, petroleum production or storage, or brine production” in the third paragraph.

PETROLEUM RESOURCES ACT

11. The title of the Petroleum Resources Act (chapter H-4.2) is replaced by the following title:

“Act respecting natural gas storage and natural gas and oil pipelines”.

12. Section 1 of the Act is replaced by the following section:

“**1.** The purpose of this Act is to govern gas storage and the construction and use of gas and oil pipelines while ensuring the safety of persons and property and the protection of the environment, in compliance with the greenhouse gas emission reduction targets set by the Government.”

13. Section 2 of the Act is repealed.

14. Section 3 of the Act is amended

(1) by replacing “property, environmental protection” by “property and the protection of the environment”;

(2) by striking out “and optimal recovery of the resource”.

15. Section 5 of the Act is amended by replacing both occurrences of “Native” by “Indigenous”.

16. Section 6 of the Act is amended

(1) by inserting the following definition in alphabetical order:

““pipeline” means a linear infrastructure for the transportation of gas or oil, including the networks of such infrastructures and associated facilities such as pumps, compressors, pumping stations and surface reservoirs, designed or used to inject, withdraw or transport gas or to transport or transfer oil, except for an infrastructure

(1) used to transport and distribute gas as well as petroleum equipment installations governed by the Building Act (chapter B-1.1); or

(2) situated on the premises of an industrial enterprise and used for refining operations, including associated facilities;”;

(2) by striking out the definitions of “brine”, “commercial discovery”, “fracturing”, “petroleum”, “pipeline”, “pool”, “significant discovery” and “stratigraphic survey”;

(3) by replacing the definition of “gas” by the following definition:

““gas” means natural gas within the meaning of section 2 of the Act respecting the Régie de l’énergie (chapter R-6.01);”;

(4) by replacing “any method of exploration for petroleum or underground reservoirs by indirect measurement” in the definitions of “geochemical surveying” and “geophysical surveying” by “a method allowing to take indirect measurements”;

(5) by striking out “for the production of petroleum, for the purpose of exploring for or obtaining petroleum,” in the definition of “well”;

(6) by replacing “petroleum” in the definition of “underground reservoir” by “gas”.

17. The heading of Chapter III of the Act is amended by striking out “EXPLORATION, PRODUCTION AND”.

18. Section 9 of the Act is replaced by the following section:

“**9.** No one may store gas without holding a storage licence.”

19. Section 10 of the Act is amended by replacing “licence or an authorization to produce brine” by “storage licence”.

20. Section 11 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“The territory subject to a storage licence is delimited, on the ground, by the vertical projection of the perimeter of the underground reservoir and the protective perimeter and, in depth, by the vertical projection of those perimeters. The Government determines, by regulation, the size of the protective perimeter.”

21. Section 12 of the Act is amended by replacing “explore for, produce or store petroleum or to produce brine” in the third paragraph by “store gas”.

22. Sections 13 and 14 of the Act are repealed.

23. Section 15 of the Act is amended by striking out “exploration, production and” and “and the right to produce brine conferred by an authorization” in the first paragraph.

24. Division III of Chapter III of the Act, comprising sections 16 to 40, is repealed.

25. The heading of Division IV of Chapter III of the Act is amended by striking out “PRODUCTION LICENCES AND”.

26. The heading of subdivision 1 of Division IV of Chapter III of the Act is amended by replacing “*projects*” by “*amendments to storage projects*”.

27. Section 41 of the Act is replaced by the following section:

“**41.** Any amendment to a gas storage project must be submitted to the Régie de l’énergie (the Board). If the Board considers that the amendment is substantial, it examines the amendment.”

28. Section 42 of the Act is amended by inserting “the amendment to” after “analysis of”.

29. Section 43 of the Act is amended by replacing “A production or” by “An amendment to a”.

30. Section 46 of the Act is repealed.

31. The heading of subdivision 2 of Division IV of Chapter III of the Act is amended by striking out “*production and*”.

32. Section 48 of the Act is repealed.

33. Section 49 of the Act is amended

(1) by replacing “production or storage licence”, “an exploration, production or storage licence” and “economically workable deposit or an economically usable underground reservoir, as applicable” in the first paragraph by “storage licence”, “a storage licence” and “economically usable underground reservoir”, respectively;

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

“The process for awarding a storage licence by auction is determined by government regulation.”

34. The Act is amended by inserting the following sections after section 49:

“**49.1.** The Minister must notify the local municipalities whose territories are concerned by an auction and the regional county municipality, in writing, at least 45 days before the beginning of the auction process.

“**49.2.** The Minister awards a storage licence at the time and subject to the conditions the Minister determines, in particular to take the territory’s characteristics into account.

The successful bidder must meet the conditions and pay the fee the Government determines by regulation.

“**49.3.** The Minister is not required to award a licence at the end of an auction process.

“**49.4.** If no licence has been awarded on a territory that is up for auction within six months after the auction closing date, the Minister may not award a licence for that territory without holding a new auction.

“**49.5.** No licence may be awarded to a person if, during the five years before the auction publication date, a storage licence they held under this Act was revoked.

The first paragraph does not apply to a revocation under subparagraph 4 of the fourth paragraph of section 145.

“**49.6.** Failure to comply with the requirements prescribed by government regulation respecting the form, deadlines, content or publication of an auction does not render a licence that has been awarded by the Minister invalid.”

35. Section 50 of the Act is amended by striking out “production or”.

36. Section 51 of the Act is amended

- (1) by striking out the first paragraph;
- (2) by replacing “materials the Government determines by regulation” in the second paragraph by “gas”;
- (3) by striking out “production or” in the third paragraph;
- (4) by replacing “the licences” in the fifth paragraph by “a licence”.

37. Section 52 of the Act is amended

- (1) by replacing “46” by “41”;
- (2) by striking out both occurrences of “production or”.

38. Section 53 of the Act is amended by striking out “production or”.**39.** Section 54 of the Act is amended by striking out “production or” in the first paragraph.**40.** Section 55 of the Act is amended

- (1) in the first paragraph,
 - (a) by striking out “production or”;
 - (b) by replacing “production project” by “storage project”;
- (2) by replacing the second paragraph by the following paragraphs:

“The committee must be formed within 90 days after the licence is awarded and must be maintained, as the case may be, throughout the term of the licence or, in the case provided for in the second paragraph of section 97, until all the work required under the permanent well or reservoir closure and site restoration plan has been completed.

The committee members are chosen in accordance with the process determined by the licence holder and approved by the Minister. The Minister also determines the number of members who are to form the committee. However, the committee must include at least one member representing the municipal sector, one member representing the economic sector, one member representing the agriculture sector, one citizen and, if applicable, one member representing an Indigenous community consulted by the Government with respect to the project. A majority of the committee members must be independent from the licence holder. All must be from the region in which the territory subject to the licence is situated.

The Government determines, by regulation, the particulars relating to the committee with respect to such matters as the independence of committee members, the information and documents a licence holder must provide to the committee, the nature of the costs that are reimbursed to committee members by the licence holder, the minimum number of meetings the committee must hold each year and the production of an annual report by the committee.

The Government may determine, by regulation, other particulars relating to consultations that are applicable to a storage licence holder.”

41. Section 56 of the Act is amended

- (1) by striking out “production or” and “producing or”;
- (2) by replacing “petroleum” by “gas”.

42. Section 57 of the Act is amended

- (1) by replacing “petroleum rights” by “rights related to natural gas storage and natural gas and oil pipelines”;
- (2) by striking out “production or”.

43. Section 58 of the Act is amended by striking out “production or” in the first paragraph.

44. Section 59 of the Act is amended by striking out “production or”.

45. Section 60 of the Act is amended by striking out “production or” in the first paragraph.

46. Section 61 of the Act is amended

- (1) by striking out “production or” in the first paragraph;
- (2) by striking out the second paragraph.

47. Subdivision 4 of Division IV of Chapter III of the Act, comprising sections 62 to 64, is repealed.

48. The heading of subdivision 5 of Division IV of Chapter III of the Act is replaced by the following heading:

“Reports and fees relating to storage”.

49. Section 65 of the Act is amended

- (1) by replacing “nature and quantity of substances” in the first paragraph by “quantity of gas”;

(2) by replacing both occurrences of “substances withdrawn” by “gas withdrawn”.

50. Division V of Chapter III of the Act, comprising sections 68 to 71, is repealed.

51. Subdivision 2 of Division VI of Chapter III of the Act, comprising sections 75 and 76, is repealed.

52. Section 84 of the Act is amended by striking out “by physical, chemical or other stimulation” and “unless the licence holder does so by fracturing” in the first paragraph.

53. Subdivision 5 of Division VI of Chapter III of the Act, comprising sections 87 to 89, is repealed.

54. Section 101 of the Act is amended by replacing “An exploration, production or storage licence” in the first paragraph by “A storage licence”.

55. Section 106 of the Act is amended by replacing “petroleum rights” by “rights related to natural gas storage and natural gas and oil pipelines”.

56. Section 112 of the Act is amended by replacing “an exploration, production or storage” by “a storage”.

57. Section 119 of the Act is amended by replacing “, environmental protection and optimal recovery of the resource” in the first paragraph by “and the protection of the environment”.

58. Section 120 of the Act is amended by replacing “42 and 44 to” by “41, 42, 44, 45 and”.

59. Section 124 of the Act is amended by replacing “petroleum rights” by “rights related to natural gas storage and natural gas and oil pipelines”.

60. Section 125 of the Act is amended

(1) by replacing both occurrences of “d’un pipeline” in the French text by “d’une conduite”;

(2) by replacing “46” by “41”.

61. Section 128 of the Act is amended, in the first paragraph,

(1) by replacing “An exploration, production or storage” by “A storage”;

(2) by replacing “d’un pipeline” in the French text by “d’une conduite”.

62. Section 129 of the Act is amended

- (1) by replacing “an exploration, production or storage” by “a storage”;
- (2) by replacing “d’un pipeline” in the French text by “d’une conduite”.

63. Section 130 of the Act is amended, in the first paragraph,

- (1) by replacing “or the safety of property,” by “, the safety of property or the protection of the environment,”;
- (2) by replacing both occurrences of “pipeline” in the French text by “conduite”, with the necessary modifications.

64. The heading of Chapter VII of the Act is replaced by the following heading:

“OPTIMAL MANAGEMENT OF STORAGE”.

65. Section 132 of the Act is amended

- (1) by replacing “An exploration, production or storage licence holder must recover petroleum and brine optimally” and “property, environmental protection and optimal recovery of the resource” in the first paragraph by “A storage licence holder must manage the reservoir optimally” and “property and the protection of the environment”, respectively;
- (2) by replacing “optimal recovery of petroleum or brine” in subparagraph 3 of the second paragraph by “optimal management of gas storage”;
- (3) by replacing “optimal recovery of petroleum and brine” in the fourth paragraph by “optimal management of gas storage”.

66. Section 134 of the Act is amended

- (1) by replacing “30 days after the surrender, revocation or expiry of their right, an exploration” in the first paragraph by “one year after the surrender, revocation or expiry of their right, a storage”;
- (2) by striking out the last sentence of the first paragraph;
- (3) by replacing “ces délais” in the second paragraph in the French text by “ce délai”.

67. Section 136 of the Act is amended, in the third paragraph,

- (1) by striking out “or stratigraphic surveying” in the introductory clause;
- (2) by striking out “or stratigraphic surveying” in subparagraph 2.

68. Section 138 of the Act is amended by replacing “petroleum exploration, production and storage” in the first paragraph by “gas storage”.

69. Section 140 of the Act is amended by replacing both occurrences of “an exploration, production or storage” by “a storage” and by replacing “geophysical, geochemical or stratigraphic surveys” by “geophysical or geochemical surveys”.

70. Chapter X of the Act, comprising section 141, is repealed.

71. Section 142 of the Act is amended, in the introductory clause of the first paragraph,

(1) by replacing “petroleum exploration-, production- or storage-related” by “gas storage”;

(2) by striking out “a pool, brine or”.

72. Section 144 of the Act is amended

(1) by inserting “storage” before “licence” in the introductory clause;

(2) by striking out “exploration” in paragraph 2.

73. Section 145 of the Act is amended

(1) by replacing “any licence or” in the first paragraph by “a storage licence or an”;

(2) by replacing “petroleum rights” in subparagraph 2 of the fourth paragraph by “rights related to natural gas storage and natural gas and oil pipelines”;

(3) by striking out the fifth paragraph.

74. Section 149 of the Act is amended by replacing “petroleum rights” by “rights related to natural gas storage and natural gas and oil pipelines”.

75. Section 150 of the Act is amended by replacing “38, 39, 73, 76, 78, 80, 85, 88,” in subparagraph 2 of the first paragraph by “73, 78, 80, 85,”.

76. Section 153 of the Act is replaced by the following section:

“153. Every person authorized by the Minister to act as an inspector for the purposes of the Act and the regulations may, at any reasonable time, enter land, including private land, a building or a vehicle to examine the premises and conduct an inspection. Inspectors may, in such cases, by any reasonable, appropriate means:

(1) record the state of a place or property situated there;

- (2) collect samples, conduct tests and perform analyses;
- (3) carry out any necessary excavation or drilling to assess the state of the premises;
- (4) install any measuring apparatus necessary for taking measurements on the premises and subsequently remove the apparatus;
- (5) take measurements, including continuous measurements, using an apparatus they install or that is already on the premises, for any reasonable period of time they determine;
- (6) access a facility, including a secure facility, found on the premises;
- (7) set in action or use an apparatus or equipment to ensure the inspection is properly conducted or require the apparatus or equipment to be set in action within the time and according to the conditions they specify;
- (8) require the provision of any information relating to the application of this Act or the regulations and the communication of any relevant documents for examination, recording and reproduction;
- (9) use any computer, equipment or other thing that is on the premises to access data relating to the application of this Act or the regulations that is contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data; and
- (10) be accompanied by any person whose presence is considered necessary for the purposes of the inspection, who may then exercise the powers set out in subparagraphs 1 to 9.

An inspector may also immediately seize any thing if they have reasonable grounds to believe that it constitutes proof of an offence under this Act.

The rules established by the Code of Penal Procedure (chapter C-25.1) apply, with the necessary modifications, to things seized by the inspector under the second paragraph, except in respect of section 129 for the custody of the thing seized. In such a case, the inspector has custody of the thing seized even when it is submitted in evidence and until a judge declares it forfeited or orders it returned to its owner, unless the judge decides otherwise. However, the Minister may authorize an inspector to entrust the offender with the custody of the thing seized, and the offender must accept custody of it until a judge declares it forfeited or orders it returned to its owner.

The owner, lessee or custodian of land, a building or a vehicle being inspected and any person found there must lend assistance to an inspector in performing their duties.

The obligation set out in the fourth paragraph also applies to persons accompanying an inspector.”

77. Section 160 of the Act is amended by replacing “27, section 35, 40 or 48, the second paragraph of section 54, section 61 or 68, the second paragraph of section 69, section 73, 76, 78, 85, 88” by “54, sections 61, 73, 78, 85,”.

78. Section 187 of the Act is amended by striking out “29, the third paragraph of section 30, the second paragraph of section 31, section” in paragraph 2.

79. Section 188 of the Act is amended by replacing “section 28, the first paragraph of section 37, section 46, 55 or 62, the first paragraph of section 64 or section 65, 67, 71, 72, 75, 77, 84, 87, 90 or 92” in the first paragraph by “section 55, 65, 67, 72, 77, 84, 90 or 92”.

80. Section 199 of the Act is amended by striking out “29, the third paragraph of section 30, the second paragraph of section 31, section” in paragraph 1.

81. Section 200 of the Act is amended by replacing “section 28, the first paragraph of section 37, section 38, 39, 46, 55 or 62, the first paragraph of section 64 or section 65, 67, 71, 72, 75, 77, 84, 87, 90 or 92” in the first paragraph by “section 55, 65, 67, 72, 77, 84, 90 or 92”.

82. Section 207 of the Act is amended by replacing “petroleum right” in paragraph 6 by “gas storage right”.

83. The Act is amended by inserting the following section after section 207:

“207.1. The regulatory power set out in sections 73, 78, 84, 85 and 131, making it possible to determine protection and safety measures, the process for granting and conditions for carrying out authorizations for geophysical surveying, geochemical surveying, drilling or completion, includes the power to entirely prohibit those activities.”

84. The Act is amended by replacing all occurrences of “pipeline” in the French text by “conduite”, with the necessary modifications.

ACT RESPECTING INVESTISSEMENT QUÉBEC

85. Section 35.2 of the Act respecting Investissement Québec (chapter I-16.0.1) is amended, in paragraph 2,

(1) by replacing “or petroleum, the mining of the former or production of the latter” by “, the mining of it”;

(2) by striking out “or petroleum” and “or production”.

**ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE**

86. Section 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by replacing “Petroleum Resources Act” in subparagraph 5 of the first paragraph by “Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1) and the Act respecting natural gas storage and natural gas and oil pipelines”.

87. Section 17.12.19 of the Act is amended, in the first paragraph,

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

“(1) the sums collected under the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1) or the Act respecting natural gas storage and natural gas and oil pipelines (chapter H-4.2) or a regulation made under those Acts, except for the portion, determined by the Minister, of the annual fees for gas storage and of the duties on the gas withdrawn;”;

(2) by replacing “Petroleum Resources Act” in subparagraph 1.1 by “Act respecting natural gas storage and natural gas and oil pipelines”;

(3) by replacing “Petroleum Resources Act” in subparagraph 2 by “Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine or the Act respecting natural gas storage and natural gas and oil pipelines”.

88. Section 17.12.22 of the Act is amended

(1) by replacing “fees collected for an exploration, production or storage licence or an authorization to produce brine under the Petroleum Resources Act” in paragraph 1 by “annual fees for gas storage and the duties on the gas withdrawn collected under the Act respecting natural gas storage and natural gas and oil pipelines”;

(2) by striking out paragraph 2.

ENVIRONMENT QUALITY ACT

89. Section 31.5 of the Environment Quality Act (chapter Q-2) is amended by replacing “petroleum production or storage” and “Petroleum Resources Act” in the second paragraph by “natural gas storage” and “Act respecting natural gas storage and natural gas and oil pipelines”, respectively.

ACT RESPECTING THE LAND REGIME IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

90. Section 64 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1) is amended by striking out “or petroleum rights” in paragraph *c*.

91. Section 89 of the Act is amended by striking out “and to petroleum”, “on Category II lands or possible exploration for and production of petroleum on such lands”, “or petroleum rights” and “or, as the case may be, the Petroleum Resources Act (chapter H-4.2)”.

92. Section 149 of the Act is amended by striking out “, petroleum rights” in paragraph *d*.

93. Section 173 of the Act is amended by striking out “and to petroleum”, “on Category II lands or possible exploration for and production of petroleum on such lands”, “or petroleum rights” and “or, as the case may be, the Petroleum Resources Act (chapter H-4.2)”.

94. Section 191.46 of the Act is amended by striking out “or petroleum rights” in paragraph *c*.

95. Section 191.68 of the Act is amended by striking out “and to petroleum”, “on Category II-N lands or possible exploration for and production of petroleum on such lands”, “or petroleum rights” and “or, as the case may be, the Petroleum Resources Act (chapter H-4.2)”.

ACT TO LIMIT OIL AND GAS ACTIVITIES

96. The Act to limit oil and gas activities (2011, chapter 13), amended by chapter 6 of the statutes of 2014, is repealed.

ACT TO AMEND THE ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE AND OTHER LEGISLATIVE PROVISIONS

97. Section 123 of the Act to amend the Act respecting the conservation and development of wildlife and other legislative provisions (2021, chapter 24) is amended by striking out “, petroleum production or storage, or brine production”.

REGULATION RESPECTING WILDLIFE HABITATS

98. The heading of Division III of the Regulation respecting wildlife habitats (chapter C-61.1, r. 18) is amended by striking out “, NATURAL GAS, PETROLEUM, BRINE AND UNDERGROUND RESERVOIRS”.

99. Section 9 of the Regulation, amended by section 99 of chapter 35 of the Statutes of 2021, is again amended by striking out “natural gas, petroleum, brine or underground reservoirs,”.

100. Section 10 of the Regulation is amended by striking out “, natural gas, petroleum, brine or underground reservoirs,”.

101. The Regulation is amended

(1) by striking out “, the drilling of a well for the purposes of exploring for natural gas or petroleum,” and “or the drilling of a well for the purposes of exploring for natural gas or petroleum” in the first paragraph of section 12;

(2) in the first paragraph of section 12.1, by striking out “, well sinking for the purposes of exploring for natural gas or petroleum,” and by replacing “, boring or well sinking for the purposes of exploring for natural gas or petroleum” by “or boring”;

(3) by replacing both occurrences of “bore or drill a well for the purposes of exploring for natural gas or petroleum” in section 16 by “carry on boring activities”.

REGULATION RESPECTING THE REGULATORY SCHEME APPLYING TO ACTIVITIES ON THE BASIS OF THEIR ENVIRONMENTAL IMPACT

102. Section 52 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) is amended, in paragraph 1,

(1) by striking out “other than stratigraphic surveys conducted while exploring for hydrocarbons” in subparagraph *a*;

(2) by replacing “activities to explore for, store or produce hydrocarbons referred to in the Petroleum Resources Act” in subparagraph *b* by “natural gas storage activities referred to in the Act respecting natural gas storage and natural gas and oil pipelines”.

103. Section 82 of the Regulation is amended by replacing “Hydrocarbon exploration, storage and production activities governed by the Petroleum Resources Act” by “Natural gas storage activities referred to in the Act respecting natural gas storage and natural gas and oil pipelines”.

104. Section 83 of the Regulation is amended

(1) by striking out paragraphs 2 and 3;

(2) by replacing “, fracturing, reconditioning, extraction tests, and use tests for underground reservoirs, as submitted to the minister responsible for the Petroleum Resources Act” in paragraph 4 by “and reconditioning, as submitted to the Minister responsible for the Act respecting natural gas storage and natural gas and oil pipelines”.

105. Section 84 of the Regulation is repealed.

106. Section 319 of the Regulation is amended by replacing “project to search for or extract hydrocarbons” in paragraph 1 by “natural gas storage project”.

107. Schedule I to the Regulation is amended by striking out paragraph 22.

REGULATION RESPECTING THE ENVIRONMENTAL IMPACT
ASSESSMENT AND REVIEW OF CERTAIN PROJECTS

108. Section 13 of Part II of Schedule 1 to the Regulation respecting the environmental impact assessment and review of certain projects (chapter Q-2, r. 23.1) is replaced by the following section:

“(13) NATURAL GAS STORAGE

Projects concerning work referred to in the Act respecting natural gas storage and natural gas and oil pipelines (chapter H-4.2) and related to natural gas storage are subject to the procedure.”

WATER WITHDRAWAL AND PROTECTION REGULATION

109. The heading of Chapter V of the Water Withdrawal and Protection Regulation (chapter Q-2, r. 35.2) is amended by striking out “EXPLORE FOR OR PRODUCE PETROLEUM, NATURAL GAS OR BRINE, OR TO EXPLORE FOR OR”.

110. Section 31 of the Regulation is amended, in the first paragraph,

(1) by striking out subparagraphs 1, 2 and 4;

(2) by striking out “explore for or produce petroleum, natural gas or brine, or to explore for or” in subparagraph 3.

111. Section 32 of the Regulation is amended by striking out “or conduct a stratigraphic survey” in the first paragraph.

112. Section 38 of the Regulation is amended by striking out “exploration of or production of petroleum, natural gas or brine, or for the exploration for or” in subparagraph 5 of the first paragraph.

113. Division IV of Chapter V of the Regulation, comprising sections 40 to 46, is repealed.

114. Section 49 of the Regulation is amended by striking out subparagraph 4 of the first paragraph.

115. Section 66 of the Regulation is amended by replacing “explore for or produce petroleum, natural gas or brine, or to explore for or operate an underground reservoir, and the performance of a stratigraphic survey,” by “operate an underground reservoir”.

116. Section 73 of the Regulation is amended by replacing “explore for or produce petroleum, natural gas or brine, or to explore for or operate an underground reservoir, and work to conduct a stratigraphic survey” by “operate an underground reservoir”.

117. Section 84 of the Regulation is amended by striking out paragraph 5.

118. Section 85 of the Regulation is amended

(1) by striking out “41 or” in paragraph 1;

(2) by striking out “the second or third paragraph of section 45 or” in paragraph 3.

119. Section 86 of the Regulation is amended by striking out paragraphs 3 and 4.

120. Section 91 of the Regulation is amended by striking out paragraph 5.

121. Section 92 of the Regulation is amended

(1) by striking out “41 or” in paragraph 2;

(2) by striking out “the second or third paragraph of section 45 or” in paragraph 4.

122. Section 93 of the Regulation is amended by striking out paragraphs 3 and 4.

CHAPTER III**TRANSITIONAL AND FINAL PROVISIONS**

123. Unless the context indicates otherwise or otherwise provided for by this Act, in any Act, regulation or other document, a reference to the Petroleum Resources Act (chapter H-4.2) becomes a reference to the Act respecting natural gas storage and natural gas and oil pipelines (chapter H-4.2).

124. The provisions of this Act come into force on the date or dates to be set by the Government, except sections 74 to 76 of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1), which come into force on 13 April 2022.

2022, chapter 11

AN ACT TO AMEND THE YOUTH PROTECTION ACT AND OTHER LEGISLATIVE PROVISIONS

Bill 15

Introduced by Mr. Lionel Carmant, Minister for Health and Social Services

Introduced 1 December 2021

Passed in principle 1 February 2022

Passed 14 April 2022

Assented to 26 April 2022

Coming into force: 26 April 2022, except

(1) the provisions of section 16 insofar as it enacts section 30.8 of the Youth Protection Act (chapter P-34.1), paragraph 2 of section 19, section 20 insofar as it enacts section 35.4 of the Youth Protection Act, sections 21, 27, 28, 33, 36, 37 and 40 and paragraph 2 of section 62, which come into force on 26 April 2023;

(2) the provisions of section 60, insofar as it enacts sections 131.6, 131.7 and 131.9 to 131.13 of the Youth Protection Act, which come into force on the date determined by the Government.

Legislation amended:

Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2)

Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2)

Youth Protection Act (chapter P-34.1)

Act respecting health services and social services (chapter S-4.2)

Courts of Justice Act (chapter T-16)

Explanatory notes

This Act makes various amendments to the Youth Protection Act.

First, the Act proposes various amendments to facilitate the interpretation and application of that Act by the various actors involved and introduces a preamble. It reaffirms that the interest of the child is the primary consideration in the application of that Act.

The Act also allows, in specified circumstances, the communication to the director of youth protection of certain confidential information held, in particular by bodies or professionals, at each stage of the intervention. It emphasizes that the conditions within an Act which must be met to communicate

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Explanatory notes (*cont'd*)

confidential information concerning the child or the child's parents must be construed so as to facilitate the communication where it is in the interest of the child or is intended to ensure the protection of another child.

The Act introduces a definition of "exposure to domestic violence" and stipulates that the security or development of a child is considered to be in danger when the child is in such a situation.

Moreover, it is provided that the Minister of Health and Social Services is by virtue of office the Government's adviser on all issues relating to youth protection or to children in vulnerable situations and that the Minister must be consulted whenever a ministerial decision is made involving the interests of children or the respect of their rights in relation to youth protection.

The Act entrusts to the National Director of Youth Protection the responsibility of determining the policy directions and clinical practice standards applicable by the directors of youth protection, of exercising the controls required with respect to youth protection interventions and of supporting the action of the directors of youth protection. To that end, it establishes that the National Director of Youth Protection may give directives to the directors of youth protection, hold inquiries if he deems it expedient, require a director to implement corrective measures within a specified time, and, in certain cases, entrust the responsibilities of a director to another director or to a person he designates.

A panel of directors is established, consisting of the National Director of Youth Protection and each of the directors of youth protection. The purpose of the panel is, in particular, to enable the members to ensure that policy directions and clinical practice standards are implemented and complied with in all the regions of Québec. The procedure for appointing directors of youth protection is also amended.

The Act also extends the maximum term of consecutive agreements on voluntary measures as well as the time during which the records of children whose situation is taken in charge by a director of youth protection must be kept. Under the Act, an institution operating a child and youth protection centre must offer psychosocial support services to a person 14 years of age or over who accesses the information in his record. The Act also provides different measures supporting the child's transition to adulthood.

The Act introduces a chapter comprising the provisions applicable to Indigenous people and introduces new provisions to take into account their own historical, social and cultural factors. Particularly, it provides that every decision made under the Youth Protection Act must foster the cultural continuity of Indigenous children. It also sets out additional factors to be taken into account in determining the interest of those children, including the culture of their community as well as their relationships with their extended family and members of their community. The Act provides specific rules applicable to the term of consecutive agreements on voluntary measures and to judicial interventions in respect of Indigenous children. The Act also provides for the possibility, in certain cases, of forming a family council, in accordance with Indigenous custom or practice as well as the possibility for an Indigenous community or a group of communities to administer the financial assistance to promote tutorship, customary tutorship, adoption and customary adoption.

The Act makes it possible for the Minister of Justice and the Minister of Health and Social Services to implement, by regulation, pilot projects relating to judicial or social interventions.

As regards judicial interventions, the Act establishes the systematic representation of children by an advocate. The time period for notifying the parties of the presentation of any application for certain measures to be taken during the proceedings is amended and the manner in which such notice is to be given as well as its content are provided for. The Act provides for the possibility of reaching a draft

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Explanatory notes (*cont'd*)

agreement or settlement with only one of the parents where the other parent is unable to express his will, cannot be found despite serious efforts to locate him, or where the latter, having not, in fact, assumed responsibility for the care, maintenance and education of the child, abstains from becoming involved owing to indifference. In addition, certain rules of evidence are amended and access to judgments and pleadings in a family matter that involves a child who is the subject of a report is granted to the actors involved.

Furthermore, the Act respecting the Ministère de la Santé et des Services sociaux is amended to specify that the Minister of Health and Social Services must promote the appropriate measures to meet the needs of children and families in vulnerable situations or to prevent the security or development of a child from being in danger and must take the necessary steps to facilitate the transition to adulthood of young persons under 26 years of age who were taken in charge by the director of youth protection. The Act also expressly provides for the appointment of a National Director of Youth Protection by the Government.

The Act also amends the Courts of Justice Act to increase to 319 the number of judges composing the Court of Québec.

Lastly, the Act contains transitional and final provisions.



Chapter 11

AN ACT TO AMEND THE YOUTH PROTECTION ACT AND OTHER LEGISLATIVE PROVISIONS

[Assented to 26 April 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

YOUTH PROTECTION ACT

1. The Youth Protection Act (chapter P-34.1) is amended by inserting the following after the title of the Act:

“AS Québec has declared itself bound by the Convention on the Rights of the Child by Order in Council 1676-1991 dated 9 December 1991;

AS the interest of the child is the primary consideration in any decision made in the child’s regard;

AS, under the Charter of human rights and freedoms and the Civil Code of Québec, every child has a right to the protection, security and attention that his parents or the persons acting in their stead are able to give to him;

AS the protection of children is a collective responsibility that requires the mobilization and collaboration of all the resources in the community in order to limit the State’s authority intervention in the lives of families under this Act to exceptional situations;

AS a child’s perception of time differs from that of adults because he is still developing;

AS the emotional stability and security of a child are major determinants in ensuring the child’s healthy development;

AS the child and his parents have the right to have their voices heard and as their participation in decisions that concern them and the consideration of their opinion have the effect of further empowering them to act;

AS it is important to facilitate a child’s transition to adulthood;

AS it is important to recognize the specificity of children who belong to minority groups, such as children belonging to ethnocultural communities;

AS Indigenous persons are best suited to meet the needs of their children in the manner that is the most appropriate;

AS cultural safety is essential to the well-being of Indigenous children;

AS interventions in respect of an Indigenous child must be carried out taking into account the circumstances and characteristics of his community or of another environment in which he lives so as to respect his right to equality and foster cultural continuity;”.

2. Section 1 of the Act is amended

(1) in the first paragraph,

(a) by replacing subparagraph *d* by the following subparagraph:

“(d) “body” means any Indigenous organization, any educational body and any childcare establishment, as well as any other group of persons or assets, whatever its legal form, which is child-related or whose function is to offer services to children and their family, particularly in the areas of support for victims, assistance to children and their parents, placement, rights advocacy, recreation and sports or whose mission is to promote the interests of children or to improve their living conditions;”;

(b) by replacing subparagraph *e* by the following subparagraph:

“(e) “parents” means the father and the mother who are not deprived of parental authority and any other tutor;”;

(2) by striking out the fifth paragraph.

3. Section 2 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The Act also aims to put an end to and prevent the recurrence of situations in which the security or the development of a child is in danger.”;

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

“Lastly, in these matters, this Act sets out, in Chapter V.1, provisions specific to Indigenous people, which add to or depart from its other provisions.”

4. Chapter II of the Act is amended by replacing the portion before section 3 by the following:

“CHAPTER II

“GENERAL PRINCIPLES, RIGHTS OF THE CHILD AND OF HIS PARENTS AND PARENTS’ RESPONSIBILITIES

“DIVISION I

“GENERAL PRINCIPLES”.

5. Section 3 of the Act is amended

(1) by replacing “Decisions made under this Act” in the first paragraph by “The interest of the child is the primary consideration in the application of this Act. Decisions made under this Act”;

(2) in the second paragraph,

(a) by inserting “, including the socioeconomic conditions in which the child lives,” after “family environment”;

(b) by striking out the last sentence.

6. Section 4 of the Act is replaced by the following:

“4. Every decision made under this Act must aim at ensuring continuity of care as well as the stability of the child’s relationships and of living conditions appropriate to his needs and age. Therefore, keeping the child in his family environment should be favoured, provided it is in the child’s interest.

If keeping the child in his family environment is not in his interest, priority must be given to entrusting the child to the persons most important to him, in particular the grandparents or other members of the extended family.

If it is not in the interest of the child to entrust him to such persons, the child must then be entrusted to a living environment most closely resembling a family environment.

If returning the child to his family environment is not in his interest, the decision must, on a permanent basis, ensure continuity of care and the stability of his relationships and of living conditions appropriate to his needs and age.

“4.1. Where the child is removed from his family environment, keeping the child and his siblings in the same alternative living environment must be favoured, provided it is in the child’s interest.

“4.2. Where the child is removed from his family environment, the parents’ involvement must always be fostered, with a view to encouraging or helping them to exercise their parental responsibilities, provided that such involvement is in the interest of the child.

In such circumstances, the director must, in addition to planning the child’s return to that environment, make plans for an alternative project aimed at ensuring, without delay, continuity of care and the stability of the child’s relationships and of his living conditions on a permanent basis in the event that a return to his family environment would not be in the interest of the child.

“4.3. Any intervention in respect of a child and the child’s parents under this Act must, if the circumstances are appropriate, favour means that allow the child and his parents to take an active part in making the decisions and choosing the measures that concern them.

“4.4. Persons having responsibilities towards a child under this Act and persons called upon to make decisions with respect to a child under this Act shall, in their interventions,

(a) treat the child and the child’s parents with courtesy, fairness and understanding, and in a manner that respects their dignity and autonomy;

(b) act diligently to ensure the child’s security or development, given that a child’s perception of time differs from that of adults;

(c) take into consideration the proximity of the chosen resource; and

(d) take into account the characteristics of ethnocultural communities, including when choosing an alternative living environment for the child.

“4.5. Institutions, bodies and persons having responsibilities towards a child under this Act and persons called upon to make decisions with respect to a child under this Act shall

(a) encourage the participation of the child and the parents, and the involvement of the community; and

(b) cooperate with each other and see to obtaining in an optimal manner the cooperation of resources in the community; they act in concert with those resources willing to cooperate with them, to ensure that their interventions are coordinated.

“4.6. The conditions prescribed by law that must be met to communicate confidential information concerning the child or the child’s parents must be construed so as to facilitate the communication of that information where it is in the interest of the child or is intended to ensure the protection of another child.

“DIVISION II

“RIGHTS OF THE CHILD AND OF HIS PARENTS”.

7. Section 5 of the Act is amended by inserting “and persons called upon to make decisions with respect to a child under this Act” after “child under this Act” in the first paragraph.

8. The Act is amended by inserting the following sections after section 6:

“6.1. Persons having responsibilities towards a child under this Act and persons called upon to make decisions with respect to a child under this Act shall, in their interventions, take into account the necessity

(a) of ensuring that any information or explanation that must be given to a child within the framework of this Act is given in terms that are adapted to his age and his capacity of understanding;

(b) of ensuring that the parents have understood the information or explanations that must be given to them within the framework of this Act; and

(c) of giving the child and the child's parents an opportunity to present their points of view, express their concerns and be heard at the appropriate time during the intervention.

“6.2. The child and the child's parents are entitled to be accompanied and assisted by a person of their choice when they wish to obtain information or when meeting the director or any person the director authorizes.”

9. Section 8 of the Act is amended

(1) by replacing “and in a personalized manner” in the first paragraph by “, in a personalized manner and with the required intensity”;

(2) by striking out the second and third paragraphs.

10. The Act is amended by inserting the following section after section 8:

“8.1. The child is entitled to receive, on the conditions prescribed in section 8, appropriate educational services from an educational body.

Every educational body must ensure the continuity of those services for a child entrusted to an alternative living environment.”

11. The Act is amended by inserting the following sections after section 9:

“9.1. When a child is entrusted to an alternative living environment, the child's contacts with persons who are important to him must be encouraged by taking his wishes into account, provided such contacts are in the interest of the child.

“9.2. The child and the child's parents have the right to have any information that concerns them and allows them to be identified, if collected under this Act, to be handled in a confidential manner and disclosed only in accordance with the provisions of this Act.

“9.3. No one may, under this Act, publish or broadcast information allowing a child or the child's parents to be identified, unless the tribunal so orders or so authorizes on the conditions it determines or unless the publication or broadcast is necessary for the purposes of this Act or a regulation made under it.

Furthermore, the tribunal may, in a specific case, prohibit or restrict, on the conditions it prescribes, the publication or broadcast of information relating to a hearing of the tribunal.”

12. Sections 11.2 and 11.2.1 of the Act are repealed.

13. Section 11.3 of the Act is amended by replacing “7 to 10” by “6.2, 7 to 9 and 10”.

14. The Act is amended by inserting the following division after section 11.3:

“DIVISION III

“PARENTS’ RESPONSIBILITIES

“**11.4.** Parents have not only rights in respect of their child, but also obligations towards him. An intervention made in respect of a child under this Act does not deprive his parents of the rights conferred on them and does not relieve them of their obligations under the Civil Code as the persons having parental authority, unless a provision of this Act provides otherwise.

Consequently, the parents, in particular,

(a) have the rights and duties of custody, supervision and education of their children;

(b) shall maintain their children; and

(c) exercise parental authority together.

“**11.5.** The parents must, whenever possible, take an active part in implementing the measures designed to put an end to and prevent the recurrence of the situation in which the security or development of their child is in danger.”

15. Section 26 of the Act is amended

(1) by striking out “Notwithstanding section 19 of the Act respecting health services and social services (chapter S-4.2) and section 7 of the Act respecting health services and social services for Cree Native persons (chapter S-5),” in the first paragraph;

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

“In addition, every person and every body that treats or has treated a child who is or has been the subject of an intervention under this Act or whose parents are or have been the subject of such an intervention or that provides or has provided services to such a child or to his parents must give the member of the

Commission or the person in its employment, on request, a copy of any information from a record relating to the case of a child and that is necessary for the conduct of an investigation under paragraph *b* of section 23.”

16. The Act is amended by inserting the following divisions after section 27:

“DIVISION I.1

“MINISTER OF HEALTH AND SOCIAL SERVICES

“28. The Minister of Health and Social Services is by virtue of office the Government’s adviser on all issues relating to youth protection or to children and families in vulnerable situations; the Minister may, for such purpose, provide the other ministers with any advice the Minister considers appropriate.

The Minister must be consulted whenever a ministerial decision is made involving the interests of children or the respect of their rights in relation to youth protection.

“DIVISION I.2

“NATIONAL DIRECTOR OF YOUTH PROTECTION

“§1. — *Responsibilities*

“29. The National Director of Youth Protection, appointed under section 5.1.1 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), exercises, in addition to the responsibilities assigned to him under that section, the following responsibilities:

(a) ensuring the follow-up of care and service trajectories of children whose situation is taken in charge by a director and measuring the effects of the interventions;

(b) determining the policy directions and the clinical practice and management standards applicable to youth protection;

(c) exercising the controls required to ensure that youth protection interventions follow generally accepted standards and that they are adequate from a scientific, human and social standpoint;

(d) exercising leadership and supporting the action of directors in the exercise of their responsibilities; and

(e) coordinating, where he considers it necessary and to the extent he deems appropriate, any intervention involving the intervention of more than one director or of another competent authority.

A director of youth protection is required to comply with the directives given to him by the National Director of Youth Protection in the exercise of his responsibilities.

“30. In exercising the responsibilities set out in section 29, the National Director of Youth Protection may, in particular, whenever he deems it necessary,

(a) call on outside experts to report on one or more specific points he determines;

(b) conduct or commission studies, research or surveys to obtain background on a matter on which he must provide an opinion or produce a report; and

(c) request the collaboration of institutions or bodies by asking them to provide any expertise they have and that is necessary to him or to produce an analysis, advisory report or opinion on an issue on which the National Director must himself provide an opinion or produce a report.

“30.1. Government departments, public bodies or institutions must provide the National Director of Youth Protection with the information and documents he requires and that are necessary to the exercise of his responsibilities under section 29.

They must allow the National Director to examine and make copies of the information or documents they have, whatever their form.

“30.2. The National Director of Youth Protection may, if he deems it expedient, hold an inquiry as part of the exercise of his responsibilities.

For the purposes of an inquiry, the National Director or any other person designated by him to conduct the inquiry is vested with the powers and immunity provided for in the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

“30.3. Where the National Director of Youth Protection finds that a director of youth protection is not applying the directives, policy directions, clinical practice and management standards or the standards referred to in section 29, the National Director may, as he considers appropriate,

(1) require that corrective measures he determines be taken within the time he specifies;

(2) require that the institution operating a child and youth protection centre concerned submit an action plan to him, within the time he specifies, in response to the recommendations he has made.

“30.4. The National Director of Youth Protection may, if a director of youth protection is unable to act, commits a serious fault or tolerates a situation which could endanger the security or development of a child, entrust the functions and powers vested in that director of youth protection to another director of youth protection or to a person the National Director designates, for the time and on the conditions he considers appropriate. He shall immediately notify the president and executive director and the board of directors of the institution concerned of the decision.

“§2. — Panel of directors

“30.5. A panel of directors is established under the name “Table des directeurs”, consisting of the National Director of Youth Protection and each of the directors of youth protection.

Each member of the panel must designate a person to represent them when they are unable to participate.

Members of the panel may solicit the participation, on an ad hoc or permanent basis, of experts or other stakeholders concerned with youth protection.

“30.6. The purpose of the panel of directors is to enable its members

(a) to develop and harmonize clinical practices in youth protection, by drawing in particular on the expertise of its members in carrying out their responsibilities;

(b) to ensure that policy directions and clinical practice standards are implemented and complied with in all the regions of Québec; and

(c) to ensure the development and continuous adaptation of training in youth protection based on the evolution of clinical practices.

The panel also aims to enable its members to take up any issue submitted to them by the National Director of Youth Protection.

“30.7. The National Director of Youth Protection presides at meetings of the panel of directors and determines its mode of operation.

“§3. — Reporting

“30.8. The National Director of Youth Protection shall report annually to the Minister of Health and Social Services, not later than six months after the end of the fiscal year, on the exercise of his responsibilities and those of the panel of directors.

The report shall be published on the website of the Ministère de la Santé et des Services sociaux.”

17. Section 31 of the Act is replaced by the following sections:

“31. A director of youth protection shall be appointed for each institution operating a child and youth protection centre; the director shall act under the direct authority of the president and executive director of the institution.

“31.0.1. The director shall be appointed by the institution’s board of directors from a list of candidates submitted to it by a selection committee.

The Minister shall, by a directive, prescribe the procedure for recruiting and selecting persons qualified for appointment as directors, in particular the professional qualifications required of the candidates and the composition of the selection committee.”

18. The Act is amended by inserting the following section after section 31.2:

“31.3. The director must see to it that, within the institution operating a child and youth protection centre, practices are maintained and resources are allocated so as to enable the director to properly exercise his responsibilities.

The board of directors of an institution shall, on a quarterly basis, hear the director on the exercise of his responsibilities and the operation of the child and youth protection centre.”

19. Section 32 of the Act is amended, in the first paragraph,

(1) by replacing “71.3.2” in subparagraph *h.1* by “131.18”;

(2) by striking out “or to disclose information under the second or third paragraph of section 72.6 or under section 72.7” in subparagraph *i*.

20. Sections 35.4 and 36 of the Act are replaced by the following sections:

“35.4. A person referred to in section 35.1 may require an institution, body or professional to disclose to him information concerning the child, either of the child’s parents or another person involved in a report if any of the following conditions is met:

(a) such information reveals or confirms the existence of a situation related to the grounds alleged by the director to the effect that the security or development of the child is in danger, the knowledge of which could justify, as applicable,

(1) accepting the report for evaluation,

(2) deciding whether the security or development of the child is in danger or remains so, or

(3) deciding as to the directing of the child, or

(b) such information makes it possible to confirm or deny the existence of a situation related to new events that have occurred since the decision on the child's security or development being in danger was made, the knowledge of which could make it possible to review the child's situation.

A person referred to in section 35.1 may also,

(a) if the person considers it necessary to ensure the protection of a child with regard to whom that person has accepted a report, enter, at any reasonable time or at any time during an emergency, a facility maintained by an institution or premises kept by a body or in which a professional practises their profession to examine on-site the record of the child and make copies of it;

(b) if so authorized by the tribunal, examine on-site, in a facility maintained by an institution or in premises kept by a body or in which a professional practises their profession, the record of a parent or of another person involved in a report that is necessary to ensure the protection of a child; and

(c) require from a person who has knowledge of any information or record referred to in this section the explanations needed to understand that information or the information contained in the record.

Any person having custody, possession or control of a record or knowledge of information referred to in this section shall make them available to the person referred to in section 35.1 and facilitate that person's examination of the record or information.

The first, second and third paragraphs apply even to persons who are bound by professional secrecy, except advocates and notaries.

“36. A person referred to in section 35.1 may obtain from the office of the Superior Court a copy of a judgment or a pleading in a family matter that concerns a child who is the subject of a report.”

21. Section 36.1 of the Act is amended by inserting “, 35.4” after “35.3”.

22. Sections 37.4 and 37.4.1 of the Act are replaced by the following sections:

“37.4. If the director or the tribunal decides that the security or development of the child is in danger, the director must keep the information contained in the child's record until he has reached 43 years of age, even if the director or the tribunal subsequently decides that the security or development of the child is no longer in danger.

“37.4.1. When the tribunal appoints a tutor to the child and the director puts an end to his intervention in respect of that child in accordance with section 70.2, the director must keep the information in the child's record until the child has reached 43 years of age.”

23. Section 37.4.2 of the Act is amended by striking out “the first paragraph of”.

24. Section 37.4.3 of the Act is amended

- (1) in the first paragraph,
- (a) by inserting “before the child reaches 18 years of age,” after “may,”;
- (b) by replacing “the child’s” by “that child’s”;
- (2) by striking out the second paragraph.

25. The Act is amended by inserting the following sections after section 37.4.3:

“37.4.4. Psychosocial support services are to be offered to the person 14 years of age or over who accesses the information in his record.

These services are to be offered by an institution operating a child and youth protection centre.

“37.4.5. The child may, from the moment he reaches 25 years of age and subject to the application of section 37.4.3, request an institution operating a child and youth protection centre to destroy the information contained in his record.”

26. Division III of Chapter III of the Act, comprising sections 37.5 to 37.7, is repealed.

27. Section 38 of the Act is amended

(1) by replacing “is abandoned, neglected, subjected to psychological ill-treatment” in the first paragraph by “is in a situation of abandonment, neglect, psychological ill-treatment, exposure to domestic violence”;

(2) in the second paragraph,

(a) by replacing “conjugal or domestic” in subparagraph *c* by “family”;

(b) by inserting the following subparagraph after subparagraph *c*:

“(c.1) “exposure to domestic violence” refers to a situation in which a child is directly or indirectly exposed to violence between the child’s parents or between one of his parents and a person with whom the parent has an intimate relationship, including in a post-separation context, among other things if the child witnesses such violence or develops in an atmosphere of fear or tension, and where such exposure could cause harm to the child;”.

28. The Act is amended by inserting the following section after section 38.2.1:

“38.2.2. For the purposes of section 38.2, any decision relating to a report for a situation of exposure to domestic violence must, in particular, take into consideration the following factors:

- (a) the consequences for the child of exposure to such violence;
- (b) the acknowledgment of the consequences for the child by the perpetrator of the violence and the means taken by the perpetrator to prevent other situations of exposure to violence, if applicable;
- (c) the measures taken by the parent who is not the perpetrator of the violence to protect the child from exposure to such violence and the obstacles to such measures caused by the perpetrator of the violence, if applicable;
- (d) the local resources’ ability to support the parents in carrying out their responsibilities; and
- (e) the order, condition or measure, whether civil or criminal in nature, concerning the security or development of the child.”

29. Section 39 of the Act is amended

- (1) by inserting “, c.1” after “c” in the third paragraph;
- (2) by striking out the fourth and fifth paragraphs.

30. The Act is amended by inserting the following sections after section 39.1:

“40. The person who reported a child’s situation under section 39 may communicate to the director any relevant information relating to the report about the child’s situation, with a view to ensuring the child’s protection.

The same applies to the person who, in the practice of a profession or the performance of a duty referred to in the first paragraph of that section, was involved in making such a report.

“41. Sections 39 and 40 apply even to persons who are bound by professional secrecy, except advocates and notaries who, in the practice of their profession, receive information concerning a situation described in section 38 or 38.1.”

31. Section 43 of the Act is amended by inserting “, 40” after “section 39”.

32. Section 44 of the Act is amended by inserting “, 40” after “section 39”.

33. Section 45.1 of the Act is replaced by the following section:

“45.1. The director must inform the person who reported the situation of his decision to accept the report or not for evaluation.”

34. Section 53 of the Act is amended by replacing “two” in the first paragraph by “three”.

35. Section 57.2 of the Act is amended by inserting the following paragraph after paragraph *a*:

“(a.1) consider the security or development of the child to be in danger within the meaning of section 38 or 38.1 when new facts have arisen since the decision on the child’s security or development being in danger was made;”.

36. The Act is amended by inserting the following section after section 57.2.1:

“57.2.2. With a view to a child’s transitioning to adulthood, the director who intervenes in respect of the child shall, in the two years before the child reaches 18 years of age, agree with the child on a plan for ensuring that transition.

The director shall also inform the child of the support services offered by persons, institutions or bodies, as well as of the possibility for him to stay in his alternative living environment in accordance with section 64.1, and meet with the child and the staff of the service provider concerned if the child consents to it.”

37. Section 62.1 of the Act is amended by adding the following paragraph at the end:

“With a view to preparing the child for the transition to adulthood, the director or the person so authorized may, in the last six months of such an order ending when the child reaches the age of majority, authorize the child to stay for extended periods in an environment referred to in the second paragraph or in another environment provided for in the intervention plan.”

38. Division V of Chapter IV of the Act, comprising section 65, is repealed.

39. Division VII.1 of Chapter IV of the Act, comprising sections 71.3.1 to 71.3.3, is repealed.

40. Section 72.6 of the Act is amended

(1) in the first paragraph,

(a) by inserting “including a foster family, or to any” after “any person,”;

(b) by replacing “the disclosure necessary to ensure the child’s protection in accordance with this Act” by “that the disclosure is in the interest of the child”;

(2) by inserting the following subparagraph after subparagraph 2 of the second paragraph:

“(2.1) to a police force, where the disclosure is necessary to ensure the safety of a child present on the scene of a police intervention, other than that relating to the application of this Act;”.

41. Section 72.6.0.1 of the Act is repealed.

42. Section 72.6.1 of the Act is amended by replacing “71.3.2” in the first paragraph by “131.18”.

43. Section 72.7 of the Act is amended by replacing “exercising a responsibility in respect of the child concerned” in the first paragraph by “called on to cooperate with the director, including an institution or body that ensures the coordination of the concerted intervention with regard to the reported situation”.

44. Section 72.9 of the Act is amended by replacing the fourth paragraph by the following paragraph:

“Subject to the time periods prescribed in sections 37.1 to 37.3 and 37.4.3, the information entered in the register must be kept until the child has reached 18 years of age.”

45. Section 76 of the Act is amended

(1) by inserting “originating” before “application” in the introductory clause of the first paragraph;

(2) by striking out “However,” in the second paragraph.

46. The Act is amended by inserting the following section after section 76.1:

“76.2. Every application for an order under section 76.1 must be notified to the parties or their advocate, as the case may be, at least one day before it is to be presented.

In addition to stating the date, time and place the application will be presented, the notice states the facts justifying the intervention of the tribunal and any conclusions sought.

The notice is submitted in person or by way of any appropriate technological means that ensures its confidentiality.

The tribunal may shorten the time prescribed in the first paragraph where the application seeks to change the living environment of a child in accordance with subparagraphs *e*, *e.1*, *g* or *j* of the first paragraph of section 91.”

47. Section 76.3 of the Act is replaced by the following section:

“76.3. At any time, including after a settlement conference, the parties to the proceedings may submit a draft agreement or a settlement to the tribunal or to the judge who presided over the settlement conference.

The draft agreement or settlement submitted under the first paragraph may have been reached with only one of the parents where the other parent is unable to express their will, cannot be found despite serious efforts to locate them, or where they, having not, in fact, assumed responsibility for the care, maintenance and education of the child, abstain from becoming involved owing to indifference.

The tribunal may order the parties to put any draft agreement or settlement in writing and to file it.”

48. Section 76.4 of the Act is amended by striking out “establishing that the security or development of the child is in danger and”.

49. Section 78 of the Act is amended by adding the following paragraphs at the end:

“In addition, it must see to it that an advocate is specifically assigned to represent and counsel only the child or, if there is more than one child concerned by a proceeding, the children.

The parties are required to cooperate so that the advocate of a child may have access to his client, in compliance with the advocate’s right to professional secrecy.

The tribunal may order any measure aimed at ensuring compliance with this section.”

50. Sections 80 and 81.1 of the Act are repealed.

51. Section 84.2 of the Act is amended

- (1) by replacing “three working days” in the first paragraph by “five days”;
- (2) by inserting the following paragraphs after the first paragraph:

“The first paragraph applies to the filing of a psychosocial report referred to in section 86, except as regards the time period which is to be 10 days.

An analysis, report, study or expert opinion produced under this section must describe the elements that are necessary or relevant to assist the tribunal in assessing the child's situation, in determining whether or not the security or development of the child is in danger or remains in danger or in making any decision under this Act."

52. Section 86 of the Act is amended

(1) by replacing "of the director's analysis of the child's social situation" in the first paragraph by "of the director's psychosocial report relating to the child's situation";

(2) by striking out the second and third paragraphs.

53. Section 87 of the Act is replaced by the following section:

"87. The director may, at his discretion, or must, if the tribunal so requires, attach to the psychosocial report referred to in section 86 a psychological or medical assessment of the child or a member of his family or any other relevant expert evaluation.

The parents of the child or the child himself, if he is 14 years of age or over, may refuse to undergo any assessment or expert evaluation. The parents of a child under 14 years of age may refuse for the child. Any refusal shall be recorded in a notice sent to the tribunal.

However, neither the parents nor the child shall refuse to undergo an assessment or expert evaluation ordered by the tribunal and relating to a situation involving psychological ill-treatment, exposure to domestic violence, sexual abuse or physical abuse or the risk of such abuse within the meaning of subparagraphs *c*, *c.1*, *d* or *e* of the second paragraph of section 38.

A child 14 years of age or over may give his consent alone to undergo an assessment or expert evaluation.

The cost of the assessment or expert evaluation shall be at the expense of the institution operating the child and youth protection centre.

Where the assessment or expert evaluation is disputed, the tribunal may require the director to produce a new one and determine who is to pay the related costs."

54. Section 88 of the Act is amended

(1) by replacing "of a study, assessment or expert opinion contemplated in section 86" and "such study, assessment or expert opinion" in the first paragraph by "of a psychosocial report referred to in section 86 and, if applicable, of any assessment or expert opinion referred to in section 87 attached to it" and "such report, assessment or expert opinion", respectively;

(2) by replacing the second and third paragraphs by the following paragraphs:

“However, where the director is of the opinion that the contents should not be communicated to the child, the tribunal may, by exception, prohibit the transmission of it.

The tribunal must ensure that the advocate representing the child is given the opportunity to examine the psychosocial report and, if applicable, any attached assessment or expert opinion and to ultimately dispute them.”

55. Section 91.1 of the Act is amended

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

“To determine the length of that period, the tribunal must take into account the duration of any measure, taken within the framework of this Act, that entrusts the child to an alternative living environment and that is related to the same situation. It may also take into account the duration of any previous period during which the child was entrusted to an alternative living environment within the framework of this Act, but that is not related to the same situation. A situation means the period from the accepted report to the end of the director’s intervention.”;

(2) by replacing “aimed at ensuring” in the third paragraph by “that ensures”;

(3) by replacing the fourth paragraph by the following paragraph:

“However, if the interest of the child demands it, the tribunal may disregard the periods specified in the first paragraph if it is expected that the child will be returned to his family environment in the short term or if there are serious reasons for doing so. The fact that services mentioned in an agreement or in an order of the tribunal have not been provided constitutes, among others, a serious reason.”;

(4) by replacing “aimed at ensuring” in the fifth paragraph by “that ensures”.

56. Section 91.2 of the Act is amended by replacing “tendant” in the French text by “visant”.

57. Section 94.1 of the Act is amended by replacing “11.2 and 11.2.1” by “9.2 and 9.3”.

58. Section 95.0.1 of the Act is amended by striking out the third paragraph.

59. The Act is amended by inserting the following section after the heading of Division IV of Chapter V:

“130. To facilitate access to justice and to reduce delays, the Minister of Justice may, by regulation, modify a rule of procedure governing judicial interventions provided for in Chapter V or a rule of procedure provided for in any other section that the Minister of Justice is responsible for administering under section 156, or introduce a new one, for the purposes of a pilot project conducted in judicial districts specified by the Minister. The regulation sets the duration of the pilot project, which may not exceed three years.

Before making the regulation, the Minister must consider the effects of the pilot project on the rights of individuals and consult the Chief Judge of the Court of Québec, the Barreau du Québec and, if applicable, the Chambre des huissiers de justice du Québec.”

60. The Act is amended by inserting the following chapter after section 131:

“CHAPTER V.1

“PROVISIONS SPECIFIC TO INDIGENOUS PEOPLE

“DIVISION I

“INTRODUCTORY PROVISIONS AND GENERAL PRINCIPLES

“131.1. The provisions of this chapter are aimed at adapting the other provisions of this Act to the Indigenous people, taking into account historical, social and cultural factors that are specific to them. They also aim to foster

(a) a holistic approach;

(b) cultural continuity;

(c) the responsibility of each community in respect of its children and families;

(d) the priority intervention of providers offering health services and social services to the community to prevent the situation of an Indigenous child from being taken in charge by the director; and

(e) the relationships of the child with multiple persons who are important to him.

“131.2. For the purposes of this chapter, an Indigenous organization in an urban environment that is present in the territory served by the institution operating a child and youth protection centre for which the director works is considered a provider offering health services and social services to the community.

“131.3. Every decision made under this Act in respect of an Indigenous child and any other intervention concerning him made under this Act must foster the cultural continuity of that child.

Institutions, bodies and persons having responsibilities towards a child under this Act and persons called upon to make such decisions shall consider, as one of the possible interventions to be made in respect of the child and his parents, having recourse to the available customary and traditional care, if made aware of it.

“131.4. In determining the interest of an Indigenous child, in addition to the factors listed in the second paragraph of section 3, the following factors must be taken into consideration:

- (a) the culture of the child’s Indigenous community, including the language, customs, traditions and spirituality;
- (b) the child’s relationships with his extended family and members of that community;
- (c) the child’s access to the territory surrounding that community and other places that its members frequent; and
- (d) the sociohistorical traumas of Indigenous people and their socioeconomic conditions.

“131.5. Where an Indigenous child must, under this Act, be entrusted to an alternative living environment, the living environment chosen must be the one that, considering the interest of that child, is suitable for him in the following order of priority:

- (a) the child’s extended family;
- (b) members of his community;
- (c) members of a different community of the same nation as the child’s nation;
- (d) members of a nation other than the child’s nation; or
- (e) any other environment.

The director must enter in the child’s record the reasons justifying the decision made under the first paragraph.

“DIVISION II**“SOCIAL AND JUDICIAL INTERVENTION****“§1. — *Security and development of a child***

“131.6. For the purposes of section 38.2, any decision concerning a report for a situation of neglect or a serious risk of neglect in respect of an Indigenous child must take into consideration, in particular, the following factors:

(a) the measures taken by the parents to meet the child’s fundamental needs and the cooperation offered to the providers offering health services and social services to the community, and

(b) the services offered by the service providers to support the parents in the exercise of their responsibilities and to help them meet those needs.

“§2. — *Cooperation*

“131.7. From the time an Indigenous child becomes the subject of a report and at each stage of the director’s intervention concerning him, the director shall reach out to the providers offering health and social services to the community for information regarding

(a) the situation of the child, of his parents and of the other members of his family, and

(b) the services that those providers are able to provide to them, including customary and traditional care.

The director shall see to obtaining the providers’ cooperation; he acts in concert with those providers willing to cooperate with him, to ensure that their services are coordinated.

“131.8. Despite section 72.5, as soon as an Indigenous child must be removed from his family environment to be entrusted to an alternative living environment, the director must inform the person responsible for youth protection services in the community of the child’s situation. In the absence of such a person, the director shall inform the person who assumes a role in matters of child and family services within the community. The director shall then solicit the cooperation of the person informed of the child’s situation in order to foster the cultural continuity of that child and, as far as possible, ensure that the child is entrusted to an alternative living environment in accordance with section 131.5.

“§3. — *Family council*

“**131.9.** In the following cases, the director shall inform the parents of an Indigenous child, and the child if he is 14 years of age or over, of the possibility of forming a family council:

(a) a provisional agreement provided for in Division II.1 of Chapter IV has been reached;

(b) it has been decided by the director, in accordance with section 51, that the security or development of the child is in danger; and

(c) prior to the review of the child’s situation in accordance with section 57 or 57.1.

The council is formed in accordance with Indigenous custom or practice. Where such a council is not formed, the director forms it if the parents and the child, if applicable, request it; he then solicits the cooperation of the community or of an Indigenous organization in an urban environment.

The director is not bound by the obligations set out in the first and second paragraphs in the cases where a family council has already been formed.

For the purposes of this chapter, a family council also includes any other similar authority.

“**131.10.** The role of the family council is, in particular, to submit observations to the director in respect of a modification or extension of the provisional agreement beyond 30 days and to make proposals concerning

(a) the measures to put an end to a situation in which the security or development of a child is in danger;

(b) the measures aimed at ensuring continuity of care and the stability of the child’s relationships and of his living conditions; and

(c) the customary or traditional care appropriate to the child’s situation.

“**131.11.** Before modifying or extending a provisional agreement beyond 30 days and before deciding where the Indigenous child is to be directed or if his situation is to be revised, the director shall solicit the observations of the family council or its proposals, as the case may be, unless he has already received them.

The director is not bound to do so if he considers that the time necessary to obtain the observations or the proposals may result in danger to the security or development of the child.

“131.12. The total period for which an Indigenous child may be entrusted to an alternative living environment is not limited by sections 53.0.1 and 91.1 if a family council has been formed.

“131.13. Where a family council has been formed, the director may review the case of the child at any time other than the time at which he is required to conduct such a review under section 57, if he considers it appropriate or if the council so requests.

“§4. — *Consecutive agreements on voluntary measures*

“131.14. Subject to section 131.12, consecutive agreements on voluntary measures referred to in subdivision 3 of Division III of Chapter IV may exceed the three-year term provided for in section 53 if they concern an Indigenous child.

“§5. — *Judicial intervention*

“131.15. A person responsible for the youth protection services of an Indigenous community or, in the absence of such a person, the person who assumes a role in matters of child and family services within an Indigenous community or the representative designated by such a community may, in the course of a proceeding concerning an Indigenous child belonging to that community, testify or submit observations, including in writing, before the tribunal, and may, for those purposes, be assisted by an advocate.

The observations mentioned in the first paragraph may cover, in particular the culture, history and traditions of the community, the characteristics of the Indigenous child’s living environment and the various services available to the child and his family.

Except in the case of an application under section 47, the director must, as soon as possible, inform the person responsible for the youth protection services of an Indigenous community or, in the absence of such a person, the person who assumes a role in matters of child and family services within an Indigenous community or the designated representative of the Indigenous community, of the date, time and place of the hearing of any application concerning an Indigenous child belonging to that community, of the subject of such an application and of the person’s right to participate in the hearing to the extent provided for in this section.

“DIVISION III

“INDIGENOUS CUSTOMARY ADOPTION AND TUTORSHIP

“131.16. The director shall consider Indigenous customary tutorship or adoption contemplated in article 199.10 or 543.1, as applicable, of the Civil Code if he considers that either of those measures is likely to ensure the interest of the child and the respect of his rights.

“131.17. In the case of an Indigenous customary adoption for which a new act of birth has been drawn up by the registrar of civil status under article 132 of the Civil Code, any inconsistent conclusions of an order aimed at protecting the child become inoperative on a decision of the tribunal following an application by the director, and the director shall act under section 95 on receiving a copy of the new act of birth from the registrar of civil status.

“131.18. From the time the child becomes the subject of a report and until the end of the director’s intervention, no Indigenous customary tutorship or adoption certificate may be issued in accordance with article 199.10 or 543.1, as applicable, of the Civil Code without the opinion of the director regarding the interest of the child and the respect of his rights.

To that end, the director and the competent authority shall exchange the information needed to enable the director to give an opinion. The director must disclose the information in accordance with section 72.6.1.

The director’s opinion must be in writing and give reasons.

“131.19. Financial assistance may, in the cases and on the terms and conditions prescribed by regulation, be granted by an institution operating a child and youth protection centre to facilitate Indigenous customary tutorship to or adoption of a child whose situation is taken in charge by a director.

“DIVISION IV

“AGREEMENTS IN INDIGENOUS MATTERS

“131.20. In order to better adapt the application of this Act to Indigenous realities, the Government is authorized, subject to the applicable legislative provisions, to enter into an agreement with an Indigenous nation represented by all the band councils or the councils of northern villages of the communities making up that nation, with the Makivik Corporation, with the Cree Nation Government, with an Indigenous community represented by its band council or by the council of a northern village, with a group of communities so represented or, in the absence of such councils, with any other Indigenous group, for the establishment of a special youth protection program applicable to any child whose security or development is or may be considered to be in danger within the meaning of this Act.

The program established by such an agreement must comply with the provisions of Chapter II and of Division I of Chapter V.1 of this Act and is subject to the provisions of Division I of Chapter III thereof. In particular, the powers provided for in section 26 may be exercised with respect to the record relating to the case of a child to whom such an agreement applies.

The agreement shall specify the persons to whom it applies and define the territory in which the services are to be organized and provided. It shall identify the persons or authorities that will be entrusted with exercising, with full authority and independence, all or part of the responsibilities assigned to the director, and may provide, as regards the exercise of the entrusted responsibilities, procedures different from those provided for in this Act. The agreement shall contain provisions determining the manner in which a situation is to be taken in charge by the youth protection system provided for in this Act.

The agreement shall also provide measures to evaluate its implementation, and specify the cases, conditions and circumstances in which the provisions of the agreement cease to have effect.

To the extent that they comply with the provisions of this section, the provisions of an agreement shall have precedence over any inconsistent provision of this Act and, as regards the organization and provision of services, of the Act respecting health services and social services (chapter S-4.2) or of the Act respecting health services and social services for Cree Native persons (chapter S-5).

The Nunavik Regional Board of Health and Social Services governed by the Act respecting health services and social services must be a party to the agreement entered into with the Makivik Corporation.

The Cree Board of Health and Social Services of James Bay covered by the Act respecting health services and social services for Cree Native persons must be a party to the agreement entered into with the Cree Nation Government.

Any agreement entered into under this section shall be tabled in the National Assembly within 15 days of being signed, or, if the Assembly is not sitting, within 15 days of resumption. It shall also be published in the *Gazette officielle du Québec*.

“131.21. For the purposes of this Act, the person or the authority referred to in the third paragraph of section 131.20 that is entrusted with all or part of the responsibilities assigned to the director is, where exercising those responsibilities, considered that director unless the agreement entered into under that section provides otherwise.

“131.22. When the director intervenes in a living environment to which an Indigenous child covered by an agreement entered into under section 131.20 is entrusted, he shall notify the persons or authorities of that child’s Indigenous community who are entrusted, if applicable, with all or part of the responsibilities assigned to the director within the framework of that agreement.

The person or authority thus notified of the director’s intervention may require that the director send him or it the information specified by that person or authority, provided such information is necessary for the exercise of his or its duties. If the director holds any such information, he sends it as soon as possible, despite section 72.5.

“131.23. In order to foster the cultural continuity of Indigenous children and the involvement of Indigenous communities in the decision-making and choice of measures concerning those children, an institution operating a child and youth protection centre may enter into an agreement with an Indigenous community represented by its band council or by the northern village council or with a group of communities so represented, which stipulates that such a community or such a group is to recruit and evaluate, in keeping with the general criteria determined by the Minister, persons able to take in one or more children who are members of the community and who are entrusted to them under this Act.

Such an agreement may also stipulate any other responsibility of the community or group in relation to these persons’ activities, in accordance with ministerial policy directions.

“131.24. Whenever this Act provides that a child may be entrusted to a foster family, the child who is Indigenous may also be entrusted to a person or persons whose activities are under the responsibility of an Indigenous community or a group of communities with whom an institution operating a child and youth protection centre has entered into an agreement under section 131.23 in respect of such activities or with whom the Government has entered into an agreement under section 131.20 which includes such activities.

Those persons are then considered to be foster families for the purposes of this Act.

“131.25. An institution operating a child and youth protection centre may, for the same purposes as those mentioned in section 131.23, enter into an agreement with an Indigenous community represented by its band council or by the northern village council or with a group of communities so represented that specifies the terms applicable to the authorizations granted by the director for the exercise of one or more of the director’s exclusive responsibilities provided for in the following paragraph.

The director may, within the framework of such an agreement, authorize a person who is a staff member of the Indigenous community or group of communities, in writing and to the extent the director specifies,

(a) to carry out the assessment of a child’s situation and living conditions provided for in subparagraph *b* of the first paragraph of section 32, without, however, allowing that person to decide whether the security or development of the child is in danger; and

(b) to exercise, under the director’s authority as regards clinical matters or under the authority of the person the director authorizes in writing, one or more of the responsibilities provided for in subparagraphs *b* to *e* and *h.1* of the first paragraph of section 32.

Section 35 and any other section that applies to a person acting under section 32 apply to a person authorized to exercise a responsibility under this section. The director may, at any time, terminate an authorization.

“131.26. An institution may enter into an agreement with an Indigenous community represented by its band council or by the northern village council or with a group of communities so represented that specifies the responsibilities assigned to that community or that group relating to the granting of the financial assistance provided for in any of sections 70.3, 71.3 and 131.19.”

61. The Act is amended by inserting the following section after section 132:

“133. With a view to studying, improving or defining standards and obligations applicable to the responsibilities or to the social intervention of the director in order to, among other things, reduce response times, the Minister of Health and Social Services may, by regulation, implement a pilot project on matters within the scope of the provisions of sections 32 or 33, of Divisions II, III or III.1 of Chapter IV or of Division II of Chapter V.1.

Such a regulation sets out the standards and obligations applicable within the framework of a pilot project, which may differ from those provided for in the provisions referred to in the first paragraph. It also sets out the monitoring and reporting mechanisms applicable to the pilot project and its duration, which may not exceed three years.

The Minister must consult with the panel of directors before making such a regulation. The Minister must also obtain the approval of the representatives designated by the Indigenous communities concerned regarding the standards and obligations applicable to the matters within the scope of Division II of Chapter V.1.”

62. Section 134 of the Act is amended, in the first paragraph,

(1) by replacing “37.5” in subparagraph *b* by “131.20”;

(2) by inserting the following subparagraph after subparagraph *b*:

“(b.1) refuse or neglect to communicate information or a record or to give explanations required under section 35.4;”;

(3) by replacing “37.5” in subparagraph *d* by “131.20”.

63. Section 135 of the Act is amended by replacing “11.2.1” by “9.3”.

64. Section 156 of the Act is amended

(1) by inserting “131.15, 131.17,” after “131,”;

(2) by inserting “or 131.17” after “section 95.0.1”.

ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES SERVICES SOCIAUX

65. Section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by adding the following paragraphs at the end:

“(p) promote the appropriate measures to meet the needs of children and families in vulnerable situations or to prevent the security or development of a child from being in danger; and

“(q) take the necessary steps to support young persons under 26 years of age who were taken in charge by the director of youth protection, in order to facilitate their transition to adulthood.”

66. The Act is amended by inserting the following section after section 5.1:

“**5.1.1.** The Government shall appoint the National Director of Youth Protection, who shall hold a position of assistant deputy minister, to advise and assist the Minister and the Deputy Minister in the exercise of their responsibilities with regard to youth protection.”

ACT TO MODIFY THE ORGANIZATION AND GOVERNANCE OF THE HEALTH AND SOCIAL SERVICES NETWORK, IN PARTICULAR BY ABOLISHING THE REGIONAL AGENCIES

67. Section 50 of the Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies (chapter O-7.2) is amended, in the second paragraph,

(1) by striking out “or section 31 of the Youth Protection Act (chapter P-34.1)”;

(2) by replacing “, midwifery services coordinator or director of youth protection” by “or midwifery services coordinator, as the case may be”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

68. Section 19 of the Act respecting health services and social services (chapter S-4.2) is amended by replacing paragraph 19 by the following paragraph:

“(19) for the purposes of the Youth Protection Act (chapter P-34.1);”.

69. Section 104 of the Act is amended by adding the following paragraph at the end:

“Furthermore, each plan must, as the case may be, mention the objectives and means aimed at fostering the cultural continuity of the Indigenous child who is entrusted to an alternative living environment under the Youth Protection Act (chapter P-34.1).”

COURTS OF JUSTICE ACT

70. Section 85 of the Courts of Justice Act (chapter T-16) is amended by replacing “308” by “319”.

TRANSITIONAL AND FINAL PROVISIONS

71. An agreement entered into under sections 37.5, 37.6 or 37.7 of the Youth Protection Act (chapter P-34.1) before 26 April 2022 is deemed entered into, respectively, under sections 131.20, 131.23 and 131.25 of that Act, as enacted by section 60 of this Act.

72. Sections 84.2, 86, 87 and 88 of the Youth Protection Act, as amended, respectively, by sections 51, 52, 53 and 54 of this Act, do not apply to a case pending before the tribunal on 26 April 2022.

73. The provisions of this Act come into force on 26 April 2022, except

(1) the provisions of section 16 insofar as it enacts section 30.8 of the Youth Protection Act, paragraph 2 of section 19, section 20 insofar as it enacts section 35.4 of the Youth Protection Act, sections 21, 27, 28, 33, 36, 37 and 40 and paragraph 2 of section 62, which come into force on 26 April 2023;

(2) the provisions of section 60, insofar as it enacts sections 131.6, 131.7 and 131.9 to 131.13 of the Youth Protection Act, which come into force on the date determined by the Government.

2022, chapter 12 APPROPRIATION ACT NO. 2, 2022–2023

Bill 36

Introduced by Madam Sonia LeBel, Minister Responsible for Government Administration
and Chair of the Conseil du trésor

Introduced 11 May 2022

Passed in principle 11 May 2022

Passed 11 May 2022

Assented to 11 May 2022

Coming into force: 11 May 2022

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2022–2023 fiscal year, a sum not exceeding \$67,978,084,161.00, including \$263,200,000.00 for the payment of expenditures chargeable to the 2023–2024 fiscal year, representing the appropriations to be voted for each of the portfolio programs, less the appropriations already authorized.

Moreover, the Act indicates which programs are covered by a net voted appropriation. It also determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the balance of the expenditure and investment forecasts for the special funds for the 2022–2023 fiscal year, and the excess special fund expenditures and investments for the 2020–2021 fiscal year.



Chapter 12

APPROPRIATION ACT NO. 2, 2022–2023

[Assented to 11 May 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the general fund of the Consolidated Revenue Fund a sum not exceeding \$67,978,084,161.00 to defray part of the Expenditure Budget of Québec tabled in the National Assembly for the 2022–2023 fiscal year, for which provision has not otherwise been made, including an amount of \$263,200,000.00 for the payment of expenditures chargeable to the 2023–2024 fiscal year, being the amount of the appropriations to be voted for each of the programs listed in Schedules 1 and 2, less the amounts totalling \$25,619,557,539.00 of the appropriations voted pursuant to Appropriation Act No. 1, 2022–2023 (2022, chapter 5).

2. In the case of programs for which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation for the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with the net voted appropriation exceed revenue forecasts.

3. The Conseil du trésor may authorize the transfer between programs or portfolios of the portion of an appropriation for which provision has been made to that end, for the purposes of and, where applicable, according to the conditions described in the Expenditure Budget.

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, insofar as such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10.0%, excluding, where applicable, the portion of the appropriation for which provision has been made.

4. The balance of the expenditure and investment forecasts for the special funds listed in Schedule 3 is approved for the 2022–2023 fiscal year.

5. The excess special fund expenditures and investments for the 2020–2021 fiscal year listed in Schedule 4 are approved.

6. This Act comes into force on 11 May 2022.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET HABITATION

PROGRAM 1

Support for Departmental Activities	55,691,100.00

PROGRAM 2

Municipal Infrastructure Modernization	363,855,000.00

PROGRAM 3

Compensation in Lieu of Taxes and Support to Municipalities	223,192,225.00

PROGRAM 4

Development of the Regions and Territories	2,766,825.00

PROGRAM 5

Promotion and Development of Greater Montréal	113,308,350.00

PROGRAM 6

Commission municipale du Québec	9,290,700.00

PROGRAM 7

Housing	630,453,000.00
	1,398,557,200.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development and Food Quality	355,628,250.00

PROGRAM 2

Government Bodies	311,147,725.00
	666,775,975.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Support for the Conseil du trésor	70,157,100.00

PROGRAM 2

Support for Government Operations	212,634,150.00

PROGRAM 3

Commission de la fonction publique	4,208,550.00

PROGRAM 4

Retirement and Insurance Plans	2,435,850.00

PROGRAM 5

Contingency Fund	8,606,625,000.00
	8,896,060,650.00

CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	568,800.00

PROGRAM 2

Support Services for the Premier and the Conseil exécutif	89,495,325.00

PROGRAM 3

Canadian Relations	10,564,575.00

PROGRAM 4

Indigenous Affairs	231,201,400.00

PROGRAM 5

Youth	42,890,850.00

PROGRAM 6

Reform of Democratic Institutions, Access to Information and Laicity	7,775,550.00

PROGRAM 7

Relations with English-speaking Quebecers	1,905,700.00

PROGRAM 8

High-speed Internet and Special Connectivity Projects	246,818,025.00
	631,220,225.00

CULTURE ET COMMUNICATIONS

PROGRAM 1

Management, Administration and Mission Support	53,042,400.00

PROGRAM 2

Support and Development of Culture, Communications and Heritage	666,446,845.00
	719,489,245.00

CYBERSÉCURITÉ ET NUMÉRIQUE

PROGRAM 1

Management and Administration	49,551,150.00

PROGRAM 2

Management of Specific Information Resources	13,682,250.00
	63,233,400.00

ÉCONOMIE ET INNOVATION

PROGRAM 1

Management and Administration	27,441,150.00

PROGRAM 2

Economic Development	275,524,050.00

PROGRAM 3

Development of Science, Research and Innovation	186,447,825.00

PROGRAM 4

Economic Development Fund Interventions	434,587,050.00

PROGRAM 5

Research and Innovation Bodies	503,625.00
	924,503,700.00

ÉDUCATION

PROGRAM 1

Administration	165,846,375.00

PROGRAM 2

Support for Organizations	65,348,850.00

PROGRAM 3

School Taxes – Fiscal Balancing Subsidy	1,146,419,325.00

PROGRAM 4

Preschool, Primary and Secondary Education	9,765,958,800.00

PROGRAM 5

Development of Recreation and Sports	124,378,425.00

PROGRAM 7

Status of Women	16,878,600.00
	11,284,830,375.00

ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	71,739,325.00
	71,739,325.00

ENSEIGNEMENT SUPÉRIEUR

PROGRAM 1

Administration	72,119,550.00

PROGRAM 2

Support for Bodies	33,831,075.00

PROGRAM 3

Financial Assistance for Education and Incentive Scholarships	937,487,475.00

PROGRAM 4

Higher Education	5,105,141,600.00
	6,148,579,700.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUES

PROGRAM 1

Environmental Protection	315,975,300.00

PROGRAM 2

Bureau d'audiences publiques sur l'environnement	6,238,725.00
	322,214,025.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	56,862,750.00

PROGRAM 2

Assistance Measures for Families	60,560,025.00

PROGRAM 3

Childcare Services	2,117,591,189.00

PROGRAM 4

Public Curator	51,649,875.00
	2,286,663,839.00

FINANCES

PROGRAM 1

Management and Administration	28,388,850.00

PROGRAM 2

Economic, Taxation, Budgetary and Financial Activities	39,180,225.00

PROGRAM 3

Contributions, Bank Service Fees and Provisions for Transferring Appropriations	46,177,875.00
	113,746,950.00

FORÊTS, FAUNE ET PARCS

PROGRAM 1

Management and Administration	9,000,150.00

PROGRAM 2

Management of Forest Resources	218,092,025.00

PROGRAM 3

Management of Wildlife Resources and Parks	112,758,500.00
	339,850,675.00

IMMIGRATION, FRANCISATION ET INTÉGRATION

PROGRAM 1

Management and Support for Departmental Activities	51,317,850.00

PROGRAM 2

Immigration, Francization and Integration	434,692,425.00
	486,010,275.00

JUSTICE

PROGRAM 1

Administration of Justice	320,859,375.00

PROGRAM 2

Judicial Activity	28,466,800.00

PROGRAM 3

Administrative Justice	11,722,000.00

PROGRAM 5

Other Bodies Reporting to the Minister	138,560,500.00

PROGRAM 6

Criminal and Penal Prosecutions	139,647,825.00

PROGRAM 7

French Language	43,583,100.00
	682,839,600.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	15,927,900.00

PROGRAM 2

The Auditor General	31,061,175.00

PROGRAM 4

The Lobbyists Commissioner	4,122,975.00

	51,112,050.00

RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

Management and Administration	17,444,775.00

PROGRAM 2

International Affairs	75,370,525.00
	92,815,300.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Coordination Functions	163,541,475.00

PROGRAM 2

Services to the Public	26,347,959,975.00

PROGRAM 3

Office des personnes handicapées du Québec	14,688,450.00

PROGRAM 5

Status of Seniors	36,150,225.00
	26,562,340,125.00

SÉCURITÉ PUBLIQUE

PROGRAM 1

Management and Administration	75,145,725.00

PROGRAM 2

Services of the Sûreté du Québec	428,314,550.00

PROGRAM 3

Management of the Correctional System	423,631,100.00

PROGRAM 4

Security and Prevention	148,573,800.00

PROGRAM 5

Scientific and Forensic Expertise	21,331,425.00

PROGRAM 6

Management and Oversight	41,581,650.00

PROGRAM 7

Promotion and Development of the Capitale-Nationale	39,073,575.00
	1,177,651,825.00

TOURISME

PROGRAM 1

Management, Administration and Program Management	11,238,150.00

PROGRAM 2

Tourism Development	78,061,900.00

PROGRAM 3

Bodies Reporting to the Minister	74,944,300.00
	164,244,350.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	1,513,842,375.00

PROGRAM 2

Administration and Corporate Services	47,860,800.00
	1,561,703,175.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Governance, Administration and Client Services	411,714,102.00

PROGRAM 2

Financial Assistance Measures	2,147,949,625.00

PROGRAM 3

Employment Assistance Measures	772,238,450.00
	3,331,902,177.00

67,978,084,161.00

SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2023–2024 FISCAL YEAR

FAMILLE

PROGRAM 3

Childcare Services	263,200,000.00	
	263,200,000.00	
		263,200,000.00

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET HABITATION

REGIONS AND RURALITY
FUND

Expenditure Forecast	220,454,925.00

SUBTOTAL

Expenditure Forecast	220,454,925.00

CULTURE ET COMMUNICATIONS

AVENIR MÉCÉNAT CULTURE FUND

Expenditure Forecast	3,754,500.00

QUÉBEC CULTURAL HERITAGE
FUND

Expenditure Forecast	35,523,075.00

SUBTOTAL

Expenditure Forecast	39,277,575.00

CYBERSÉCURITÉ ET NUMÉRIQUE

CYBERSECURITY AND
DIGITAL TECHNOLOGY FUND

Expenditure Forecast	408,430,725.00
Investment Forecast	80,352,675.00

SUBTOTALS

Expenditure Forecast	408,430,725.00
Investment Forecast	80,352,675.00

ÉCONOMIE ET INNOVATION

NATURAL RESOURCES
AND ENERGY CAPITAL FUND

Expenditure Forecast	165,000.00
Investment Forecast	122,587,500.00

ECONOMIC DEVELOPMENT FUND

Expenditure Forecast	575,740,500.00
Investment Forecast	1,371,156,525.00

QUÉBEC ENTERPRISE GROWTH
FUND

Expenditure Forecast	75,000.00
Investment Forecast	150,000,000.00

SUBTOTALS

Expenditure Forecast	575,980,500.00
Investment Forecast	1,643,744,025.00

ÉDUCATION

SPORTS AND PHYSICAL
ACTIVITY DEVELOPMENT FUND

Expenditure Forecast	85,595,250.00
Investment Forecast	95,646,150.00

SUBTOTALS

Expenditure Forecast	85,595,250.00
Investment Forecast	95,646,150.00

ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure Forecast	45,763,750.00
Investment Forecast	678,100.00

ENERGY TRANSITION, INNOVATION
AND EFFICIENCY FUND

Expenditure Forecast	118,091,900.00
Investment Forecast	66,225.00

TERRITORIAL INFORMATION
FUND

Expenditure Forecast	122,492,025.00
Investment Forecast	42,471,975.00

SUBTOTALS

Expenditure Forecast	286,347,675.00
Investment Forecast	43,216,300.00

ENSEIGNEMENT SUPÉRIEUR

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure Forecast	18,750,000.00
SUBTOTAL	
Expenditure Forecast	18,750,000.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUESELECTRIFICATION AND CLIMATE
CHANGE FUND

Expenditure Forecast	986,279,325.00
Investment Forecast	2,411,025.00

FUND FOR THE PROTECTION
OF THE ENVIRONMENT
AND THE WATERS IN
THE DOMAIN OF THE STATE

Expenditure Forecast	179,461,350.00
Investment Forecast	187,500.00

SUBTOTALS

Expenditure Forecast	1,165,740,675.00
Investment Forecast	2,598,525.00

FAMILLE

EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure Forecast	<u>2,130,136,689.00</u>

SUBTOTAL

Expenditure Forecast	2,130,136,689.00

FINANCES

FINANCING FUND

Expenditure Forecast	2,121,600.00

SPECIAL CONTRACTS
AND FINANCIAL ASSISTANCE
FOR INVESTMENT FUND

Expenditure Forecast	174,000,000.00

FUND TO COMBAT ADDICTION

Expenditure Forecast	145,164,675.00

NORTHERN PLAN FUND

Expenditure Forecast	118,795,050.00

FUND OF THE FINANCIAL
MARKETS ADMINISTRATIVE
TRIBUNAL

Expenditure Forecast	4,098,075.00
Investment Forecast	7,975,200.00

TAX ADMINISTRATION FUND

Expenditure Forecast	841,952,175.00

SUBTOTALS

Expenditure Forecast	1,286,131,575.00
Investment Forecast	7,975,200.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND

Expenditure Forecast	422,734,750.00
Investment Forecast	17,113,575.00

SUBTOTALS

Expenditure Forecast	422,734,750.00
Investment Forecast	17,113,575.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure Forecast	20,192,100.00

FUND DEDICATED TO ASSISTANCE
FOR PERSONS WHO ARE VICTIMS
OF CRIMINAL OFFENCES

Expenditure Forecast	35,295,600.00

REGISTER FUND OF
THE MINISTÈRE DE LA JUSTICE

Expenditure Forecast	36,320,025.00
Investment Forecast	2,592,750.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure Forecast	42,228,525.00
Investment Forecast	796,800.00

PUBLIC CONTRACTS FUND

Expenditure Forecast	4,725.00

SUBTOTALS

Expenditure Forecast	134,040,975.00
Investment Forecast	3,389,550.00

SANTÉ ET SERVICES SOCIAUX

CANNABIS PREVENTION
AND RESEARCH FUND

Expenditure Forecast	106,500,000.00

HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES
FUND

Expenditure Forecast	295,195,800.00
Investment Forecast	54,943,200.00

SUBTOTALS

Expenditure Forecast	401,695,800.00
Investment Forecast	54,943,200.00

SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure Forecast	548,764,725.00
Investment Forecast	14,100,000.00

SUBTOTALS

Expenditure Forecast	548,764,725.00
Investment Forecast	14,100,000.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure Forecast	278,585,775.00
Investment Forecast	876,750.00

SUBTOTALS

Expenditure Forecast	278,585,775.00
Investment Forecast	876,750.00

TRANSPORTS

AIR SERVICE FUND

Expenditure Forecast	64,393,875.00
Investment Forecast	19,372,050.00

ROLLING STOCK MANAGEMENT
FUND

Expenditure Forecast	102,523,500.00
Investment Forecast	57,619,725.00

HIGHWAY SAFETY FUND

Expenditure Forecast	49,611,000.00
Investment Forecast	3,656,625.00

LAND TRANSPORTATION
NETWORK FUND

Expenditure Forecast	4,743,406,350.00
Investment Forecast	2,344,904,175.00

SUBTOTALS

Expenditure Forecast	4,959,934,725.00
Investment Forecast	2,425,552,575.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR
INDEPENDENT COMMUNITY
ACTION

Expenditure Forecast	20,968,213.00

LABOUR MARKET
DEVELOPMENT FUND

Expenditure Forecast	1,126,792,875.00

GOODS AND SERVICES FUND

Expenditure Forecast	92,775,675.00
Investment Forecast	1,770,825.00

INFORMATION TECHNOLOGY
FUND OF THE MINISTÈRE
DE L'EMPLOI ET
DE LA SOLIDARITÉ SOCIALE

Expenditure Forecast	14,943,300.00
Investment Forecast	15,308,475.00

ADMINISTRATIVE LABOUR
TRIBUNAL FUND

Expenditure Forecast	66,379,050.00
Investment Forecast	3,326,250.00

FONDS QUÉBÉCOIS D'INITIATIVES
SOCIALES

Expenditure Forecast	9,104,281.00

SUBTOTALS

Expenditure Forecast	1,330,963,394.00
Investment Forecast	20,405,550.00

TOTALS

Expenditure Forecast	14,293,565,733.00
Investment Forecast	4,409,914,075.00

SCHEDULE 4

EXCESS SPECIAL FUND EXPENDITURES AND INVESTMENTS FOR
THE 2020–2021 FISCAL YEAR

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

GOVERNMENT INFRASTRUCTURE
AND DIGITAL SERVICES FUND

Investment excess	31,556,000.00
SUBTOTAL	
Investment excess	31,556,000.00

ÉCONOMIE ET INNOVATION

NATURAL RESOURCES
AND ENERGY CAPITAL FUND

Expenditure excess	32,569,100.00

ECONOMIC DEVELOPMENT
FUND

Investment excess	488,980,100.00

SUBTOTALS

Expenditure excess	32,569,100.00
Investment excess	488,980,100.00

ÉNERGIE ET RESSOURCES NATURELLES

ENERGY TRANSITION, INNOVATION
AND EFFICIENCY FUND

Expenditure excess	142,798,400.00
Investment excess	34,281,000.00

TERRITORIAL INFORMATION
FUND

Investment excess	32,754,500.00

SUBTOTALS

Expenditure excess	142,798,400.00
Investment excess	67,035,500.00

ENVIRONNEMENT ET LUTTE CONTRE LES CHANGEMENTS
CLIMATIQUESFUND FOR THE PROTECTION
OF THE ENVIRONMENT
AND THE WATERS IN
THE DOMAIN OF THE STATE

Expenditure excess	45,078,500.00
Investment excess	<u>1,514,500.00</u>

SUBTOTALS

Expenditure excess	45,078,500.00
Investment excess	1,514,500.00

FAMILLE

EDUCATIONAL CHILDCARE
SERVICES FUND

Expenditure excess	<u>73,453,100.00</u>
SUBTOTAL	
Expenditure excess	73,453,100.00

FINANCES

TAX ADMINISTRATION FUND

Expenditure excess	<u>200,108,700.00</u>
SUBTOTAL	
Expenditure excess	200,108,700.00

FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND

Expenditure excess	<u>80,257,700.00</u>
SUBTOTAL	
Expenditure excess	80,257,700.00

JUSTICE

FUND DEDICATED TO ASSISTANCE
FOR PERSONS WHO ARE VICTIMS
OF CRIMINAL OFFENCES

Expenditure excess	18,229,300.00

SUBTOTAL

Expenditure excess	18,229,300.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure excess	79,898,800.00

SUBTOTAL

Expenditure excess	79,898,800.00

TRANSPORTS

AIR SERVICE FUND

Expenditure excess	10,929,300.00
Investment excess	10,981,900.00

LAND TRANSPORTATION
NETWORK FUND

Investment excess	116,290,600.00

SUBTOTALS

Expenditure excess	10,929,300.00
Investment excess	127,272,500.00

TRAVAIL, EMPLOI ET SOLIDARITÉ SOCIALE

LABOUR MARKET
DEVELOPMENT FUND

Expenditure excess	35,986,700.00

GOODS AND SERVICES FUND

Investment excess	358,200.00

SUBTOTALS

Expenditure excess	35,986,700.00
Investment excess	358,200.00

TOTALS

Expenditure excess	719,309,600.00
Investment excess	716,716,800.00

2022, chapter 13

AN ACT TO AMEND THE AUTOMOBILE INSURANCE ACT, THE HIGHWAY SAFETY CODE AND OTHER PROVISIONS

Bill 22

Introduced by Mr. François Bonnardel, Minister of Transport

Introduced 9 February 2022

Passed in principle 17 February 2022

Passed 24 May 2022

Assented to 26 May 2022

Coming into force: 26 May 2022, except

(1) sections 35, 37, 38, 41 to 46, 48 to 50, 52 to 54, 59, 60, 66 and 67, paragraphs 9 and 10 of section 76, sections 78, 88, 92, 103 and 118, which come into force on 25 July 2022;

(2) sections 1 to 15, 18, 32, 33, 90, 91, 93 to 95, 97, 105 to 112 and 120, which come into force on 1 July 2022;

(3) sections 22, 82 and 113, which come into force on the date on which the first regulation is made under subparagraphs 2.1 and 2.2 of the first paragraph of section 619 of the Highway Safety Code (chapter C-24.2), enacted by section 75;

(4) sections 25 and 30, which come into force on the date of coming into force of section 34 and paragraph 1 of section 50 of chapter 19 of the statutes of 2018;

(5) sections 39, 47, 57 and 77, which come into force on the date of coming into force of the first regulation made under subparagraph 5.2 of the first paragraph of section 621 of the Highway Safety Code, enacted by paragraph 1 of section 76; and

(6) paragraph 2 of sections 19 and 20, section 26, paragraph 1 and paragraph 2, insofar as it concerns section 202.2.0.1, of section 27, sections 28, 29, 31, 61 to 65 and 68, paragraphs 4 to 8, 11 and 13 of section 76 and sections 84, 115 and 116, which come into force on the date or dates to be determined by the Government.

Legislation amended:

Automobile Insurance Act (chapter A-25)

Highway Safety Code (chapter C-24.2)

Code of Penal Procedure (chapter C-25.1)

(cont'd on next page)

Legislation amended: (*cont'd*)

Act respecting administrative justice (chapter J-3)

Act respecting the Ministère des Transports (chapter M-28)

Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3)

Transport Act (chapter T-12)

Act respecting off-highway vehicles (chapter V-1.3)

Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18)

Regulations enacted:

Regulation respecting computation of the income replacement indemnity paid under the second and third paragraphs of section 40 of the Automobile Insurance Act (2022, chapter 13, section 90)

Regulation respecting catastrophic injuries or sequelae (2022, chapter 13, section 91)

Regulation to govern the establishment of school zones and define the school period (2022, chapter 13, section 92)

Regulations amended:

Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14)

Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9)

Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26)

Regulation respecting road vehicle registration (chapter C-24.2, r. 29)

Regulation respecting the contribution of motorists to public transit (chapter T-12, r. 3)

Regulation repealed:

Regulation defining what constitutes a school zone for the purpose of using a photo radar device or a red light camera system (chapter C-24.2, r. 53)

Explanatory notes

This Act first amends the Automobile Insurance Act in order to make adjustments to the compensation plan for traffic accident victims.

In that regard, the Act extends the payment of the income replacement indemnity until the victim's death according to the conditions it determines and after a new computation of the indemnity made in accordance with a regulation enacted by the Act. In addition, it provides for the retroactive application of those amendments to 1 January 1990 with respect to any automobile accident victim who is alive on the date of coming into force of the amendments and who has reached 67 years of age.

The Act provides that a victim who suffers from catastrophic injuries or sequelae is entitled, according to the conditions it determines, to an income replacement indemnity computed on the basis of a gross income that may not be less than the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada. The Act enacts the regulation that determines the injuries and sequelae concerned.

The Act revises the method for computing the death benefit paid to the spouse and increases the minimum amount of the benefit. It also increases the lump sum indemnity for funeral expenses as well as the maximum reimbursement amounts for certain expenses incurred by a victim. It also provides that certain amounts are now determined by regulation and may not be less than the amounts fixed by law.

(*cont'd on next page*)

Explanatory notes (cont'd)

In addition, the Act provides for various measures, including the revalorization on 1 January each year of all the indemnities and expenses that qualify for reimbursement that are prescribed by regulation, unless those amounts are already otherwise updated or prescribed under a rate.

The Act also amends the Highway Safety Code, in particular to prohibit the holder of a learner's licence who already holds a driver's licence from driving a vehicle covered by the class of the learner's licence if any alcohol is present in his body. In the case of a failure to comply with that prohibition, the Act provides that the holder is liable to a fine and that the class of licence covered by the learner's licence is suspended for 90 days.

The Act extends the mandatory period during which a first-time drinking and driving offender must drive a vehicle equipped with an alcohol ignition interlock device if the offender commits, during the period prescribed by regulation, one or more breaches in connection with the use of the device among the breaches determined by regulation.

The Act makes it mandatory for drivers of heavy vehicles to use an electronic logging device to record their hours of service and hours of rest and prescribes the responsibilities of drivers and operators of heavy vehicles with regard to such a device.

The Act also amends certain rules of proof applicable in respect of an offence evidenced by a photograph or series of photographs taken by a photo radar device or a red light camera system.

The Act also provides for various amendments, in particular to revise the registration and driver's licence courtesy privileges granted to foreign representatives, to require compliance with the orders and signals given by a flag person during exceptional events or sports events or competitions and to update the rules governing the establishment of a school zone, in particular by enacting the Regulation to govern the establishment of school zones and define the school period.

Lastly, the Act contains consequential amendments and transitional measures.



Chapter 13

AN ACT TO AMEND THE AUTOMOBILE INSURANCE ACT, THE HIGHWAY SAFETY CODE AND OTHER PROVISIONS

[Assented to 26 May 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

AUTOMOBILE INSURANCE ACT

1. The Automobile Insurance Act (chapter A-25) is amended by inserting the following subdivision after section 26:

“§3.1. — *Victim suffering from catastrophic injuries or sequelae*

“**26.1.** This subdivision does not apply to a victim under 16 years of age or to a victim 16 years of age or over attending a secondary or post-secondary educational institution on a full-time basis.

“**26.2.** A victim who, by reason of an accident, suffers catastrophic injuries or sequelae determined by regulation is entitled, from the date that is 12 months after the date of the accident, to having the income replacement indemnity to which he is entitled on that date under this division computed on the basis of a gross income that shall not be less than the gross income equal to a yearly average, computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada for each of the 12 months preceding 1 July of the year of the accident.”

2. Section 40 of the Act is replaced by the following section:

“**40.** The income replacement indemnity to which a victim is entitled under this chapter is reduced by 25% from the date of his sixty-fifth birthday, by 50% from the date of his sixty-sixth birthday and by 75% from the date of his sixty-seventh birthday.

From the date of his sixty-eighth birthday until his death, the amount of his indemnity is determined in accordance with the computation method prescribed by regulation, according to the related rules and terms.

However, where a victim is 64 years of age or over on the date of the accident, the income replacement indemnity to which he is entitled is reduced by 25% from the second year following the date of the accident, by 50% from the third year and by 75% from the fourth year following that date. The victim ceases to be entitled to his indemnity four years after the date of the accident, except

where the accident occurred before the date of his sixty-fifth birthday, in which case the second paragraph applies from the fifth year following the date of the accident, with the necessary modifications.

If the indemnity determined in accordance with the second paragraph is greater than the indemnity reduced by 75% in accordance with the first paragraph, it is to be paid from the date of the victim's sixty-seventh birthday rather than from the date of his sixty-eighth birthday."

3. Section 43 of the Act is repealed.

4. Section 51 of the Act is amended by striking out "43," in the second paragraph.

5. Section 57 of the Act is amended by adding the following paragraph at the end:

"This section does not apply to a victim who suffers from catastrophic injuries or sequelae referred to in section 26.2."

6. The Act is amended by inserting the following sections after section 57:

"57.1. A victim who suffers from catastrophic injuries or sequelae referred to in section 26.2 and who suffers a relapse of his bodily injury shall receive compensation from the date of the relapse as though his disability resulting from the accident had not been interrupted.

However, if the indemnity computed on the basis of the gross income actually earned by the victim at the time of the relapse is greater than the indemnity to which the victim would be entitled under the first paragraph, the victim shall receive the greater indemnity.

"57.2. A victim who, by reason of a relapse of his bodily injury, suffers from catastrophic injuries or sequelae referred to in section 26.2 shall receive compensation in accordance with the rules set out in section 57, according to the time at which the relapse occurs.

However, the victim is entitled, from the date that is 12 months after the date of the relapse, to having the income replacement indemnity to which he is entitled on that date computed on the basis of a gross income that shall not be less than the gross income equal to a yearly average, computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada for each of the 12 months preceding 1 July of the year of the relapse."

7. Section 63 of the Act is amended

(1) in the first paragraph,

(a) by replacing “by the factor appearing in Schedule I opposite the age of the victim on the date of his death” in subparagraph 1 by “by five”;

(b) by replacing “\$49,121” in subparagraph 2 by “\$148,605”;

(2) by striking out the last paragraph.

8. Section 70 of the Act is replaced by the following section:

“70. The succession of a victim is entitled to a lump sum indemnity for funeral expenses, the amount of which is determined by regulation; however, such amount shall not be less than \$7,500.”

9. Section 79 of the Act is amended by replacing “, but no reimbursement may exceed \$614 per week” in the second paragraph by “up to the maximum amounts determined by regulation, which shall not, however, be less than \$949 per week”.

10. Section 80 of the Act is amended by replacing the second paragraph by the following paragraph:

“The indemnity is a weekly payment and is determined by regulation according to the number of persons contemplated in the first paragraph. However, the amount of the indemnity shall not be less than

(1) \$474 where the victim has the care of one person;

(2) \$532 where the victim has the care of two persons;

(3) \$587 where the victim has the care of three persons;

(4) \$647 where the victim has the care of four or more persons.”

11. Section 83 of the Act is amended by replacing the third paragraph by the following paragraph:

“The expenses shall be reimbursed according to the number of persons contemplated in the first paragraph, on a weekly basis and on presentation of vouchers, up to the maximum amounts determined by regulation, which shall not, however, be less than

(1) \$330 where the victim has the care of one person;

(2) \$360 where the victim has the care of two persons;

(3) \$410 where the victim has the care of three or more persons.”

12. The Act is amended by inserting the following section after section 83.22:

“83.22.1. Unless notice to the contrary is given by the victim, where the amount of the income replacement indemnity to be paid once every 14 days is less than \$30, the indemnity may be paid by the Société semi-annually

(1) in the month of June, for indemnities payable for the months of January to June; and

(2) in the month of December, for indemnities payable for the months of July to December.”

13. Section 83.24 of the Act is amended by replacing “medical” in the first paragraph by “expert”.

14. Section 83.31 of the Act is replaced by the following section:

“83.31. A person whose application for reconsideration, application for review or proceeding before the Administrative Tribunal of Québec is allowed and who has filed, in support of his application, a written expert report from a health professional within the meaning of section 83.8 is entitled to reimbursement of the cost of that report, up to the amount established by regulation.”

15. Section 83.34 of the Act is amended by replacing the second paragraph by the following paragraph:

“The indemnity amounts prescribed by a regulation under this title shall also be revalorized on 1 January each year, unless a mechanism for updating the amounts is already provided for in the regulation or the amounts are prescribed under a rate external to the Société.”

16. Section 151.4 of the Act is repealed.

17. Section 195 of the Act is amended

(1) by inserting the following paragraphs after paragraph 9:

“(9.1) to determine the catastrophic injuries or sequelae and to prescribe rules for evaluating them;

“(9.2) to prescribe the method for computing the income replacement indemnity paid under the second and third paragraphs of section 40 and the related rules and terms;”;

(2) by inserting the following paragraph after paragraph 11:

“(11.1) to determine the amount of the lump sum indemnity for funeral expenses referred to in section 70;”;

(3) by replacing paragraph 17 by the following paragraph:

“(17) to establish the amounts paid to reimburse the cost of a health professional’s expert report to a person whose application for reconsideration, application for review or proceeding before the Administrative Tribunal of Québec is allowed;”;

(4) by inserting the following paragraph after paragraph 18:

“(18.1) to determine the maximum reimbursement amounts for expenses incurred by a victim for personal assistance referred to in section 79;”;

(5) by replacing paragraph 27 by the following paragraphs:

“(27) to determine the indemnity provided for in section 80, which may vary according to the number of persons contemplated in the first paragraph of that section, and to prescribe in what cases and on what conditions the indemnity is adjusted according to the variation in that number of persons;

“(27.1) to determine the maximum amounts up to which the expenses referred to in section 83 may be reimbursed, which may vary according to the number of persons contemplated in the first paragraph of that section, and to prescribe in what cases and on what conditions the reimbursement is adjusted according to the variation in that number of persons;”.

18. Schedules I and II to the Act are repealed.

HIGHWAY SAFETY CODE

19. Section 21 of the Highway Safety Code (chapter C-24.2), amended by section 4 of chapter 18 of the statutes of 2018, is again amended

(1) in subparagraph 3 of the first paragraph,

(a) by striking out “and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25)”;

(b) by replacing “that Act” by “the Automobile Insurance Act (chapter A-25)”;

(2) by adding the following sentence at the end of the last paragraph: “However, that prohibition does not apply to a military-type road vehicle restricted to off-highway use by its manufacturer or importer, if the vehicle meets the conditions prescribed by regulation for obtaining registration that allows travel on public highways.”

20. Section 31.1 of the Code, amended by section 5 of chapter 18 of the statutes of 2018, is again amended

(1) in the first paragraph,

(a) by striking out “and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25)”;

(b) by replacing “that Act” by “the Automobile Insurance Act (chapter A-25)”;

(2) by adding the following sentence at the end of the last paragraph: “However, that prohibition does not apply to a military-type road vehicle restricted to off-highway use by its manufacturer or importer, if the vehicle meets the conditions prescribed by regulation for obtaining registration that allows travel on public highways.”

21. Section 69 of the Code, amended by section 15 of chapter 18 of the statutes of 2018, is again amended, in the first paragraph,

(1) by striking out “and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25)”;

(2) by replacing “that Act” by “the Automobile Insurance Act (chapter A-25)”.

22. The Code is amended by inserting the following section after section 76.1.5:

“76.1.5.1. The one- or two-year periods set out in sections 76.1.3 and 76.1.5 during which the licence is subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device are extended for the period determined by regulation and according to the terms prescribed in the regulation if, during the period prescribed by regulation, the licence holder commits one or more breaches in connection with the use of the device among the breaches determined in the regulation. If a breach occurs during an extension period imposed under this section, that period is extended for the same period.

At the end of the initial period or any extension period, the licence remains subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device for a maximum period of 10 working days after receipt by the Société of the final data collected by the device and the information referred to in section 64.1, to allow the Société to establish whether there was a breach.

The licence holder is presumed to have committed the breach, unless he provides evidence to the contrary to the satisfaction of the Société.

The licence holder who wishes to contest an extension imposed under this section may file an application for review with the Société. He may contest the review decision before the Administrative Tribunal of Québec. The first paragraph of section 202.6.3, sections 202.6.4 and 202.6.5, the last paragraph of section 202.6.6 and sections 202.6.9 to 202.6.12 apply, with the necessary modifications.”

23. Section 92 of the Code is replaced by the following section:

“92. For the duration of their assignment, the following persons may, without an examination and without paying the duties fixed by regulation, obtain a driver’s licence:

(1) a member of a diplomatic mission established in Canada or a consular post established in Québec;

(2) a member of a permanent representation of a foreign State that is accredited to an international government organization having entered into an agreement with the government regarding its establishment in Québec;

(3) an employee of an international government organization referred to in subparagraph 2;

(4) a member of an office of a political division of a foreign State who is granted fiscal privileges under section 96 of the Tax Administration Act (chapter A-6.002);

(5) an employee of an international non-governmental organization having entered into an agreement with the government regarding its establishment in Québec; and

(6) the spouses of the persons referred to in subparagraphs 1 to 5 and their children of full age who are financially dependent on them and reside with them.

Those persons must meet the following conditions:

(1) hold a valid driver’s licence corresponding to the licence applied for;

(2) be registered with the Ministère des Relations internationales;

(3) not have Canadian citizenship or permanent resident status in Canada;

(4) not carry on any business or hold any position or employment in Québec other than, in the case of the persons referred to in subparagraphs 1 to 5 of the first paragraph, their duties with the foreign State, political division of a foreign State or organization concerned; and

(5) have paid the fees fixed by regulation and the insurance contribution fixed under sections 151 and 151.2 of the Automobile Insurance Act (chapter A-25).

Despite the first paragraph, a member of the service staff of a diplomatic mission or consular post referred to in subparagraph 1 of the first paragraph or a member of the service staff of a permanent representation referred to in

subparagraph 2 of that paragraph is not exempt from paying the duties fixed by regulation. The same applies to his spouse and his children of full age who are financially dependent on him and reside with him.”

24. Section 93.1 of the Code, amended by section 18 of chapter 18 of the statutes of 2018, is again amended, in the first paragraph,

(1) by striking out “and revalorized, where applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25)”;

(2) by replacing “that Act” by “the Automobile Insurance Act (chapter A-25)”.

25. Section 143.1 of the Code, amended by section 34 of chapter 19 of the statutes of 2018, is again amended by replacing “subparagraph 2 of the first paragraph of section 202.4” by “subparagraph 2 or 2.1 of the first paragraph of section 202.4”.

26. The Code is amended by inserting the following section after section 202.2:

“202.2.0.1. No holder of a learner’s licence who already holds a driver’s licence may drive or have the care or control of a road vehicle covered by the class of his learner’s licence if any alcohol is present in his body.

The first paragraph does not apply to a person referred to in section 202.2.”

27. Section 202.2.1.1 of the Code is amended

(1) by inserting “ou à l’article 202.2.0.1” after “l’article 202.2” in the French text;

(2) by replacing “In addition to persons who are subject to section 202.2, no person may drive or have” and “if there is any alcohol in the person’s body” by “As regards any person other than a person subject to section 202.2 or 202.2.0.1, operating or having” and “with alcohol present in the person’s body is prohibited”, respectively.

28. Section 202.3 of the Code, amended by section 43 of chapter 19 of the statutes of 2018, is again amended by inserting “202.2.0.1,” after “section 202.2,” in the first paragraph.

29. Section 202.4 of the Code is amended

(1) in the first paragraph,

(a) by inserting “or in accordance with the Criminal Code” after “in accordance with section 202.3” in subparagraph 2;

(b) by inserting the following subparagraph after subparagraph 2:

“(2.1) for 90 days, the licence of any person who is subject to the prohibition under section 202.2.0.1 and drives or has the care or control of a road vehicle to which the prohibition is applicable

(a) if a screening test conducted in accordance with section 202.3 or in accordance with the Criminal Code reveals the presence of any alcohol in the person’s body; or

(b) if the person’s blood alcohol concentration level is shown, by an analysis of a sample of the person’s breath made by means of an approved instrument in accordance with the Criminal Code, to be less than 80 mg of alcohol in 100 ml of blood;”;

(2) by replacing “section 202.2.1.1 or 202.2.1.2” in the last paragraph by “any of sections 202.2.0.1, 202.2.1.1 and 202.2.1.2”.

30. Section 202.6.6 of the Code, amended by section 50 of chapter 19 of the statutes of 2018, is again amended by replacing “subparagraph 2 of the first paragraph of section 202.4 or of section 202.4.1” in subparagraph 1 of the first paragraph by “subparagraphs 2 and 2.1 of the first paragraph of section 202.4 and subparagraph 2 of the first paragraph of section 202.4.1”.

31. Section 202.8 of the Code, amended by section 52 of chapter 19 of the statutes of 2018, is again amended by inserting “or section 202.2.0.1” after “section 202.2” in the first paragraph.

32. Section 209.9 of the Code is amended by striking out the third, fourth and fifth paragraphs.

33. Sections 209.18 and 209.19 of the Code are amended by replacing “\$3,000” in the first paragraph by “the threshold determined by regulation, which shall not be less than \$5,000”.

34. Section 215 of the Code is amended by replacing “parking lights” in subparagraph 3 of the first paragraph by “taillights”.

35. The Code is amended by inserting the following section after section 220:

“220.0.1. Despite sections 215, 216 and 220, a construction trailer, as defined by regulation, exceeding 2.6 metres in width and forming part of a combination of road vehicles must at least carry, at the rear, the following lights:

(1) two red taillights, at the same height, one on each side of the vertical centreline and as far apart as practicable;

(2) two red stop lights, at the same height, one on each side of the vertical centreline and as far apart as practicable; and

(3) two red or amber turn-signal lights, at the same height, one on each side of the vertical centreline and as far apart as practicable.

Detachable equipment may be used to replace those lights.”

36. Section 220.1 of the Code is amended by replacing “rear marker lamp” in the second paragraph by “taillight”.

37. Section 220.3 of the Code is amended by replacing “dwelling or office purposes” by “dwelling purposes and construction trailers, as defined by regulation”.

38. The Code is amended by inserting the following section after section 220.3:

“220.4. Despite section 220.3, construction trailers exceeding 2.6 metres in width and travelling at night must be equipped, on each of the longest sides, with reflective material, in accordance with the standards prescribed by a regulation made pursuant to the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16) with regard to trailers referred to in the regulation.”

39. Section 226.2 of the Code is replaced by the following section:

“226.2. Only the following persons may use one or more flashing green lights on a road vehicle other than an emergency vehicle:

(1) a firefighter authorized by the municipal authority that established the fire safety service of which the firefighter is a member, when responding to an emergency call from a fire safety service; and

(2) the driver of a tow truck carrying flashing or rotating amber lights in accordance with section 227, when such lights are activated and the tow truck is required by an emergency service.

Where required by circumstances and when the flashing green light is activated, the firefighter or driver of a tow truck referred to in the first paragraph is authorized to travel on the shoulder and stop the vehicle in any place. The firefighter or driver must act in a manner that does not endanger human life and safety.

The light may remain installed on a vehicle travelling for a purpose other than those provided for in this section, but it shall not be activated.

The Government prescribes, by regulation, the conditions for obtaining the authorization referred to in subparagraph 1 of the first paragraph and the form and content of the certificate of authorization. It determines in what cases and on what conditions more than one flashing green light may be used and

prescribes the technical standards the light must meet, which may vary according to the vehicle on which the light is installed, and the method for its installation.

For the purposes of this section, “municipal authority” means the local authority, regional authority or intermunicipal board that established a fire safety service within the meaning of the Fire Safety Act (chapter S-3.4).”

40. Section 233 of the Code is amended by replacing “light” by “white light, at the front,”.

41. Section 239.1.1 of the Code is amended by replacing “driver of a road vehicle” and “certificate of authorization allowing the driver to do so” by “firefighter” and “required certificate of authorization”, respectively.

42. Section 239.2 of the Code is amended by replacing the first paragraph by the following paragraph:

“A driver referred to in section 239.1 or, as the case may be, a firefighter referred to in section 239.1.1 must, at the request of a peace officer, surrender for examination the certificate the driver or firefighter is required to have with him.”

43. Section 240.2 of the Code is amended by inserting the following after subparagraph 2 of the second paragraph:

“(3) the combination of vehicles is equipped at the rear, when travelling at night, with at least one red taillight placed as close as practicable to the left lateral extremity and visible from a distance of at least 150 metres.

Detachable equipment may be used to replace the light referred to in subparagraph 3 of the second paragraph.”

44. Section 272 of the Code is replaced by the following section:

“272. Motor vehicles and combinations of road vehicles not fitted with permanent mudguards or fitted with permanent mudguards that are narrower than the tire tread or the rear portion of which is more than 350 mm from the ground when the vehicle is not loaded must be equipped with detachable mudguards of resistant material and at least as wide as the tire tread, except the following vehicles:

(1) farm machines not equipped with mudguards by the manufacturer; and

(2) construction trailers, as defined by regulation, provided that the floor completely covers the width of the tire tread and that the ratio of the length of the overhang to the height between the bottom of the trailer and the ground is not less than three, the overhang being measured from the rear of the trailer to the centre of the last axle.”

45. The Code is amended by inserting the following section after section 275.1:

“275.1.1. The firefighter who contravenes section 239.1.1 is guilty of an offence and is liable to a fine of \$30 to \$60.”

46. Section 281.3 of the Code is amended by inserting “or, as the case may be, the firefighter” after “road vehicle”.

47. Section 283.2 of the Code is amended, in the second paragraph,

(1) by replacing “first” by “fourth”;

(2) by inserting “or the driver of a tow truck” after “firefighter”.

48. The Code is amended by inserting the following section after section 294:

“294.0.1. The person responsible for the maintenance of a public highway must erect the proper signs or signals to indicate the beginning and the end of a school zone, taking into account the criteria prescribed by regulation for the establishment of a school zone.

The installation of signs or signals is proof that a school zone has been established.”

49. Section 303.3 of the Code is amended

(1) by inserting “, exceptional events or sports events or competitions” after “work” in the first paragraph;

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

“This section also applies to any person who

(1) carries out work on such a highway on behalf of the person responsible for the maintenance of a public highway; or

(2) organizes exceptional events or sports events or competitions.”

50. Section 311 of the Code is amended by inserting “or during exceptional events or sports events or competitions” after “work sites”.

51. Sections 312.2 and 312.3 of the Code are amended by replacing all occurrences of “second” by “third”.

52. Section 328 of the Code, amended by section 140 of chapter 83 of the statutes of 1990, is again amended by striking out “such as periods of school activity,” in subparagraph 5 of the first paragraph.

53. Section 329 of the Code is amended by striking out the fourth paragraph.

54. The Code is amended by inserting the following section after section 329:

“329.1. Any speed limit applicable in a school zone during the school period defined by regulation must be set at 50 km/h or less.”

55. Section 332 of the Code is amended by replacing the second and third paragraphs by the following paragraphs:

“A photograph or series of photographs of a road vehicle obtained by means of such a photo radar device are admissible as evidence in any penal proceedings for the contravention of a speed limit.

The photograph or series of photographs are proof, in the absence of any evidence to the contrary, of the accuracy of the elements that are affixed to or visible in one or more of the photographs, such as

(1) the place where the photograph or series of photographs were taken, with reference to an identifier or otherwise;

(2) the date and time on which the photograph was taken;

(3) the road vehicle;

(4) the registration plate number of the road vehicle;

(5) the authorized speed limit, except the speed limit set under any of sections 299, 303.1 and 329; and

(6) the speed of the road vehicle recorded by the photo radar device.”

56. Section 359.3 of the Code is amended by replacing the second and third paragraphs by the following paragraphs:

“A photograph or series of photographs of a road vehicle obtained by means of such a camera system are admissible as evidence in any penal proceedings for an offence under section 359.

The photograph or series of photographs are proof, in the absence of any evidence to the contrary, of the accuracy of the elements that are affixed to or visible in one or more of the photographs, such as

(1) the place where the photograph or series of photographs were taken, with reference to an identifier or otherwise;

(2) the date and time on which the photograph was taken;

(3) the road vehicle;

- (4) the registration plate number of the road vehicle; and
- (5) the traffic light involved.”

57. Section 379 of the Code is amended by inserting “Except in the case provided for in section 226.2,” at the beginning.

58. Section 385 of the Code is amended by replacing “parking lights” by “vehicle’s parking lights and taillights”.

59. Section 510 of the Code is amended by inserting “or third” after “first” in the first paragraph.

60. Section 516.2 of the Code is replaced by the following section:

“516.2. Every person who, during the school period defined by regulation, drives a road vehicle at a speed of 39 km/h or less over the maximum authorized speed limit in a school zone is liable to double the fine set out in the first paragraph of section 516, unless the speed limit is indicated on a sign or signal erected under section 303.1.”

61. Section 519.10 of the Code is replaced by the following section:

“519.10. A driver must record in a record of duty status for each day concerned, in compliance with the requirements prescribed by regulation and subject to the exceptions provided for in the regulation, all the driver’s hours of rest and hours of service for that day, as well as any other information required by regulation.

The information must be recorded using an electronic logging device that meets the requirements prescribed by regulation.

No driver shall

- (1) produce more than one record of duty status in respect of any day, except in the cases and on the conditions prescribed by regulation;
- (2) use more than one electronic logging device at the same time for the same period; or
- (3) enter inaccurate information, falsify, deface or make illegible the records of duty status and supporting documents or otherwise impair their integrity.

No driver who is required to produce records of duty status shall drive unless the driver has in his or her possession the documents determined by regulation.

The driver must, on the conditions prescribed by regulation, make available or forward the record of duty status, supporting documents and information determined by regulation to the operator and any other person who supplies

the driver's services. Furthermore, the driver must make them available or forward them, for examination, to a peace officer at the latter's request, in compliance with the conditions prescribed by regulation. If the record of duty status and supporting documents are in paper form, the peace officer must return them to the driver after examination."

62. Section 519.20 of the Code is amended by striking out "les fiches," in the French text.

63. Section 519.21.3 of the Code is replaced by the following sections:

"519.21.3. Subject to the cases and conditions prescribed by regulation, an operator shall

(1) ensure that each heavy vehicle under the operator's responsibility is equipped with an electronic logging device that meets the requirements prescribed by regulation and that the documents determined by regulation are in the vehicle; and

(2) require that each driver fill out the record of duty status in accordance with the provisions of section 519.10.

The operator shall also ensure that the electronic logging device carried by a heavy vehicle is maintained and kept in good working order in accordance with the manufacturer's standards. The operator must, according to the conditions prescribed by regulation, maintain the system of each electronic logging device used to identify the users of the device and a register containing the information in connection with the working order and use of each device, whose particulars are determined by regulation.

If an electronic logging device malfunctions, the operator must repair or replace it within the time prescribed by regulation.

"519.21.4. No operator or person shall perform, or request or allow anyone to perform, any of the following acts:

(1) enter inaccurate information, falsify, deface or make illegible the records of duty status and supporting documents or otherwise impair their integrity; or

(2) disable, deactivate, block or degrade the signal reception or transmission of an electronic logging device, or re-engineer, reprogram or alter the device, so as to prevent it from accurately recording or entering the required information."

64. Section 519.25 of the Code is replaced by the following section:

"519.25. The operator shall keep the records of duty status, the register containing the information in connection with the working order and use of each electronic logging device, the supporting documents and any other

document determined by regulation at the place determined and in accordance with the standards prescribed by regulation. If the operator has not received those records and documents at that place, the operator must make them available at or forward them to that place and make sure they are received within the time prescribed by regulation.

During working hours, the operator shall, at a peace officer's request, immediately make available or forward to the peace officer, for inspection purposes and in compliance with the conditions determined by regulation, the records of duty status, register and documents referred to in the first paragraph.

If the records of duty status, register and documents referred to in the first paragraph are in paper form, the peace officer delivers an acknowledgement of receipt to the operator according to the terms determined by regulation and must return the records and documents to the operator within 14 days."

65. Section 519.26 of the Code is amended by replacing both occurrences of "daily logs" by "records of duty status".

66. The Code is amended by inserting the following section after section 519.71:

"519.72. In the performance of their duties, highway controllers may also, by any means providing proof of time of receipt, require the owner or operator of a heavy vehicle, within a reasonable time they determine, to communicate by such a means any information or document relating to the enforcement of this Code."

67. Section 519.77 of the Code is amended by replacing "or the second paragraph of section 519.71" by "or the second paragraph of section 519.71 or who neglects or refuses to comply with the request made under section 519.72 is guilty of an offence and".

68. The Code is amended by inserting the following section after section 546.6.0.2:

"546.6.0.3. Despite the prohibitions under section 546.6 and the third paragraph of section 546.6.0.1 or 546.6.0.2, a vehicle that must undergo technical appraisal may be put back into operation only for the dynamic recalibration of the advanced driver assistance systems, provided that a temporary registration certificate has been issued for that purpose."

69. The Code is amended by inserting the following section after section 551:

"551.1. When a conviction for an offence listed in section 180 or the penalty prescribed for the offence is under appeal, the judge hearing the appeal may order that the effects of the cancellation of the licence or of the suspension of the right to obtain a licence be suspended until a final decision has been rendered on the appeal or until the court decides otherwise.

A new licence is issued upon proof of the order referred to in the first paragraph and in accordance with the conditions prescribed by this Code and its regulations.”

70. Section 587 of the Code is amended by replacing the second paragraph by the following paragraph:

“The person referred to in the first paragraph shall also notify the Société

(1) of any order of prohibition to operate a conveyance under Part VIII.1 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) on offences relating to conveyances; and

(2) of any order made under section 551.1 and of any decision terminating such an order.”

71. Sections 592 and 592.0.0.1 of the Code are amended by replacing “taken” by “or series of photographs taken”.

72. Section 592.1 of the Code, amended by section 21 of chapter 15 of the statutes of 2012, is again amended, in the first paragraph,

(1) by replacing “photograph taken” by “photograph or series of photographs taken”;

(2) by replacing “indicating the place, date and time the photograph was taken and, as applicable, the traffic light involved or the speed recorded,” by “or photographs from the series”;

(3) by replacing the last sentence by the following sentence: “One or more of the photographs sent must indicate or show the elements provided for in the third paragraph of section 332 or 359.3, as the case may be, without making it possible to identify the occupants of the vehicle.”

73. Sections 592.2.1, 592.4, 592.4.2 and 597.1 of the Code are amended by replacing all occurrences of “taken” by “or series of photographs taken”.

74. Section 608 of the Code is amended

(1) by inserting “or the Department of the Environment of Canada” after “the Department of Transport of Canada”;

(2) by replacing “to that department” by “to either of those departments”.

75. Section 619 of the Code, amended by section 29 of chapter 18 of the statutes of 2018, is again amended by inserting the following paragraphs after paragraph 2:

“(2.1) determine the breaches in connection with the use of the alcohol ignition interlock device for the purposes of section 76.1.5.1 and the period during which a breach must be considered;

“(2.2) determine the additional period during which the licence must remain subject to the condition of driving a vehicle equipped with an alcohol ignition interlock device under section 76.1.5.1 and the related terms;”.

76. Section 621 of the Code, amended by section 86 of chapter 14 of the statutes of 2008, is again amended, in the first paragraph,

(1) by replacing subparagraph 5.2 by the following subparagraph:

“(5.2) determine the conditions under which the authorization referred to in subparagraph 1 of the first paragraph of section 226.2 may be obtained, the form and content of the certificate of authorization, as well as the technical standards the light must meet, which may vary according to the vehicle on which the light is installed, and the method for its installation;”;

(2) by inserting the following subparagraph after subparagraph 5.2:

“(5.3) determine in what cases and on what conditions more than one flashing green light may be used on a road vehicle other than an emergency vehicle;”;

(3) by inserting the following subparagraph after subparagraph 8.1:

“(8.2) exempt military-type road vehicles, in the cases and on the conditions it determines, from the application of one or more provisions of this Code and its regulations relating to the equipment road vehicles must carry or the standards the equipment must meet;”;

(4) by replacing subparagraph 12.0.1 by the following subparagraph:

“(12.0.1) define, for the purposes of sections 519.8.1, 519.9, 519.10, 519.12, 519.20, 519.21.1 to 519.26 and 519.31 to 519.31.3, the expressions “cycle”, “day”, “director”, “driver”, “electronic logging device”, “home terminal”, “hour of driving”, “hour of rest”, “hour of service”, “malfunction”, “out-of-service declaration”, “permit”, “provincial director”, “record of duty status” and “supporting document”;”;

(5) by replacing subparagraph 12.1 by the following subparagraphs:

“(12.1) establish the conditions under which the driver of a heavy vehicle must record the driver’s hours of rest and hours of service and produce a record of duty status, and determine the information the record of duty status must contain, its form and the other information that the driver must forward and make available to the operator and any other person who supplies the driver’s services;

“(12.1.0.1) establish the rules governing the transmission, reception and retention of records of duty status, supporting documents and information determined by a regulation made under paragraph 12.1;

“(12.1.0.2) determine in what cases and on what conditions a driver may produce more than one record of duty status in respect of any day;

“(12.1.0.3) establish the requirements the electronic logging device must meet and the standards for its installation, determine in what cases and on what conditions the device need not be installed or used and prescribe the rules applicable to the recording of hours of rest and hours of service and to the transmission of those hours and other information;

“(12.1.0.4) determine the documents that a driver who is required to complete records of duty status must have in his or her possession when driving and the documents that must be in each heavy vehicle under section 519.21.3;”;

(6) by replacing subparagraph 12.2 by the following subparagraph:

“(12.2) determine in what cases and on what conditions the hours of rest and hours of service need not be recorded by the driver in a record of duty status or required by the operator;”;

(7) by inserting the following subparagraphs after subparagraph 12.2.2:

“(12.2.3) determine the conditions under which the operator must maintain the system of each electronic logging device used to identify users and the conditions relating to the retention of the information recorded in the system;

“(12.2.4) determine the content of the register containing the information in connection with the working order and use of each device, the conditions of retention of the register and the time limits for repairing or replacing the device in case of malfunction;”;

(8) by inserting the following subparagraph after subparagraph 12.4:

“(12.5) determine the conditions under which a driver or an operator must make available or forward a document or information required under sections 519.10 and 519.25 to a peace officer, at the latter’s request;”;

(9) by inserting the following subparagraph after subparagraph 20.5:

“(20.6) define the expression “school period”;”;

(10) by inserting the following subparagraph after subparagraph 25.1:

“(25.2) prescribe the criteria for the establishment of any school zone;”;

(11) by replacing “daily logs” by “records” in subparagraph 39;

(12) by inserting the following subparagraph after subparagraph 50:

“(50.1) determine the threshold for the value of unclaimed seized vehicles that the Société may dispose of under sections 209.18 and 209.19;”;

(13) by replacing all occurrences of “daily logs” by “records of duty status”.

77. Section 624 of the Code, amended by section 31 of chapter 18 of the statutes of 2018, is again amended by striking out subparagraph 8.2 of the first paragraph.

78. Section 634.3 of the Code is amended by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) in a school zone;”.

79. Section 648.4 of the Code, amended by section 32 of chapter 18 of the statutes of 2018, is again amended by striking out “and revalorized, if applicable, in accordance with section 151.4 of the Automobile Insurance Act (chapter A-25)” in the introductory clause of the first paragraph.

CODE OF PENAL PROCEDURE

80. Article 157.2 of the Code of Penal Procedure (chapter C-25.1) is amended by replacing “taken” in paragraph 2 by “or series of photographs taken”.

81. Article 218.4 of the Code is amended by replacing “photograph” in subparagraph 6 of the second paragraph by “photograph or photographs”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

82. Section 119 of the Act respecting administrative justice (chapter J-3) is amended by inserting “a decision to extend the period during which the licence must be subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device or” after “following” in paragraph 7.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

83. Section 12.39.1 of the Act respecting the Ministère des Transports (chapter M-28) is amended, in paragraph 1.1,

- (1) by replacing “, 516 and 516.1” by “and 516 to 516.2”;
- (2) by replacing “taken” by “or series of photographs taken”.

ACT RESPECTING OWNERS, OPERATORS AND DRIVERS OF HEAVY VEHICLES

84. Section 42.3 of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3) is amended by replacing “daily log” and “shown” in the first paragraph by “record of duty status” and “provided”, respectively.

TRANSPORT ACT

85. Section 16 of the Transport Act (chapter T-12) is amended

(1) by replacing “of 11 members” in the first paragraph by “of not more than 11 members”;

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

“A member may, with the permission of the president, continue the examination of an application referred to him and render a decision despite the expiry of his term.”

86. Section 88.2 of the Act is amended by adding the following paragraph at the end:

“However, the Government may, by regulation and according to the conditions it establishes, exempt motorists who benefit from diplomatic, consular or similar privileges or immunities from paying the contribution.”

ACT RESPECTING OFF-HIGHWAY VEHICLES

87. Section 52 of the Act respecting off-highway vehicles (chapter V-1.3) is amended by striking out “if the vehicle is equipped with a closed compartment; nor is it required” in the fourth paragraph.

88. Section 114 of the Act is amended, in paragraph 3,

- (1) by inserting “section 27,” after “contravenes”;
- (2) by replacing “third” by “fourth”.

ACT TO IMPROVE THE PERFORMANCE OF THE SOCIÉTÉ DE
L'ASSURANCE AUTOMOBILE DU QUÉBEC, TO BETTER REGULATE
THE DIGITAL ECONOMY AS REGARDS E-COMMERCE,
REMUNERATED PASSENGER TRANSPORTATION AND TOURIST
ACCOMMODATION AND TO AMEND VARIOUS LEGISLATIVE
PROVISIONS

89. Sections 44 to 47 of the Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions (2018, chapter 18) are repealed.

REGULATION RESPECTING COMPUTATION OF THE INCOME
REPLACEMENT INDEMNITY PAID UNDER THE SECOND AND
THIRD PARAGRAPHS OF SECTION 40 OF THE AUTOMOBILE
INSURANCE ACT

90. The Regulation respecting computation of the income replacement indemnity paid under the second and third paragraphs of section 40 of the Automobile Insurance Act, the text of which appears below, is enacted.

“REGULATION RESPECTING COMPUTATION OF THE INCOME
REPLACEMENT INDEMNITY PAID UNDER THE SECOND AND
THIRD PARAGRAPHS OF SECTION 40 OF THE AUTOMOBILE
INSURANCE ACT

“1. The amount of the income replacement indemnity to which a victim is entitled until their death, from the date of their sixty-eighth birthday or, if the victim is 64 years of age at the time of the accident, from the date that is four years after the date of the accident, is computed using the following formula:

$$40\% \times A \times B/14,610.$$

For the purposes of the formula in the first paragraph,

(1) A is

(a) if the victim is under 64 years of age at the time of the accident, the amount of the income replacement indemnity computed on the date of the victim's sixty-seventh birthday before applying the reduction provided for in section 40 of the Automobile Insurance Act (chapter A-25) or any other reduction provided for by that Act, except for the reduction provided for in section 55; or

(b) if the victim is 64 years of age at the time of the accident, the amount of the income replacement indemnity computed on the date that is three years after the date of the accident before applying the reduction provided for in section 40 of the Automobile Insurance Act or any other reduction provided for by that Act, except for the reduction provided for in section 55; and

(2) B is the number of days, not exceeding 14,610, between the date of the victim's eighteenth birthday and the day before the date of the victim's sixty-fifth birthday, during which

(a) the victim has received the income replacement indemnity to which they are still entitled on the date of their sixty-seventh birthday or, if the victim is 64 years of age at the time of the accident, the indemnity to which they are still entitled on the date that is three years after the date of the accident; and

(b) payment of the income replacement indemnity has been interrupted pursuant to section 83.29 of the Act.

However, the days during which the victim received an income replacement indemnity to which they were not entitled must not be considered in the number of days represented by the letter B.

“2. If a victim referred to in section 1 is entitled to more than one income replacement indemnity because of multiple accidents, each of the indemnities must be computed separately using the formula in that section.

“3. If the result of a computation under this Regulation is a number with one or more decimals, only the first two decimals are retained and, if the third decimal is greater than 4, the second decimal is increased by one unit.”

REGULATION RESPECTING CATASTROPHIC INJURIES OR SEQUELAE

91. The Regulation respecting catastrophic injuries or sequelae, the text of which appears below, is enacted.

“REGULATION RESPECTING CATASTROPHIC INJURIES OR SEQUELAE

“1. Catastrophic injuries or sequelae are determined by evaluating the victim's condition when examinations and accepted medical knowledge do not point to any significant foreseeable improvement or deterioration in the victim's condition in the short or medium term.

“2. The evaluation must consider the injuries and sequelae previously suffered in an accident or relapse.

“3. In the case of a sequela, the evaluation is made in accordance with the evaluation rules set out in the Schedule of Permanent Functional and Esthetic Impairments to the Regulation respecting lump-sum compensation for non-pecuniary damage (chapter A-25, r. 10), except the rules referring to the provisions of Division II of that Regulation.

The evaluation must, according to the terms provided for in the first paragraph of section 6 of that Regulation, identify the functional or esthetic units impaired and determine the category of severity that represents the victim's situation and the percentage corresponding to that category. However, if the victim had sequelae prior to the accident or relapse, the percentage corresponding to the category of severity of the functional or esthetic unit representative of the situation prior to the accident does not have to be deducted if the accident or relapse resulted in the aggravation of the victim's prior sequelae.

The category of severity of the impaired functional or esthetic unit is determined by the situation having the greatest impact from among the situations corresponding to the result of the permanent sequelae evaluation. Only one category of severity may be determined for each impaired unit and the percentage corresponding to that category may only be awarded once.

“4. The result of the evaluation must be explainable by accepted medical knowledge supported by objective data found on clinical examination.

“5. Injuries or sequelae are catastrophic if the evaluation establishes that the victim

(1) has third-degree burns that impair two or more functional units or the unit related to the esthetic of the face provided for in the Schedule, for which the combined percentages corresponding to the categories of severity for the units concerned add up to at least 75%;

(2) has undergone two or more of the following amputations, on different limbs, including at least one mentioned in subparagraphs *a* and *b*:

- (a) above-elbow amputation;
- (b) above-knee amputation;
- (c) elbow disarticulation;
- (d) below-the-elbow amputation of the forearm;
- (e) wrist disarticulation;
- (f) knee disarticulation; or
- (g) below-the-knee amputation of the leg;

(3) has one or more of the following functional alterations of the brain, for which the combined percentages corresponding to the categories of severity of the functional units provided for in the Schedule add up to at least 50%:

(a) an impairment of the cognitive function corresponding to categories of severity 2 to 6 of functional unit 1 provided for in the Schedule, for which the percentage corresponding to those categories varies from 5% to 100%;

(b) a disturbance of the state of consciousness corresponding to categories of severity 2 to 5 of functional unit 2 provided for in the Schedule, for which the percentage corresponding to those categories varies from 15% to 100%; or

(c) an impairment of the cognitive aspect of language corresponding to categories of severity 2 to 5 of functional unit 3 provided for in the Schedule, for which the percentage corresponding to those categories varies from 20% to 100%;

(4) has an affective or mental disorder corresponding to category of severity 5 or 6 of functional unit 1 provided for in the Schedule;

(5) has a functional loss of vision corresponding to category of severity 85 of functional unit 4.1 provided for in the Schedule;

(6) suffers from paraplegia or quadriplegia (motor level between cervical vertebra C1 and lumbar vertebra L5) corresponding to categories of severity 1 to 6 of functional unit 24 provided for in the Schedule; or

(7) has two or more of the following impairments, for which the combined percentages corresponding to the categories of severity of the functional units provided for in the Schedule add up to at least 85%:

(a) an affective or mental disorder corresponding to category of severity 4 of functional unit 1 provided for in the Schedule, for which the percentage corresponding to that category is 35%;

(b) a functional loss of vision corresponding to categories of severity 45 to 84 of functional unit 4.1 provided for in the Schedule, for which the percentage corresponding to those categories varies from 45% to 84%;

(c) an impairment of the cardio-respiratory function corresponding to categories of severity 4 to 8 of functional unit 20 provided for in the Schedule, for which the percentage corresponding to those categories varies from 20% to 100%; or

(d) one or more of the following functional impairments, of orthopedic or neurological origin or resulting from the ablation of one or more internal organs, for which the combined percentages corresponding to the categories of severity of the functional units provided for in the Schedule add up to at least 30%:

i. an impairment of the cognitive function corresponding to categories of severity 4 to 6 of functional unit 1 provided for in the Schedule, for which the percentage corresponding to those categories varies from 35% to 100%,

ii. a disturbance of the state of consciousness corresponding to categories of severity 1 to 5 of functional unit 2 provided for in the Schedule, for which the percentage corresponding to those categories varies from 5% to 100%,

- iii. an impairment of the cognitive aspect of language corresponding to categories of severity 1 to 5 of functional unit 3 provided for in the Schedule, for which the percentage corresponding to those categories varies from 5% to 100%,
- iv. a balance disorder corresponding to categories of severity 3 to 6 of functional unit 8 provided for in the Schedule, for which the percentage corresponding to those categories varies from 15% to 100%,
- v. a phonation impairment corresponding to categories of severity 3 to 5 of functional unit 9 provided for in the Schedule, for which the percentage corresponding to those categories varies from 10% to 30%,
- vi. an impairment of the ability to move and maintain the position of the head corresponding to category of severity 4 or 5 of functional unit 11 provided for in the Schedule, for which the percentage corresponding to those categories varies from 15% to 30%,
- vii. an impairment of the ability to move and maintain the position of the trunk corresponding to category of severity 4 or 5 of functional unit 12 provided for in the Schedule, for which the percentage corresponding to those categories varies from 15% to 30%,
- viii. an impairment of the ability to move and maintain the position of an upper limb corresponding to categories of severity 5 to 7 of functional unit 13 provided for in the Schedule, for which the percentage corresponding to those categories varies from 15% to 30%,
- ix. a manual dexterity impairment corresponding to categories of severity 5 to 8 of functional unit 14 provided for in the Schedule, for which the percentage corresponding to those categories varies from 12% to 50%,
- x. a locomotion impairment corresponding to categories of severity 4 to 7 of functional unit 15 provided for in the Schedule, for which the percentage corresponding to those categories varies from 20% to 60%,
- xi. an impairment of ingestion corresponding to categories of severity 4 to 6 of functional unit 19.1 provided for in the Schedule, for which the percentage corresponding to those categories varies from 10% to 40%,
- xii. an impairment of digestion and absorption corresponding to categories of severity 3 to 6 of functional unit 19.2 provided for in the Schedule, for which the percentage corresponding to those categories varies from 10% to 50%,
- xiii. an impairment of excretion corresponding to categories of severity 3 to 5 of functional unit 19.3 provided for in the Schedule, for which the percentage corresponding to those categories varies from 10% to 40%,

xiv. an impairment of the hepatic and biliary functions corresponding to categories of severity 3 to 5 of functional unit 19.4 provided for in the Schedule, for which the percentage corresponding to those categories varies from 10% to 40%,

xv. an impairment of the renal function corresponding to categories of severity 4 to 6 of functional unit 21.1 provided for in the Schedule, for which the percentage corresponding to those categories varies from 30% to 90%, or

xvi. a micturition impairment corresponding to category of severity 3 or 4 of functional unit 21.2 provided for in the Schedule, for which the percentage corresponding to those categories varies from 10% to 20%.”

REGULATION TO GOVERN THE ESTABLISHMENT OF SCHOOL ZONES AND DEFINE THE SCHOOL PERIOD

92. The Regulation to govern the establishment of school zones and define the school period, the text of which appears below, is enacted.

“REGULATION TO GOVERN THE ESTABLISHMENT OF SCHOOL ZONES AND DEFINE THE SCHOOL PERIOD

“1. The criteria for establishing a school zone are as follows:

(1) its purpose is to ensure the safety of students attending an institution providing elementary or secondary school instructional services by prompting road users to be more cautious when approaching land occupied by such an institution;

(2) it includes any part of a public highway that runs along the limits of the land referred to in paragraph 1;

(3) it may include

(a) any part of a public highway running along land or a building contiguous to the land referred to in paragraph 1 and used for school activities;

(b) any intersection contiguous to land or buildings referred to in paragraph 1 or subparagraph *a* of this paragraph; and

(c) any part of a public highway located at the end of the part of a public highway referred to in paragraph 2 or, as the case may be, at the end of the combination of the parts of public highways referred to in paragraph 2 and subparagraphs *a* and *b* of this paragraph, provided each part under this subparagraph covers a distance not exceeding

i. 50 m in an urban area, or

ii. 100 m in a rural area;

(4) it is composed of two amalgamated school zones when the distance between the two zones is insufficient to install signs or signals indicating the proximity of a school zone ahead, in accordance with the standards prescribed by the Minister under section 289 of the Highway Safety Code (chapter C-24.2), in which case subparagraph *c* of paragraph 3 does not apply to the school zone resulting from the amalgamation if a part of a public highway referred to in that subparagraph is included in any of the two school zones prior to the amalgamation; and

(5) it tends to have a length of at least

(a) 100 m in an urban area; or

(b) 200 m in a rural area.

“2. The school period is the period beginning at 7:00 a.m. and ending at 5:00 p.m. each day from Monday to Friday, from September to June.”

REGULATION RESPECTING THE REIMBURSEMENT OF CERTAIN EXPENSES

93. Section 3 of the Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended

(1) in the first paragraph,

(a) by inserting “, on a weekly basis,” after “section 2”;

(b) by replacing “up to the maximum amount prescribed in section 79 of the Act” and “maximum amount prescribed in section 79 of the Act” by “up to a maximum amount of \$949” and “\$949”, respectively;

(2) by adding the following sentence at the end of the second paragraph: “A total of more than 174 points qualifies for the reimbursement of expenses incurred up to a maximum amount of \$1,500.”;

(3) by replacing “the maximum weekly amount prescribed in section 79 of the Act” in the third paragraph by “a maximum amount of \$1,500”.

94. Section 4 of the Regulation is amended, in the second paragraph,

(1) by replacing “The amount of the reimbursement of expenses incurred by a victim referred to in this section is” by “The expenses incurred that qualify for reimbursement to a victim referred to in this section, on a weekly basis, are”;

(2) by replacing “the amount prescribed in section 79 of the Act” by “\$949”.

95. Section 57 of the Regulation is replaced by the following section:

“57. The cost of the written expert report referred to in section 83.31 of the Act submitted by a person whose application for reconsideration, application for review or proceeding before the Administrative Tribunal of Québec is allowed qualifies for reimbursement up to the following maximum amounts:

(1) \$1,600 for an expert report produced following the examination of the victim by a single health professional; and

(2) \$1,600 for each health professional, up to a maximum of \$4,800, when the expert report is made following a joint examination of the victim by more than one professional.”

REGULATION RESPECTING THE CONDITIONS AND PROCEDURES FOR THE USE OF PHOTO RADAR DEVICES AND RED LIGHT CAMERA SYSTEMS

96. Section 1 of the Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems (chapter C-24.2, r. 9) is amended by replacing both occurrences of “second” in subparagraph ii of subparagraph *c* of paragraph 1 by “third”.

REGULATION RESPECTING TOWING AND IMPOUNDING CHARGES FOR SEIZED ROAD VEHICLES

97. The Regulation respecting towing and impounding charges for seized road vehicles (chapter C-24.2, r. 26) is amended by inserting the following section after section 5:

“5.1. The towing charges set by this Regulation are indexed on 1 June of each year. The indexation is calculated by multiplying the charges by the ratio between the average of the for-hire motor carrier freight services monthly price indexes for the truck transportation category [484] established by Statistics Canada for the 12-month period ending on 31 December of the preceding year and the average of those indexes established for the 12-month period ending on 31 December of the year prior to the preceding year.

If an annual average or the ratio between the averages calculated under the first paragraph or the amount of indexed charges has more than two decimals, only the first two decimals are retained and the second one is increased by one unit if the third decimal is equal to or greater than 5.

However, if the charges resulting from the calculation under the first paragraph are lower than the charges for the preceding year, the indexation is without effect.

If, pursuant to the third paragraph, the indexation for the preceding year had no effect, the indexation calculation under the first paragraph is made on the basis of the charges for the preceding year, as they would have been indexed had it not been for the application of the third paragraph.

The Minister of Transport publishes the result of the indexation each year in the *Gazette officielle du Québec*.”

REGULATION RESPECTING ROAD VEHICLE REGISTRATION

98. Section 2.1 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) is amended by replacing “whose licence plate bears the prefix “CC” or “CD”” in the first paragraph by “referred to in section 91”.

99. Section 2.1.1 of the Regulation is amended by replacing “98 or 99” in subparagraph 1 of the second paragraph by “91”.

100. Section 91 of the Regulation is replaced by the following section:

“**91.** The owner of a passenger vehicle is exempt from paying the fees payable for registration of the vehicle and for the right to operate it if the vehicle

(1) is an official vehicle belonging to a foreign State that has representation in Québec, except in the case of representation headed by an honorary consular officer within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963;

(2) is an official vehicle belonging to an international government organization that has entered into an agreement with the Government regarding its establishment in Québec;

(3) is an official vehicle belonging to a political division of a foreign State to which fiscal privileges are granted under the Regulation respecting fiscal privileges granted to members of a diplomatic mission, consular post or office of a political division of a foreign State, to the members of their families and to that office (chapter A-6.002, r. 5);

(4) belongs to one of the following persons who do not have Canadian citizenship or permanent resident status in Canada, who are registered with the Ministère des Relations internationales and who perform their duties in Québec or Canada:

(a) a diplomatic agent or a member of the administrative and technical staff of a diplomatic mission within the meaning of the Vienna Convention on Diplomatic Relations entered into on 18 April 1961;

(b) a senior officer of an international government organization designated under the agreement referred to in subparagraph 2;

(c) a career consular officer or a consular employee within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963; or

(d) a representative of an office of a political division of a foreign State referred to in subparagraph 3; or

(5) belongs to one of the following persons from the International Civil Aviation Organization who do not have Canadian citizenship, who are registered with the Ministère des Relations internationales and who perform their duties in Québec:

(a) a permanent representative of a foreign State that is a recognized member of that organization; or

(b) the President of the Council, the Secretary General and officers belonging to the categories of administrators D-1, D-2 and higher.

A person referred to in subparagraph 4 or 5 of the first paragraph may use the exemption for a maximum number of two vehicles.”

101. Section 98 of the Regulation is amended

(1) in the first paragraph,

(a) by replacing “permanent mission with” in subparagraph 1 by “permanent representation accredited to”;

(b) by replacing subparagraph 3 by the following subparagraphs:

“(3) belongs to one of the following persons who do not have Canadian citizenship or permanent resident status in Canada, who are registered with the Ministère des Relations internationales and who perform their duties in Québec or Canada:

(a) a diplomatic agent or a member of the administrative and technical staff of a diplomatic mission within the meaning of the Vienna Convention on Diplomatic Relations entered into on 18 April 1961; or

(b) a senior officer of an international government organization designated under the agreement referred to in subparagraph 1; or

“(4) belongs to one of the following persons from the International Civil Aviation Organization who do not have Canadian citizenship, who are registered with the Ministère des Relations internationales and who perform their duties in Québec:

(a) a permanent representative of a foreign State that is a recognized member of that organization; or

(b) the President of the Council, the Secretary General and officers belonging to the categories of administrators D-1, D-2 and higher.”;

(2) by inserting “or 4 of the first paragraph” after “subparagraph 3” in the third paragraph.

102. Section 99 of the Regulation is replaced by the following section:

“99. The prefix “CC” shall be borne by the licence plate of a passenger vehicle that

(1) is an official vehicle belonging to a foreign State that has a consular post established in Québec, headed by a career consular officer within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963;

(2) is an official vehicle belonging to a political division of a foreign State to which fiscal privileges are granted under the Regulation respecting fiscal privileges granted to members of a diplomatic mission, consular post or office of a political division of a foreign State, to the members of their families and to that office (chapter A-6.002, r. 5);

(3) belongs to one of the following persons who do not have Canadian citizenship or permanent resident status in Canada, who are registered with the Ministère des Relations internationales and who perform their duties in Québec:

(a) a career consular officer or a consular employee within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963; or

(b) a representative of an office of a political division of a foreign State referred to in subparagraph 2; or

(4) belongs to an honorary consular officer within the meaning of the Vienna Convention on Consular Relations entered into on 24 April 1963 who is registered with the Ministère des Relations internationales and who performs his or her duties in Québec.

The owner of the vehicle is exempt from paying the fees required to retain the right to operate the vehicle, except the owner referred to in subparagraph 4 of the first paragraph.

A maximum of two vehicles belonging to a person referred to in subparagraph 3 of the first paragraph may be registered with a CC licence plate. Only one vehicle belonging to a person referred to in subparagraph 4 of the first paragraph may be registered with a CC licence plate.”

REGULATION DEFINING WHAT CONSTITUTES A SCHOOL ZONE
FOR THE PURPOSE OF USING A PHOTO RADAR DEVICE OR A RED
LIGHT CAMERA SYSTEM

103. The Regulation defining what constitutes a school zone for the purpose of using a photo radar device or a red light camera system (chapter C-24.2, r. 53) is repealed.

REGULATION RESPECTING THE CONTRIBUTION OF MOTORISTS
TO PUBLIC TRANSIT

104. The Regulation respecting the contribution of motorists to public transit (chapter T-12, r. 3) is amended by inserting the following section after section 1:

“**1.1.** Motorists who are exempt from paying fees under sections 91, 98 and 99 of the Regulation respecting road vehicle registration (chapter C-24.2, r. 29) are, according to the same conditions as those prescribed by those sections, exempt from paying the contribution of motorists to public transit.”

TRANSITIONAL AND FINAL PROVISIONS

105. A victim who, by reason of an accident that occurred in the period from 1 January 1990 to 30 June 2021, suffers from catastrophic injuries or sequelae within the meaning of the Regulation respecting catastrophic injuries or sequelae, enacted by section 91, is compensated from 1 July 2022 according to the following rules:

(1) if the victim is entitled to an income replacement indemnity for that accident, other than the indemnity provided for in any of sections 29.1 to 33, 36.1 to 39 and 55 of the Automobile Insurance Act (chapter A-25), the provisions of section 26.2 of that Act, enacted by section 1, apply subject to the following:

(a) the yearly average computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada corresponds to the average established for each of the 12 months preceding 1 July 2021; and

(b) the date that is 12 months after the date of the accident is replaced by 1 July 2022; and

(2) if the victim is entitled to an income replacement indemnity referred to in section 55 of the Automobile Insurance Act for that accident, that indemnity is equal to the difference between

(a) the income replacement indemnity, computed on the basis of the gross income revalorized in accordance with section 83.33 of the Automobile Insurance Act, to which the victim was entitled at the time the Société de l'assurance automobile du Québec determined an employment for the victim under section 46 of that Act, which gross income shall not be less than that

equal to the yearly average, computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada for each of the 12 months preceding 1 July 2021; and

(b) the net income, computed on the basis of the gross income revalorized in accordance with section 83.33 of the Automobile Insurance Act, that the victim derives or could derive from the employment determined by the Société under section 46 of that Act.

If the victim is, on 1 July 2022, in a period of disability resulting from a relapse of the victim's bodily injury suffered more than two years after the end of the last period of disability in respect of which the victim was entitled to an income replacement indemnity or within two years after the date of the accident if the victim was not entitled to such an indemnity, the victim is compensated from 1 July 2022 as if the disability had not been interrupted. The income replacement indemnity to which the victim is entitled following the relapse is computed on the basis of the highest of the following amounts:

(1) the gross income equal to a yearly average, computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada for each of the 12 months preceding 1 July 2021;

(2) the gross income, revalorized in accordance with section 83.33 of the Automobile Insurance Act, used as the basis for computing the income replacement indemnity to which the victim was entitled on the 181st day following the date of the accident; and

(3) the gross income used as the basis for computing the income replacement indemnity to which the victim was entitled on 30 June 2022 following the relapse.

If the victim referred to in the second paragraph is also entitled to an income replacement indemnity under section 55 of the Automobile Insurance Act, computed again pursuant to subparagraph 2 of the first paragraph, payment of that indemnity is interrupted from 1 July 2022 until the disability resulting from the relapse ends.

106. Despite section 57.1 of the Automobile Insurance Act, enacted by section 6, the income replacement indemnity to which is entitled a victim referred to in section 105 of this Act who, after 30 June 2022, suffers a relapse of his bodily injury is computed from the date of the relapse on the basis of the highest of the following amounts:

(1) the gross income equal to a yearly average, computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada for each of the 12 months preceding 1 July of the date of the relapse;

(2) the gross income, revalorized in accordance with section 83.33 of the Automobile Insurance Act, used as the basis for computing the income replacement indemnity to which the victim was entitled on the 181st day following the date of the accident; and

(3) the gross income actually earned by the victim at the time of the relapse.

107. Sections 2, 3 and 4, paragraph 1 of section 17, as regards the enactment of paragraph 9.2, and section 90 have effect from 1 January 1990 with respect to any victim who is alive and who has reached 67 years of age by 1 July 2022.

The income replacement indemnity to which the victim is entitled for the period that begins on the date on which the victim reached 67 years of age and ends on 30 June 2022 or, if the victim was 64 years of age at the time of the accident, for the period that begins on the date that is three years after the date of the accident and ends on 30 June 2022, is paid in one instalment, without interest. The Société de l'assurance automobile du Québec pays the instalment within six months after 1 July 2022, to the extent that the Société has the information needed to do so.

For the purposes of the second paragraph, a victim who received the income replacement indemnity during the year of their sixty-seventh birthday under section 43 of the Automobile Insurance Act, as it read before being repealed by section 3, and who is referred to in the fourth paragraph of section 40 of the Automobile Insurance Act, as amended by section 2, is only entitled, for that period, to the difference between the income replacement indemnity determined in accordance with the second paragraph of section 40 of the Automobile Insurance Act, as amended by section 2, and the indemnity received.

108. A victim who receives, on 1 July 2022, an income replacement indemnity determined under the second paragraph of section 40 of the Automobile Insurance Act, as amended by section 2, for an accident that caused the catastrophic injuries or sequelae suffered by the victim, is entitled to have the indemnity computed again according to the method prescribed by the Regulation respecting computation of the income replacement indemnity paid under the second and third paragraphs of section 40 of the Automobile Insurance Act, enacted by section 90, taking into account, for the purposes of subparagraph 1 of the second paragraph of section 1 of that Regulation, an amount of income replacement indemnity computed on the basis of a gross income equal to a yearly average, computed on the basis of the average weekly earnings of the Industrial Composite in Québec as established by Statistics Canada for each of the 12 months preceding 1 July 2021, if that gross income is greater than the gross income that should be taken into account for the purposes of subparagraph 1 of the second paragraph of section 1 of that Regulation.

109. For the purpose of computing the income replacement indemnity paid on the sixty-eighth birthday of a victim who is 67 years of age on 1 July 2022 for an accident that caused the catastrophic injuries or sequelae suffered by the

victim, the amount of the income replacement indemnity that must be taken into account to establish the letter A in subparagraph 1 of the second paragraph of section 1 of the Regulation respecting computation of the income replacement indemnity paid under the second and third paragraphs of section 40 of the Automobile Insurance Act, enacted by section 90, is the amount of the income replacement indemnity to which the victim is entitled on 1 July 2022.

110. Sections 105 to 109 also apply in respect of a victim compensated under section 54.2 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1) or section 71 of the Public Health Act (chapter S-2.2), with the necessary modifications.

111. Despite the second paragraph of section 79 of the Automobile Insurance Act, as it read on 31 December 1999, the maximum weekly amount that may be reimbursed to a victim of an automobile accident that occurred before 1 January 2000, who is referred to in section 44 of the Act to amend the Automobile Insurance Act and other legislative provisions (1999, chapter 22) and who has personal home assistance needs, is the amount established by the first paragraph or, if the victim requires continual attendance, by the third paragraph of section 3 of the Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14), as amended by section 93, and its subsequent amendments.

112. Until a regulation is made under paragraphs 11.1, 27 and 27.1 of section 195 of the Automobile Insurance Act, amended by paragraphs 2 and 5 of section 17, the amounts that must be determined by regulation for the purposes of sections 70, 80 and 83 of the Automobile Insurance Act, as amended by sections 8, 10 and 11, are the minimum amounts established by those sections.

113. Section 76.1.5.1 of the Highway Safety Code (chapter C-24.2), enacted by section 22, applies to holders of licences referred to in section 202 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), with the necessary modifications.

However, that section does not apply in respect of persons who, on the coming into force of section 22, hold a licence subject to the condition of driving a road vehicle equipped with an alcohol ignition interlock device under sections 76.1.3 and 76.1.5 of the Highway Safety Code, including those sections as they read before 25 November 2019.

114. An employee working within an international non-governmental organization recognized by the Gouvernement du Québec before 23 March 1996 may benefit from the advantages conferred by section 92 of the Highway Safety Code, replaced by section 23, even if that employee has permanent resident status in Canada.

115. Until the coming into force of section 34 of chapter 19 of the statutes of 2018, section 143.1 of the Highway Safety Code, as amended by section 25, is to be read as if “subparagraph 2” were replaced by “subparagraph 2 or 2.1”.

116. Until the coming into force of paragraph 1 of section 50 of chapter 19 of the statutes of 2018, section 202.6.6 of the Highway Safety Code, as amended by section 30, is to be read as if “or 202.2.0.1” were inserted after “section 202.2” in subparagraph 1 of the first paragraph.

117. A firefighter who has obtained authorization from the Société de l’assurance automobile du Québec to use a flashing green light before the date of coming into force of sections 39 and 47 is deemed to be authorized by the municipal authority that established the fire safety service of which the firefighter is a member, unless the authorization has been revoked by the Société.

The certificate of authorization issued by the Société remains valid until replaced by the municipal authority.

118. The standards determined by the Minister of Transport under the second paragraph of section 289 of the Highway Safety Code in the manual entitled “Volume V – Traffic Control Devices” that concern flag persons who direct traffic because of exceptional events or sports events or competitions and, in particular, the clothing they must wear, are deemed to be determined under section 303.3 of the Highway Safety Code, as amended by section 49, until the coming into force of a regulation made under that section 303.3.

119. Daily logs completed before the date of coming into force of sections 61 to 65 are deemed to be records of duty status from that date.

120. Until a regulation is made under subparagraph 50.1 of the first paragraph of section 621 of the Highway Safety Code, enacted by paragraph 12 of section 76, the threshold that must be determined by regulation for the purposes of sections 209.18 and 209.19 of the Highway Safety Code, as amended by section 33, is the minimum threshold established by those sections.

121. The rule set out in the second paragraph of section 16 of the Transport Act (chapter T-12), as amended by section 85 of this Act, is deemed to be part of the conditions of employment of the members of the Commission des transports du Québec annexed to their deed of appointment. It replaces the rule relating to the expiry of their terms set out in section 4.3 of the conditions of employment.

122. The provisions of paragraph 1 of section 83 have effect from 1 August 2019.

123. The provisions of this Act come into force on 26 May 2022, except

(1) sections 35, 37, 38, 41 to 46, 48 to 50, 52 to 54, 59, 60, 66 and 67, paragraphs 9 and 10 of section 76, sections 78, 88, 92, 103 and 118, which come into force on 25 July 2022;

(2) sections 1 to 15, 18, 32, 33, 90, 91, 93 to 95, 97, 105 to 112 and 120, which come into force on 1 July 2022;

(3) sections 22, 82 and 113, which come into force on the date on which the first regulation is made under subparagraphs 2.1 and 2.2 of the first paragraph of section 619 of the Highway Safety Code, enacted by section 75;

(4) sections 25 and 30, which come into force on the date of coming into force of section 34 and paragraph 1 of section 50 of chapter 19 of the statutes of 2018;

(5) sections 39, 47, 57 and 77, which come into force on the date of coming into force of the first regulation made under subparagraph 5.2 of the first paragraph of section 621 of the Highway Safety Code, enacted by paragraph 1 of section 76; and

(6) paragraph 2 of sections 19 and 20, section 26, paragraph 1 and paragraph 2, insofar as it concerns section 202.2.0.1, of section 27, sections 28, 29, 31, 61 to 65 and 68, paragraphs 4 to 8, 11 and 13 of section 76 and sections 84, 115 and 116, which come into force on the date or dates to be determined by the Government.

2022, chapter 14

AN ACT RESPECTING FRENCH, THE OFFICIAL AND COMMON LANGUAGE OF QUÉBEC

Bill 96

Introduced by Mr. Simon Jolin-Barrette, Minister Responsible for the French Language

Introduced 13 May 2021

Passed in principle 4 November 2021

Passed 24 May 2022

Assented to 1 June 2022

Coming into force: 1 June 2022, except

(1) section 5 insofar as it enacts section 9 of the Charter of the French language (chapter C-11), section 19 insofar as it enacts section 29.15, to the extent that section 29.16 refers to that section, section 29.16 and section 29.17, as concerns the directive made under that section 29.16, of that Charter, and sections 119, 129 and 130, which come into force on 1 September 2022;

(2) section 4 insofar as it enacts the first paragraph of section 6.1 of that Charter, section 6 insofar as it enacts paragraphs 1 and 2 of section 13.2 of that Charter, sections 7 to 11, 13 and 14, section 15 insofar as it enacts sections 22.2 to 22.5 of that Charter, sections 16 and 45, section 64 insofar as it enacts section 88.12 of that Charter, section 92, section 96 insofar as it enacts the second and third paragraphs of section 152.1 of that Charter, section 97 insofar as it enacts Title II.2 of that Charter, section 117 insofar as it enacts section 204.31 of that Charter, and sections 141 and 156 to 159, which come into force on 1 June 2023;

(3) section 19 insofar as it enacts sections 29.6 and 29.8 of that Charter, section 60 insofar as it enacts the first paragraph of section 88.0.2, sections 88.0.4 to 88.0.16, section 88.0.17, except subparagraph 2 of the first paragraph of that section, and section 88.0.18 of that Charter, and section 147, which come into force as of the 2023–2024 school year;

(4) section 5 insofar as it enacts sections 10 and 11 of that Charter, and section 32, which come into force on 1 June 2024;

(5) section 60 insofar as it enacts the second and third paragraphs of section 88.0.2, section 88.0.3 and subparagraph 2 of the first paragraph of section 88.0.17 of that Charter, which comes into force as of the 2024–2025 school year;

(cont'd on next page)

Coming into force: *(cont'd)*

(6) sections 43, 48 and 49 and paragraph 1 of section 83, which come into force on 1 June 2025;

(7) section 19 insofar as it enacts sections 29.15, except as concerns parliamentary institutions, 29.17, except as concerns the directive made under section 29.16, 29.18, except as concerns the sending of a copy of a directive to the French Language Commissioner, 29.21 and 29.22 of that Charter, and section 75 insofar as it enacts sections 128.3 to 128.5 and the second paragraph of sections 128.6, 128.8 and 134.4 of that Charter, which come into force on the date that is three months after the date on which the first language policy of the State, provided for in section 29.10 of that Charter, enacted by section 19, is approved;

(8) section 5 insofar as it enacts the second paragraph of section 13 of that Charter, section 99 insofar as it enacts the fourth paragraph of section 160 of that Charter, paragraph 1 of section 102, section 110 insofar as it enacts the second paragraph of section 165.17 and section 165.21 of that Charter, and section 122 insofar as it enacts the second paragraph of paragraph A of Schedule I to that Charter, which come into force on the date on which the first French Language Commissioner appointed under section 185 of that Charter, enacted by section 116, takes office;

(9) section 19 insofar as it enacts sections 29.15, as concerns parliamentary institutions, 29.18, as concerns the sending of a copy of a directive to the French Language Commissioner, and 29.19 of that Charter, which comes into force on the later of

(a) the date that is three months after the date on which the first language policy of the State, provided for in section 29.10 of that Charter, enacted by section 19, is approved; and

(b) the date on which the first French Language Commissioner appointed under section 185 of that Charter, enacted by section 116, takes office.

Legislation amended:

Civil Code of Québec

Financial Administration Act (chapter A-6.001)

Tax Administration Act (chapter A-6.002)

Act respecting the Centre de la francophonie des Amériques (chapter C-7.1)

Charter of the French language (chapter C-11)

Charter of Ville de Longueuil (chapter C-11.3)

Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4)

Charter of human rights and freedoms (chapter C-12)

Cities and Towns Act (chapter C-19)

Code of Civil Procedure (chapter C-25.01)

Professional Code (chapter C-26)

General and Vocational Colleges Act (chapter C-29)

Executive Power Act (chapter E-18)

Act respecting the Institut de la statistique du Québec (chapter I-13.011)

Interpretation Act (chapter I-16)

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Legislation amended: (cont'd)

Act respecting administrative justice (chapter J-3)
Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)
Act respecting the Ministère de l'Immigration, de la Diversité et de l'Inclusion (chapter M-16.1)
Government Departments Act (chapter M-34)
Act respecting municipal territorial organization (chapter O-9)
Consumer Protection Act (chapter P-40.1)
Act respecting the legal publicity of enterprises (chapter P-44.1)
Act respecting the Government and Public Employees Retirement Plan (chapter R-10)
Act respecting the Pension Plan of Management Personnel (chapter R-12.1)
Act respecting occupational health and safety (chapter S-2.1)
Act to establish the Administrative Labour Tribunal (chapter T-15.1)
Courts of Justice Act (chapter T-16)
Constitution Act, 1867

Regulations amended:

Regulation respecting the exemption from the application of the first paragraph of section 72 of the Charter of the French language that may be granted to children staying in Québec temporarily (chapter C-11, r. 7)
Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace (chapter T-16, r. 4.1)

Explanatory notes

The purpose of this Act is to affirm that the only official language of Québec is French. It also affirms that French is the common language of the Québec nation.

To that end, the Act makes several amendments to the Charter of the French language.

The Act introduces new fundamental language rights, including the right to French language learning services. It also recognizes the enforceable nature of each of the fundamental language rights provided for by the Charter of the French language.

The Act introduces various measures to reinforce French as the language of legislation and justice.

The Act proposes several amendments with regard to French as the language of the civil administration. It thus imposes on the civil administration the duty to use French in an exemplary manner and exclusively, subject to certain exceptions.

The Act also provides for the development of a language policy of the State.

The Act specifies the rules applicable to the professional orders and their members concerning the use of French, including by requiring the members to maintain knowledge of French that is appropriate to the practice of their profession.

The Act proposes several amendments with regard to French as the language of work. For instance, it sets out the obligations applicable to employers to ensure that the workers' right to carry on their activities in French is respected. Every employee is granted the right to a work environment free of discrimination or harassment related to the use of French or to claiming a right arising from the Charter of the French language. Employers are required to take all reasonable means to avoid requiring a person to have knowledge of a language other than French to obtain or keep a position.

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Explanatory notes (cont'd)

The Act strengthens the provisions relating to the use of French as the language of commerce and business, in particular as concerns signs and posters and the drafting of certain documents, such as contracts relating to certain sales of immovable property.

As regards instruction, the Act sets limits on the duration and renewal of the exemption that allows certain children to not receive instruction in French. It includes various provisions to provide a framework for the development of college-level educational institutions. The Act provides that obtaining a Diploma of College Studies or an Attestation of College Studies is conditional on knowledge of French and, where applicable, successful completion of French courses or courses given in French. It also makes amendments to the provisions relating to the policies of college- and university-level educational institutions concerning the use and quality of the French language.

The Act provides for Québec's role in the growth of Canada's francophone and Acadian communities as well as in promoting and asserting the value of French in the actions of the civil administration within Canada and abroad.

The Act introduces various measures to, among other things, extend francization to enterprises employing 25 or more persons. It amends the provisions relating to francization committees and francization programs, and introduces other provisions relating to the establishment of French language learning services within enterprises.

The Act amends certain operating rules of the Commission de toponymie. It establishes, within the Ministère de l'Immigration, de la Francisation et de l'Intégration, Francisation Québec, whose mission is to be the sole government point of access for persons wishing to receive French language learning services. It establishes the Ministère de la Langue française and sets out the functions and powers of the Minister of the French Language.

The Act makes clarifications and adjustments to the functions and powers of the Office québécois de la langue française, in particular those concerning complaints, disclosures, inspections and investigations, and grants it the power to issue orders to put an end to certain failures to comply with the Charter of the French language.

The Act provides for the appointment of a French Language Commissioner, whose functions include monitoring the progression of the language situation in Québec.

The Act abolishes the Conseil supérieur de la langue française.

The Act provides that certain provisions of the Charter of the French language prevail over any subsequent provisions of any Act, unless expressly stated otherwise.

The Act adds provisions to the Constitution Act, 1867, concerning the constitution of Québec.

The Act amends several other Acts, including the Civil Code, the Code of Civil Procedure, the Interpretation Act and the Charter of human rights and freedoms, with regard to the use of French. With respect to that Charter, the Act adds recognition of the right to live in French. The Act also amends the Courts of Justice Act to clarify the conditions under which the Minister of Justice may require candidates for the office of judge to have knowledge or a specific level of knowledge of a language other than the official language.

The Act specifies that it has effect despite certain provisions of the Charter of human rights and freedoms and the Constitution Act, 1982.

Lastly, the Act includes miscellaneous, transitional and final provisions.



Chapter 14

AN ACT RESPECTING FRENCH, THE OFFICIAL AND COMMON LANGUAGE OF QUÉBEC

[Assented to 1 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF THE FRENCH LANGUAGE

1. The preamble of the Charter of the French language (chapter C-11) is amended

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

“Whereas the National Assembly recognizes that French is the only common language of the Québec nation and that it is essential that all be aware of the importance of the French language and Québec culture as elements that bind society together, and whereas it is resolved therefore to ensure that everyone has access to learning French and to perfecting knowledge and mastery of that language, and to make French the language of integration;”;

(2) by replacing “Amerinds and the Inuit of” in the fourth paragraph by “First Nations and the Inuit in”;

(3) by inserting the following paragraph after the fourth paragraph:

“Whereas Québec is the only French-speaking State in North America and shares a long history with the francophone and Acadian communities of Canada, and whereas that confers a special responsibility on Québec, which intends to play a leading role within La Francophonie;”;

(4) by adding the following paragraph at the end:

“Whereas, in accordance with parliamentary sovereignty, it is incumbent on the Parliament of Québec to confirm the status of French as the official language and common language in the territory of Québec and to enshrine the paramountcy of that status in Québec’s legal order, while ensuring a balance between the collective rights of the Québec nation and human rights and freedoms;”.

2. Section 1 of the Charter is amended

(1) by adding the following sentence at the end: “Only French has that status.”;

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

“French is also the only common language of the Québec nation and constitutes one of the foundations of its identity and distinct culture.”

3. Section 2 of the Charter is amended

(1) by inserting “, the other providers of a service governed by the Act respecting health services and social services (chapter S-4.2)” after “social services”;

(2) by inserting “their members holding a permit issued in accordance with section 35, college-level and university-level educational institutions,” after “professional orders,”;

(3) by replacing “employees” by “workers”.

4. The Charter is amended by inserting the following sections after section 6:

“6.1. Every person domiciled in Québec has a right to the services provided for in and offered under sections 88.12 and 88.13 for learning French.

A person domiciled in Québec who receives elementary, secondary or college instruction in English from an institution has a right to receive French language instruction from that institution.

That French language instruction must enable a person who received it during all primary, secondary and college instruction to have acquired sufficient skills to use French as the common language in order to be able to interact, thrive within Québec society and participate in its development.

“6.2. Every person has a right to justice and legislation in French.”

5. Sections 8 and 9 of the Charter are replaced by the following sections:

“7.1. In the case of a discrepancy between the French and English versions of a statute, regulation or other act referred to in paragraph 1 or 2 of section 7 that cannot be properly resolved using the ordinary rules of interpretation, the French text shall prevail.

“8. Regulations and other similar acts to which section 133 of the Constitution Act, 1867 does not apply, such as municipal by-laws, shall be drawn up, adopted and published exclusively in French.

Bodies and institutions recognized under section 29.1 may draw up, adopt and publish those acts in both French and another language; in the case of a discrepancy, the French text of such an act shall prevail over the text in another language.

“9. A French translation certified by a certified translator shall be attached to any pleading drawn up in English that emanates from a legal person.

The legal person shall bear the translation costs.

“10. A French version shall be attached immediately and without delay to any judgment rendered in writing in English by a court of justice where the judgment terminates a proceeding or is of public interest.

Any other judgement rendered in writing in English shall be translated into French at the request of any person; a judgment rendered in writing in French shall be translated into English at the request of a party.

The costs for a translation made under this section are borne by the government department or the body that makes it or bears the costs necessary for the exercise of the functions of the court that rendered the judgment.

“11. Section 10 applies, with the necessary modifications, to any decision rendered in the exercise of an adjudicative function by an agency of the civil administration or by a person appointed by the Government or a minister and exercising such a function within such an agency.

“12. A person to be appointed to the office of judge shall not be required to have knowledge or a specific level of knowledge of a language other than the official language unless the Minister of Justice, after consultation with the Minister of the French Language, considers that the exercise of that office requires such knowledge and that all reasonable means have been taken to avoid imposing such a requirement.

“13. A person to be appointed by the Government or by a minister to exercise an adjudicative function within an agency of the civil administration shall not be required to have knowledge or a specific level of knowledge of a language other than the official language unless the minister responsible for the administration of the Act constituting the agency, after consultation with the Minister of the French Language, considers that the exercise of that function requires such knowledge and that all reasonable means have been taken to avoid imposing such a requirement.

Likewise, such a requirement shall not be imposed on a person to be appointed by the National Assembly to exercise such a function within the Commission d'accès à l'information or the Commission de la fonction publique unless the French Language Commissioner considers that the exercise of that function requires such knowledge and that all reasonable means have been taken to avoid imposing such a requirement.”

6. The Charter is amended by inserting the following after the heading of Chapter IV before section 14:

“DIVISION I

“GENERAL PROVISIONS

“13.1. The civil administration shall, in an exemplary manner, use the French language, promote its quality, ensure its development in Québec and protect it.

In the same manner, the civil administration shall take the means necessary to make sure it fulfils the obligations incumbent on it under this Act, in particular as regards obligations to citizens. For that purpose, it shall, among other things, adopt exemplarity objectives and establish indicators to measure the achievement of those objectives.

“13.2. For the purposes of section 13.1, an agency of the civil administration uses the French language in an exemplary manner if, in all its activities,

(1) it uses exclusively that language when writing in a situation that is not governed by a provision of sections 14 to 19, 21 to 21.12, 22, 22.1 and 27;

(2) it uses exclusively that language in its oral communications, except

(a) in the sole cases where, under the provisions of this division, it has the option to use a language other than French when writing; or

(b) in a case where, following a person’s oral request to be addressed by the agency in a language other than French, the agency wishes to obtain from the person the information necessary to determine whether it has, under this division, the option to communicate with the person in that other language; and

(3) it does not make systematic use of a language other than French, meaning that, in cases where the provisions of this division grant it the option to use that other language, it nevertheless uses exclusively French whenever it considers it possible.”

7. Section 15 of the Charter is repealed.

8. The Charter is amended by inserting the following section after section 16:

“16.1. Section 16 applies to the civil administration’s written communications with the operator of an enterprise as if the operator were a legal person and with the necessary modifications.”

9. Section 18 of the Charter is amended

(1) by inserting “exclusive” before “language”;

(2) by inserting “oral and” before “written”.

10. The Charter is amended by inserting the following sections after section 18:

“**18.1.** The personnel members of an agency of the civil administration shall use exclusively French when communicating orally or in writing with one another in the exercise of their functions.

“**18.2.** Despite sections 18 and 18.1, the use of a language other than French is allowed where such use derives from the exercise, by an agency of the civil administration, of its option under the provisions of this division to use that other language.”

11. Section 19 of the Charter is amended by inserting “exclusively” after “drawn up”.

12. The Charter is amended by inserting the following section after section 20:

“**20.1.** An agency of the civil administration shall, within three months after the end of its fiscal year, publish the number of positions within its organization for which it requires knowledge or a specific level of knowledge of a language other than the official language to obtain the position through, in particular, recruitment, hiring, transfer or promotion, or to keep the position, as well as the positions for which such knowledge or such a level of knowledge is desirable.”

13. Section 21 of the Charter is amended

(1) by inserting “exclusively” after “drawn up”;

(2) by striking out the last sentence;

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

“Loan contracts may nevertheless be drawn up both in French and in another language. The same applies to financial instruments and contracts whose object is the management of financial risks, including currency exchange or interest rate exchange agreements, contracts for the purchase or sale of options, and futures contracts.”

14. The Charter is amended by inserting the following sections after section 21:

“**21.1.** The agreements listed below shall be drawn up in French; a version in another language may be attached to them:

(1) a Canadian intergovernmental agreement within the meaning of section 3.6.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30); or

(2) an international agreement within the meaning of the Act respecting the Ministère des Relations internationales (chapter M-25.1.1) or an agreement referred to in section 23 or 24 of that Act.

“21.2. An agreement relating to Native affairs referred to in section 3.48 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) shall be drawn up in French; a version in another language may be attached to it.

“21.3. The provisions of section 21, 21.1 or 21.2 apply to the written documents listed below according to whether they relate to a contract referred to in section 21 or an agreement referred to in section 21.1 or 21.2:

(1) written documents sent to the civil administration to enter into a contract or agreement with it;

(2) written documents related to a contract or agreement to which the civil administration is a party; and

(3) written documents sent, under such a contract or agreement, by one of the parties to the contract or agreement to another.

Sections 16 and 16.1 do not apply to a communication that is also a written document referred to in this section.

“21.4. A version in a language other than French may be attached to the contracts and other related written documents referred to respectively in sections 21 and 21.3

(1) where the civil administration enters into a contract in Québec with

(a) a natural person not residing in Québec;

(b) a legal person or an enterprise not required to be registered under the Act respecting the legal publicity of enterprises (chapter P-44.1) and whose head office is located in a State where French is not an official language;

(c) a person or body exempt from the application of this Act under section 95; or

(d) a legal person or an enterprise whose sole establishment is situated on a reserve, a settlement or lands referred to in section 97; and

(2) in any other situation determined by government regulation.

For the purposes of this Act, “State” has the meaning assigned by the first paragraph of article 3077 of the Civil Code.

“21.5. Despite section 21, a contract may be drawn up only in a language other than French where the civil administration enters into a contract outside Québec.

In addition, the following contracts may be drawn up only in a language other than French:

(1) in the cases and on the conditions determined by government regulation,

(a) a contract entered into with a person or enterprise that carries on the activities of a clearing house; and

(b) a contract entered into on a platform that makes it possible to trade in a derivative governed by the Derivatives Act (chapter I-14.01), a security governed by the Securities Act (chapter V-1.1) or other movable property, provided, in the last case, that the contract is not a consumer contract; and

(2) an insurance policy, if it has no French equivalent in Québec and

(a) it comes from outside Québec; or

(b) its use is not widespread in Québec.

“21.6. Despite section 21.3, a written document relating to a contract referred to in section 21.5 may be drawn up only in a language other than French.

The same applies to a written document relating to a contract referred to in section 21 where the agency concerned of the civil administration so agrees and the document is authentic, semi-authentic or has a legal value that would prevail over that of any possible French version.

Moreover, a written document sent by a contracting party referred to in subparagraph 1 of the first paragraph of section 21.4 that initiates steps toward the making of a contract referred to in section 21 may be drawn up only in a language other than French.

“21.7. An agency of the civil administration is required to make available a French version of any part of a contract or written document drawn up only in another language under section 21.5 or 21.6 to the members of its personnel whose functions require them to examine that part of such a contract or written document.

The first paragraph does not apply to members of the agency’s personnel who participate in the negotiation or drawing up of such a contract or document.

“21.8. Written communications necessary for entering into a contract or agreement that may be drawn up in a language other than French may be in that other language.

Sections 16 and 16.1 do not apply to communications referred to in this section.

“21.9. Written documents sent to an agency of the civil administration by a legal person or by an enterprise to obtain a permit or another authorization of the same nature, or a subsidy or other form of financial assistance that is not a contract referred to in section 21, shall be drawn up exclusively in French.

The same applies to the written documents that a legal person or an enterprise receiving such a form of assistance or holding such an authorization is required to send to such an agency because of that assistance or authorization.

Sections 21.4 and 21.6 apply, with the necessary modifications, to written documents referred to in this section.

The Government may determine, by regulation, the situations in which a written document sent to the civil administration may be drawn up in a language other than French.

“21.10. Each agency of the civil administration shall see that every inscription referred to in the first paragraph of section 51 and relating to a product it obtains under a supply contract entered into with a legal person or an enterprise is, in accordance with that section, drawn up in French. The agency shall also see that, where a product referred to in section 52.1 or 54 is obtained under such a contract, the product complies with that section.

For the purposes of the first paragraph, “supply contract” has the meaning assigned by the Act respecting contracting by public bodies (chapter C-65.1).

“21.11. Where an agency of the civil administration obtains services from a legal person or an enterprise, it shall require that the services be rendered in French.

Where the services thus obtained are intended for the public, the agency shall instead require the service provider to comply with the provisions of this Act that would be applicable to the agency if the latter had itself provided the services to the public.

“21.12. Sections 21.10 and 21.11 have no effect where it is impossible for the agency to obtain in due time the product sought or another equivalent product that complies with section 51, 52.1 or 54, as applicable, or where services, other than those intended for the public, cannot be rendered in French.”

15. The Charter is amended by inserting the following after section 22.1:

“22.2. An agency of the civil administration may depart from paragraph 1 of section 13.2 by corresponding or otherwise communicating in writing in English only with a person who so requests if the person is declared eligible to receive instruction in English under the provisions of Division I of Chapter VIII, other than sections 84.1 and 85.

Moreover, an agency of the civil administration that, before 13 May 2021, corresponded only in English with a natural person in particular regarding a file concerning the person, for a reason other than the public health emergency declared under section 118 of the Public Health Act (chapter S-2.2), may continue to correspond and otherwise communicate in writing with that person in English only.

“22.3. An agency of the civil administration may depart from paragraph 1 of section 13.2 by using another language in addition to French in its written documents

(1) where health, public safety or the principles of natural justice so require; or

(2) to accomplish one of the following purposes:

(a) providing services in English to a person declared eligible to receive instruction in English under the provisions of Division I of Chapter VIII, other than sections 84.1 and 85;

(b) providing services to bodies referred to in section 95 or to Aboriginal persons;

(c) providing services to welcome immigrants within Québec society during the first six months following their arrival in Québec;

(d) providing services and maintaining relations outside Québec;

(e) providing tourist services; or

(f) any other purpose, compatible with the objectives of this Act, determined by regulation of the Minister.

The following consumer contracts, where entered into by an agency of the civil administration, may, in derogation of section 21, be drawn up in both French and another language:

(1) a contract of successive performance, in the cases referred to in the first paragraph; and

(2) a contract for the supply of lodging or the lease of property to accomplish the purpose referred to in subparagraph *e* of subparagraph 2 of the first paragraph.

The written documents and communications referred to in sections 21.3 and 21.8 may, in the cases referred to in the first paragraph, be drawn up in both French and another language where they relate to a consumer contract or where they are necessary for entering into such a contract.

Despite the first, second and third paragraphs, an agency of the civil administration may use another language only where it has made or reviewed the directive provided for in section 29.15 or, in the case of a body referred to in section 29.16, where the government department referred to in that section has made or reviewed the directive provided for in that section, provided the directive has either been approved under the first paragraph of section 29.17 or section 29.19 or sent under the second paragraph of section 29.17.

“22.4. Where the agency of the civil administration uses a language other than French under section 22.3 to provide services to welcome immigrants within Québec society, it shall implement measures that will ensure that, at the end of a six-month period, communications with immigrants are exclusively in French.

An agency that provides services in a language other than French to immigrants in accordance with the first paragraph shall, where the volume of the demand for such services by those persons warrants it, give preference to using their mother tongue.

“22.5. The provisions of this division do not prevent the use of a language other than French

(1) in communications intended for news media that disseminate in a language other than French and the publicity they carry;

(2) in communications of a minister or the holder of an elective public office within an agency of the civil administration, other than those intended for such an agency or the members of its personnel;

(3) in documents drawn up or used in research and determined by regulation of the Minister, in the cases and on the conditions prescribed in the regulation, other than

(a) a contract referred to in section 21; and

(b) a written document drawn up to obtain an authorization or financial assistance, excluding the documents attached to it;

(4) in documents used in relations with persons outside Québec, excluding the documents referred to in sections 16 and 16.1 as well as the agreements referred to in sections 21.1 and 21.2 and the documents referred to in section 21.3 relating to such agreements;

(5) in oral communications with persons from outside Québec, where they are necessary for the deployment of Québec’s international action;

(6) where an agency of the civil administration must use that other language to comply with the law or the practices of a State other than Québec;

(7) where, except in documents referred to in sections 16, 16.1 and 21 to 21.3, the use of that other language is necessary for implementing measures for cooperation between the competent authorities in Québec and those of another State, including the drafting of documents necessary for the application, in Québec, of standards to be harmonized with those of such other State; or

(8) for the purposes of section 15 of the Act respecting health services and social services (chapter S-4.2).

The provisions of section 21.7 apply, with the necessary modifications, to the documents referred to in subparagraph 4 of the first paragraph.

“DIVISION II

“RECOGNIZED BODIES AND INSTITUTIONS AND DOCUMENTS FILED IN CLINICAL RECORDS”.

16. Section 26 of the Charter is amended

(1) in the first paragraph,

(a) by inserting “, when writing,” after “may use”;

(b) by inserting “their documents, the services they provide and the use of their technological means, in” after “language in”;

(c) by inserting “, as well as in the notices of meeting, agendas and minutes of their deliberative assemblies. They may also use that other language in their oral communications without having to use the official language at the same time, provided they remain able to comply with section 23” after “with each other”;

(2) by adding the following sentence at the end of the second paragraph: “Moreover, persons may, within those bodies and institutions, use the language of their choice in oral communications with each other.”

17. Section 27 of the Charter is amended

(1) by striking out the last sentence;

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

“At the request of any person authorized to obtain such documents, a health service or a social service shall, as soon as possible and at its expense, provide the summary, drafted in French, of a clinical record and the French version of any document filed in the record that includes information in English.”

18. Section 29.1 of the Charter is amended by replacing “the Schedule” in subparagraph 3 of the second paragraph by “Schedule I”.

19. The Charter is amended by inserting the following after section 29.1:

“29.2. Where the Office ascertains, in light of the language data from each census carried out in accordance with Canadian statistics legislation, that a municipality recognized under section 29.1 does not meet the requirement of subparagraph 1 of the second paragraph of that section, it shall send the municipality a written notice informing it accordingly.

The recognition obtained by the municipality is withdrawn, by the sole operation of law, on the expiry of 120 days after receipt of the notice sent by the Office. Recognition is maintained, however, if the municipality adopts, before the expiry of the 120-day period, a resolution to that end; if so, it shall notify the Office without delay.

The notice sent under the first paragraph shall be published by the Office and by the municipality that receives it.

“29.3. Where the recognition obtained by a municipality is withdrawn under the third paragraph of section 29.1 or the second paragraph of section 29.2, the Office shall send every body recognized under section 29.1 that is under the authority of that municipality a written notice informing it of that fact. The Office shall send a copy of the notice to the municipality.

The recognition obtained by the body is withdrawn, by the sole operation of law, on the expiry of 120 days after receipt of the notice sent by the Office.

The notice sent under the first paragraph shall be published by the Office and by the municipality and the body that receive it.

“29.4. The Office shall publish a list of the bodies and institutions recognized under section 29.1.

“DIVISION III

“CONCORDANCE OF THE CIVIL ADMINISTRATION’S ACTIONS WITH THE ROLE OF QUÉBEC IN THE CANADIAN FRANCOPHONIE AND ABROAD

“29.5. In its actions abroad, the civil administration shall promote and assert the value of French. It shall do the same in its actions in Canada, where it must play a leading role with francophone and Acadian communities.

For those purposes, the civil administration shall promote, in particular through the establishment of partnerships, common actions enabling the optimization of resources at the disposal of Francophones and the development of French and supporting the growth of those communities.

“29.6. Any person who is domiciled in Canada and not resident in Québec is entitled, when pursuing, in a French-language college- or university-level educational institution referred to in section 88.0.1, a program of studies given in French that is not given in French elsewhere in Canada, to pay the same tuition fees as a resident in Québec, provided that, in the institution’s opinion, the person has sufficient knowledge of French at the time of enrolment to successfully complete the program.

The first paragraph does not apply to remedial activities that may be necessary for the enrolment of a person.

For the purposes of the first paragraph, “resident in Québec” has the meaning assigned by the General and Vocational Colleges Act (chapter C-29).

“29.7. The Minister of Higher Education, Research, Science and Technology shall contribute to the mobility of francophone students across Canada, in particular by entering into agreements in accordance with the law.

“29.8. The Minister of Higher Education, Research, Science and Technology shall publish annually, in the report on his department’s activities, the number of persons who availed themselves of the right provided for in section 29.6 as well as a presentation of the measures taken for the purposes of section 29.7.

The Minister shall consult college- or university-level educational institutions located elsewhere in Canada on the effects of section 29.6 and report on those consultations in the report referred to in the first paragraph.

“DIVISION IV

“IMPLEMENTATION

“§1. — *Responsibilities of administrative authorities*

“29.9. It is incumbent on the person who exercises the highest administrative authority within an agency of the civil administration to take the necessary means for the agency to meet its obligations under this Act.

“§2. — *Language policy of the State*

“29.10. The Minister of the French Language shall develop the language policy of the State and submit it to the Government for approval.

The Ministère de la Langue française shall publish the policy approved by the Government.

The policy applies to government departments, government bodies and municipal bodies within the meaning of Schedule I.

It also applies to parliamentary institutions within the meaning of that schedule, subject to the special provisions determined by the French Language Commissioner.

“29.11. The language policy of the State shall guide the agencies of the civil administration to which it applies in the fulfilment of the obligations incumbent on them under section 13.1.

For that purpose, the policy shall contain provisions concerning, in particular, the following subjects:

(1) measures that, in the Minister’s opinion, may be taken by an agency to meet those obligations, including

(a) the establishment of rules according to which an agency decides whether to exercise the option to use a language other than French, where this Act grants the agency such an option;

(b) the communication to an agency’s personnel members of the obligations incumbent on them under this Act and the fundamental language rights conferred on them by the Act, for instance through examples illustrating the scope of those obligations and rights;

(c) the implementation of means to control the quality of the French used within an agency;

(d) the identification of the opportunities that an agency can seize, in the normal course of its activities, to promote the influence of French abroad and elsewhere in Canada, in particular with francophone and Acadian communities;

(e) the dissemination of the content of the policy among an agency’s personnel members and suppliers, among recipients of a subsidy or other form of financial assistance and among the other members of the public who receive or could receive the agency’s services; and

(f) the implementation of a French-language environment, in particular with regard to vocal music and to the priority to be given to Québec cultural works;

(2) information concerning the application of this Act, including information that relates to the implementation of measures set out in the policy and that must appear in the annual report of an agency required to file such a report;

(3) examples illustrating how an agency of the civil administration may use a language other than French where it has the option to do so under this Act; and

(4) acts and omissions that, in the Minister’s opinion, could prevent an agency from fulfilling an obligation incumbent on it under section 13.1, in particular in the use of social media and information and communications technologies.

“29.12. In developing the language policy of the State, the Minister shall take into account

(1) the importance given to the French language as the common language to allow the integration of immigrants into Québec society;

(2) the particularities of the bodies and institutions recognized under section 29.1; and

(3) the importance for the civil administration to fulfil its duty of exemplarity in all of its communications.

“29.13. The language policy of the State shall be reviewed at least every 10 years.

“29.14. The Government may make a regulation to establish measures that must be implemented by any agency of the civil administration designated by the Government from among those to which the language policy of the State applies and without which such an agency is deemed not to be fulfilling one of its obligations under section 13.1.

The provisions of such a regulation apply to a parliamentary institution only with the consent of the French Language Commissioner.

“§3. — Directives of agencies of the civil administration

“29.15. An agency of the civil administration to which the language policy of the State applies shall make a directive specifying the nature of the situations in which it intends to use a language other than French in the cases where such use is allowed by the provisions of Division I.

The directive shall also set out any measures the agency intends to implement to comply with section 22.4.

The directive shall be reviewed at least every five years.

“29.16. The Ministère de l'Éducation, du Loisir et du Sport shall make a directive that complies with section 29.15 and is applicable to school bodies.

The Ministère de la Santé et des Services sociaux shall do likewise with respect to the bodies of the health and social services network.

Each of them shall review the directive at least every five years.

“29.17. Every directive made under section 29.15 by a government department or government body and the directives made under section 29.16 shall be submitted to the Minister, who may, if he considers them compliant with section 29.15, approve them with or without amendments.

A municipal body shall send the Minister the directive it makes under section 29.15 and make it public.

“29.18. If a government department or government body fails to make the directive referred to in section 29.17 within the time specified by the Minister, the Minister may personally make the directive; the Minister is, however, required to do so, immediately and without delay, with regard to a body that meets the condition set out in paragraph 2 of section 29.20. The directive made by the Minister has the same effect as if it had been made by the department or body concerned.

The Ministère de la Langue française shall publish each of the directives approved or made by the Minister and send a copy of them to the French Language Commissioner.

“29.19. Every directive made under section 29.15 by a parliamentary institution shall be submitted to the French Language Commissioner.

The provisions of the first paragraph of section 29.17 and section 29.18 are otherwise applicable, with the necessary modifications, to such a directive. The Commissioner shall publish each of the directives made or approved by him.

“29.20. The fourth paragraph of section 22.3 does not prevent an agency of the civil administration from using a language other than French in the cases provided for in the first paragraph of that section where either of the following conditions is met:

(1) a directive was made with regard to the agency by the Minister of the French Language under the first paragraph of section 29.18 or by the French Language Commissioner under the second paragraph of section 29.19; or

(2) the agency did not make the directive provided for in section 29.15 or, in the case of a body referred to in section 29.16, the government department referred to in that section did not make the directive provided for in that section and, in either of those cases, the Minister of the French Language or the French Language Commissioner has not yet made the directive referred to in paragraph 1.

“29.21. An agency of the civil administration referred to in the first paragraph of section 29.15 that is required to file an annual report shall give an account in it of the application of the directive required under that section and of the language policy of the State.

“29.22. The Minister may, on the Minister’s own initiative or when informed of a complaint in that regard, ascertain whether the directive made by a municipal body complies with section 29.15.

If the Minister considers that the directive is not compliant, the Minister may order the body concerned to make the amendments the Minister considers appropriate to make it compliant.

Before exercising the power provided for in the second paragraph, the Minister shall notify the body concerned of the Minister's intention and give the body at least 15 days to submit observations.

“29.23. Subject to the measures established under section 29.14, the Minister may, by regulation, prescribe reasonable measures for the civil administration to fulfil the obligations incumbent on it under Division I and to exercise the option to use a language other than French conferred by the provisions of that division in an exemplary manner.

The provisions of such a regulation may, in particular, prescribe the situations in which that option is restricted and the terms and conditions according to which a body or its personnel members may exercise the option.

The provisions of such a regulation may specify the categories to which they apply or prescribe that they apply to only a single body or the personnel of a single body.

The provisions of such a regulation apply to a parliamentary institution only with the consent of the French Language Commissioner.

“29.24. A body or institution recognized under section 29.1 may depart from the obligation to use French in an exemplary manner if, in accordance with this Act, it uses the other language allowed under its recognition, without having to comply with the provisions of this subdivision.

Furthermore, section 13.1 does not apply to a recognized school body.”

20. Section 30.1 of the Charter is amended

(1) by striking out “, where a person who calls upon their services so requests,”;

(2) by replacing “concerning that person” by “to any person authorized to obtain them and who so requests”;

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

“Despite the first paragraph, where a client who has called on the services of a member of a professional order is a legal person, the costs for translating a document referred to in the first paragraph at the request of a person authorized to obtain the document, other than the client, are borne by the client.”

21. Section 32 of the Charter is amended

(1) in the first paragraph,

(a) by inserting “only” after “use”;

(b) by inserting “and oral” after “written”;

(c) by replacing “with their general membership” by “with all or some of their members and of the applicants for admission to the profession”;

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

“Unless otherwise provided for in this Act, they shall use only that language when communicating orally or in writing with an individual member or an individual applicant for admission to the profession.”

22. Section 35 of the Charter is amended

(1) by replacing “their” in the first paragraph by “the”;

(2) by replacing the introductory clause of the second paragraph by the following introductory clause:

“When issuing a permit, a professional order shall consider that a person has such knowledge if”.

23. The Charter is amended by inserting the following sections after section 35:

“35.1. The holder of a permit issued in accordance with section 35 shall, as long as the permit is held, maintain knowledge of the official language that is appropriate to the practice of the profession.

The permit holder may not, in carrying on his professional activities, refuse to render a prestation for the sole reason that he is asked to use the official language in performing the prestation. An exception to this rule applies where the permit holder’s professional activities are, by nature, based on the use of a language other than French; in such a case, the holder of a permit issued in accordance with section 35 may not, however, refuse to render a prestation for the sole reason that he is asked to use the official language in his professional relationship with the person calling on his services.

“35.2. A professional order that considers, for serious reasons, that a member’s knowledge of the official language is not appropriate to the practice of the profession may, in addition to the measures that may be taken in respect of the member under the Professional Code (chapter C-26), require that the member obtain the certificate issued by the Office under the third paragraph of section 35.

Moreover, the refresher courses that a member of a professional order may be required to successfully complete as well as any other obligation, determined by a regulation made under section 90 of the Code, that may be imposed on the member may be aimed at enabling the member to recover knowledge of the official language that is appropriate to the practice of the profession.”

24. Section 37 of the Charter is replaced by the following section:

“37. Despite section 35, a professional order may issue a permit referred to in sections 40 to 42.2 of the Professional Code (chapter C-26) to a person whose knowledge of the official language is not appropriate to the practice of the profession, provided that

- (1) the permit is temporary; and
- (2) the person has, outside Québec, acquired the professional competence required to obtain such a permit.

A permit issued under the first paragraph is valid for not more than one year.”

25. Section 39 of the Charter is repealed.

26. Section 40 of the Charter is amended by adding the following paragraph at the end:

“When authorizing an order to issue such a permit, the Office may determine the term of the permit.”

27. The Charter is amended by inserting the following sections after section 40:

“40.1. The Office des professions du Québec shall, each year and for each professional order, send the Office the number of permits issued under section 37 and the number of special authorizations granted under section 42.4 of the Professional Code (chapter C-26), as well as the number of renewals for such special authorizations.

The Office shall indicate in its annual report of activities the information so sent by the Office des professions du Québec.

“40.2. A professional order may use another language in addition to the official language in a particular written communication to

- (1) an applicant for admission to the profession who applies for a permit to be issued to him in accordance with section 37 or under section 40; or
- (2) a member of the order who, under this Act, is not required to have knowledge of the official language that is appropriate to the practice of the profession.

A professional order may also use that other language in a particular oral communication with one of those persons, without being required to use the official language at the same time.”

28. The Charter is amended by inserting the following section after the heading of Chapter VI before section 41:

“40.3. For the purposes of this chapter,

(1) “employee” means an employee to whom Division V.2 of Chapter IV of the Act respecting labour standards (chapter N-1.1) applies;

(2) “worker” means an employee or a person whose conditions of engagement or remuneration, or scale of remuneration for services, are stipulated in a group agreement;

(3) a “group agreement” is an agreement, other than a collective labour agreement, that is entered into by an association or other group empowered by an Act to negotiate the agreement and that, under that Act, applies even to persons who are not members of the association or other group;

(4) “employer” means anyone who has work done by an employee or, being governed by a collective agreement, gives work to a worker or coordinates the services offered by the worker; and

(5) “association of workers” includes, in addition to an association of employees within the meaning of the Labour Code (chapter C-27), the association and the group referred to in paragraph 3.”

29. Section 41 of the Charter is amended

(1) by replacing “draw up his written communications to his staff in the official language. He shall draw up and publish his offers of employment or promotion in French” by “respect the worker’s right to carry on his activities in French; therefore, the employer is required, in particular,”;

(2) by adding the following at the end:

“(1) to see that any offer of employment, transfer or promotion the employer publishes is in French;

“(2) to see that any individual employment contract the employer enters into in writing is drawn up in French;

“(3) to use French in written communications, even those after termination of the employment relationship, with all or part of the staff, a worker in particular or an association of workers representing all or part of the staff; and

“(4) to see that the documents below that the employer makes available are drawn up in French and, if also available in another language, see that the French version is available on terms that are at least as favourable:

(a) employment application forms;

- (b) documents relating to conditions of employment; and
- (c) training documents produced for the staff.

Despite subparagraph 2 of the first paragraph, the parties to an individual employment contract that is a contract of adhesion may be bound only by its version in a language other than French if, after examining its French version, such is their express wish. In the other cases, an individual employment contract may be drawn up exclusively in a language other than French at the express wish of the parties.

Despite subparagraph 3 of the first paragraph, the employer may communicate in writing with a worker exclusively in a language other than French if the latter has so requested.”

30. Section 42 of the Charter is amended

(1) by replacing “of employment regards employment in the civil administration, a semipublic agency or an enterprise required to establish a francization committee, have an attestation of implementation of a francization program or hold a francization certificate, as the case may be, the” by “to fill a position, in particular through recruitment, hiring, transfer or promotion is published by an”;

(2) by striking out “publishing this offer of employment in a daily newspaper published”;

(3) by replacing “must publish it” by “in addition to the offer the employer must publish in French under subparagraph 1 of the first paragraph of section 41, the employer shall ensure that those offers are published”;

(4) by replacing “in a daily newspaper published in French, with at least equivalent display” by “and using transmission means of the same nature and reaching a target public of a proportionally comparable size”.

31. Section 43 of the Charter is amended by adding the following paragraph at the end:

“A group agreement, if not already drafted in French, must also be available in French as soon as it is entered into.”

32. Section 44 of the Charter is amended

(1) by replacing “An” by “A French version must be attached immediately and without delay to an”;

(2) by replacing “made following arbitration of a grievance or dispute” by “rendered in English following arbitration of a grievance, disagreement or dispute, either”;

(3) by replacing “shall, at the request of one of the parties, be translated into French or English, as the case may be, at the parties’ expense” by “or group agreement, or resulting from the interpretation or application of a collective agreement or group agreement”;

(4) by adding the following paragraphs at the end:

“Such an award rendered in French shall be translated into English if a party so requests.

Any translation made under this section must be certified. The translation costs for the French version provided for in the first paragraph are borne, if applicable, by the parties; in all other cases, they are borne by the party requesting the translation.”

33. Section 45 of the Charter is amended

(1) in the first paragraph,

(a) by replacing “for the sole reason that he is exclusively French-speaking or that he has insufficient knowledge of a particular language other than French, or because he has demanded that a right arising from the provisions of this chapter be respected.” by “or taking reprisals against or imposing any other penalty on the staff member for the sole reason that the member is exclusively French-speaking or does not have sufficient knowledge of a given language other than the official language or for any of the following reasons:”;

(b) by adding the following subparagraphs at the end:

“(1) the staff member has demanded that a right arising from the provisions of this chapter be respected;

“(2) to deter the staff member from exercising such a right;

“(3) because the staff member does not have knowledge or a specific level of knowledge of a language other than the official language, where the performance of the duty does not require it;

“(4) because the staff member has taken part in meetings of, or carried out tasks for, a francization committee established under section 136 or 140 or a subcommittee created by that committee;

“(5) to induce the staff member to endorse, under the first paragraph of section 138.2, a document referred to in section 138.1, or to dissuade him from doing so; or

“(6) because the staff member has, in good faith, communicated information to the Office under section 165.22 or cooperated in an investigation conducted because of such a communication.”;

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

“The fact that an employer requires a person to have knowledge or a specific level of knowledge of a language other than the official language to keep a position or to obtain a position, in particular through recruitment, hiring, transfer or promotion, is considered a prohibited practice under the first paragraph, unless the employer shows, in accordance with sections 46 and 46.1, that the performance of the duty requires such knowledge and that he first took all reasonable means to avoid imposing such a requirement.”

34. The Charter is amended by inserting the following section after section 45:

“45.1. Every employee has a right to a work environment free of discrimination or harassment because the employee has no or little command of a language other than the official language, because the employee claims the possibility to express himself in the official language or because the employee has demanded that a right arising from the provisions of this chapter be respected.

The employer shall take reasonable means to prevent such conduct and, if such conduct is brought to the employer’s attention, to make it cease.”

35. Section 46 of the Charter is amended

(1) in the first paragraph,

(a) by replacing “making the obtaining of an employment or office dependent upon the” by “requiring a person, in order for the person to be able to keep a position, or to obtain a position through, in particular, recruitment, hiring, transfer or promotion, to have”;

(b) by inserting “; even in the latter case, the employer shall first take all reasonable means to avoid imposing such a requirement” at the end;

(2) by replacing the second, third, fourth, fifth and sixth paragraphs by the following paragraph:

“An employer requiring knowledge or a specific level of knowledge of a language other than the official language for a position must, when publishing an offer to fill the position, indicate in the offer the reasons that justify the requirement.”

36. The Charter is amended by inserting the following section after section 46:

“46.1. An employer is deemed not to have taken all reasonable means to avoid requiring knowledge or a specific level of knowledge of a language other than the official language if, before requiring such knowledge or such a level of knowledge, one of the following conditions is not met:

(1) the employer assessed the actual language needs associated with the duties to be performed;

(2) the employer made sure that the language knowledge already required from other staff members was insufficient for the performance of those duties; or

(3) the employer restricted as much as possible the number of positions involving duties whose performance requires knowledge or a specific level of knowledge of a language other than the official language.

Without restricting the scope of the preceding paragraph, that paragraph must not be interpreted in a way that imposes on an employer an unreasonable reorganization of the employer's enterprise."

37. Sections 47 to 48 of the Charter are replaced by the following sections:

"47. Unless otherwise provided for in this Act, a person who believes he is a victim of a prohibited practice referred to in sections 45 and 46 and who wishes to assert his rights may do so with the Commission des normes, de l'équité, de la santé et de la sécurité du travail within 45 days after the occurrence of the practice complained of.

"47.1. The Commission may, with the agreement of the parties, appoint a person to endeavour to settle the complaint referred to in section 47 to the satisfaction of the parties.

Only a person who has not already acted in the matter in question in another capacity may be appointed for that purpose by the Commission.

Any verbal or written information gathered by the person referred to in the first paragraph must remain confidential. The person may not be compelled to disclose anything that has been revealed to him or that has come to his knowledge in the exercise of his functions, or to produce before a court or before any body or person exercising judicial or quasi-judicial functions any document made or obtained in the exercise of his functions, except in penal matters, where the court considers that such proof is necessary for a full and complete defence. Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to any such document.

"47.2. If no settlement is reached after reception of the complaint referred to in section 47 by the Commission, the latter shall, without delay, refer the complaint to the Administrative Labour Tribunal.

The provisions of the Labour Code (chapter C-27) and of the Act to establish the Administrative Labour Tribunal (chapter T-15.1) applicable to a remedy relating to the exercise by an employee of a right arising out of that Code apply, with the necessary modifications.

The Administrative Labour Tribunal may not, however, order the reinstatement of a domestic or a person whose exclusive function is to take care of or provide care to a child or to a sick, handicapped or elderly person, in the employer's dwelling.

“47.3. The Commission may, in a proceeding relating to any of sections 45, 46 and 47 to 47.5, represent a worker who is not a member of an association of workers.

“47.4. Unless otherwise provided for in this Act, an employee who believes he is a victim of a prohibited practice referred to in section 45.1 and who wishes to assert his rights may do so by filing a complaint with the Commission.

The time limit for submitting such a complaint, as well as its processing by the Commission, including, among other things, an investigation and mediation, until the complaint can eventually be referred to the Administrative Labour Tribunal, and the employee's representation by the Commission, are provided for by the provisions of Division II.1 of Chapter V of the Act respecting labour standards (chapter N-1.1).

“47.5. If a complaint referred to in section 47 or 47.4 is submitted to the Administrative Labour Tribunal within the time limits referred to in those sections, the failure to have submitted it to the Commission shall not be invoked against the complainant.

“48. An association of workers that makes its articles or financial statements available to its members in a language other than French shall make the French version available on terms that are at least as favourable. The same applies, with the necessary modifications, to a parity committee formed under the Act respecting collective agreement decrees (chapter D-2).”

38. Section 49 of the Charter is amended

- (1) by replacing “employees” by “workers”;
- (2) by inserting “and oral” after “written”;
- (3) by replacing “in its correspondence with him” by “who has so requested when communicating with that member”;
- (4) by adding the following paragraph at the end:

“The same applies to a parity committee when it communicates with the parties.”

39. Section 50 of the Charter is amended

- (1) by replacing “. Any stipulation in the agreement contrary to any provision of this Act is absolutely null” by “or every group agreement”;

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

“Despite sections 47 and 47.4, a worker covered by a collective agreement or a group agreement shall assert his rights in accordance with the lawful means provided for in the collective agreement or group agreement, to the extent that such means exist for the worker. If the association of workers representing the worker fails to submit the grievance to arbitration, the worker may do it personally.”

40. The Charter is amended by inserting the following section after section 50:

“50.1. Where participants in a group covered by a group insurance contract are all workers having an employment relationship with one or more employers, the insurer is required to issue a copy of the policy drawn up in French to the client; the same applies to the insurance certificates that must be distributed to the workers.

If the policy is also drawn up in a language other than French, the right to examine and make copies of the policy, provided for in the second paragraph of article 2401 of the Civil Code, may be exercised for both the copy of the policy drawn up in French and the copy of the policy drawn up in the other language.

In the case of a discrepancy between the French version of those documents and the version in another language, a worker may invoke either one, according to his interests.

This section applies, with the necessary modifications, to a group annuity contract.”

41. The Charter is amended by inserting the following section after the heading of Chapter VII before section 51:

“50.2. An enterprise that offers goods or services to consumers must respect their right to be informed and served in French.

An enterprise that offers goods or services to a public other than consumers must inform and serve it in French.”

42. Section 51 of the Charter is amended by inserting “or be available on more favourable terms” at the end of the second paragraph.

43. The Charter is amended by inserting the following section after section 51:

“51.1. Despite section 51, on a product, a registered trademark within the meaning of the Trademarks Act (Revised Statutes of Canada, 1985, chapter T-13) may be drawn up, even partially, only in a language other than French where

no corresponding French version appears in the register kept according to that Act. However, if a generic term or a description of the product is included in the trademark, it must appear in French on the product or on a medium permanently attached to the product.”

44. Section 52 of the Charter is amended

(1) by replacing “Catalogues” by “Regardless of the medium used, catalogues”;

(2) by replacing “and any similar publications” by “, order forms and any other documents of the same nature that are available to the public”;

(3) by inserting the following paragraph at the end:

“No person may make such a document available to the public in a language other than French if the French version is not available on terms that are at least as favourable.”

45. Section 55 of the Charter is amended

(1) by striking out “, contracts containing printed standard clauses,”;

(2) by replacing the second sentence by the following sentences: “The parties to such a contract may be bound only by its version in a language other than French if, after its French version has been remitted to the adhering party, such is their express wish. The documents related to the contract may then be drawn up exclusively in that other language.”;

(3) by adding the following paragraphs at the end:

“No party may, unless the French version of the contract referred to in the first paragraph has been given to the other party and that party has explicitly expressed willingness in that regard,

(1) make the other party adhere to a contract of adhesion drawn up in a language other than French; or

(2) send the other party a document related to that contract if the document is drawn up in a language other than French.

No party to a contract referred to in the first or fifth paragraph may require from the other party any sum whatsoever for the drawing up of the French version of the contract or of the related documents.

The first paragraph does not apply to the contracts listed below and the related documents:

(1) a contract of employment;

(2) a contract referred to in the second paragraph of section 21 or in section 21.5, regardless of the cases and conditions prescribed by a regulation made under subparagraph 1 of the second paragraph of the latter section; and

(3) a contract used in relations with persons outside Québec.

With the exception of a contract of employment, a contract of adhesion or a contract containing standard clauses to which the first paragraph does not apply, and the related documents, must be drawn up in French. They may be drawn up in another language if such is the parties' express wish.

No party may, unless the other party has explicitly expressed willingness in that regard, enter into a contract referred to in the fifth paragraph that is drawn up in a language other than French or send the other party a document related to such a contract that is drawn up in a language other than French.

The provisions of Chapters I and II of Title V do not apply in a case of failure to comply with the fifth and sixth paragraphs."

46. The Charter is amended by inserting the following section after section 55:

"55.1. The following documents must be drawn up in French:

(1) a contract for the sale or exchange of part or all of a chiefly residential immovable comprising fewer than five dwellings or of a fraction of a chiefly residential immovable that is the subject of an agreement or declaration referred to in articles 1009 to 1109 of the Civil Code;

(2) a promise to enter into the contract referred to in subparagraph 1;

(3) the preliminary contract provided for in article 1785 of that Code; and

(4) the memorandum provided for in article 1787 of that Code.

The contracts and other documents referred to in the first paragraph may be drawn up exclusively in a language other than French at the express wish of the parties.

This section does not apply to the contracts and other documents referred to in section 55."

47. Section 57 of the Charter is replaced by the following section:

"57. Invoices, receipts, acquittances and other documents of the same nature must be drawn up in French.

No person may send such a document in a language other than French if the French version is not available to the recipient on terms that are at least as favourable."

48. The Charter is amended by inserting the following section after section 58:

“58.1. Despite section 58, on public signs and posters and in commercial advertising, a trademark may be drawn up, even partially, only in a language other than French, provided the trademark is registered within the meaning of the Trademarks Act (Revised Statutes of Canada, chapter T-13) and no corresponding French version appears in the register kept according to that Act.

However, on public signs and posters visible from outside premises, French must be markedly predominant where such a trademark appears in a language other than French.”

49. The Charter is amended by inserting the following section after section 68:

“68.1. On public signs and posters visible from outside premises, French must be markedly predominant if they bear an enterprise’s name that, under section 67, includes an expression taken from a language other than French, even where they otherwise comply with the second paragraph of section 68.”

50. The Charter is amended by inserting the following after the heading of Chapter VIII before section 72:

“DIVISION I

“INSTRUCTION IN KINDERGARTEN CLASSES AND ELEMENTARY AND SECONDARY SCHOOLS”.

51. Section 72 of the Charter is amended

- (1) by replacing “this chapter” in the first paragraph by “this division”;
- (2) by replacing “the Schedule” in the second paragraph by “Schedule I”.

52. Section 73.1 of the Charter is amended by replacing “responsible for the administration of this Act” in the third paragraph by “of the French Language”.

53. Section 74 of the Charter is amended by replacing “this chapter” in the first paragraph by “this division”.

54. Section 75 of the Charter is amended by replacing “this chapter” in the second paragraph by “this division”.

55. Sections 78.2 and 79 of the Charter are amended by replacing all occurrences of “this chapter” by “this division”.

56. Section 83.4 of the Charter is amended by inserting “84.1,” after “81,”.

57. The Charter is amended by inserting the following section after section 84:

“84.1. A child who is a foreign national and who stays in Québec temporarily may, at the request of one of his parents, be exempted from the application of the first paragraph of section 72 and receive instruction in English in the following cases:

(1) he holds a permit issued under the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) that authorizes him to work or study in Canada;

(2) he is a dependent child of a foreign national authorized to work or study in Canada under such a permit; or

(3) he is exempted from the obligation to obtain the consent of the Minister of Immigration, Francization and Integration to stay in Québec where the holder of parental authority is staying in Québec as a temporary foreign worker or international student.

The exemption is valid for a period of up to three years and may not be renewed. However, the exemption is extended until 30 June of the school year during which the period of validity ends if that period ends before that date.

The Government shall prescribe by regulation the conditions of the exemption and the procedure to be followed in order to obtain it.”

58. Section 85 of the Charter is amended by inserting “, other than those who may benefit from the exemption under section 84.1,” after “Children”.

59. Section 87 of the Charter is amended by replacing “Amerindic” and “Amerinds” by “Aboriginal” and “First Nations”, respectively.

60. The Charter is amended by inserting the following after section 88:

“DIVISION II

“COLLEGE OR UNIVERSITY INSTRUCTION

“§1.—General provision

“88.0.1. Institutions that provide college instruction, other than private institutions not accredited for the purposes of subsidies and institutions that are government bodies within the meaning of Schedule I, as well as university-level educational institutions referred to in paragraphs 1 to 11 of section 1 of

the Act respecting educational institutions at the university level (chapter E-14.1) belong to only one of the following categories: French-language institutions or English-language institutions.

Every institution that provides such instruction is a French-language institution, unless it is designated as an English-language institution by the Minister of Higher Education, Research, Science and Technology and the Minister of the French Language.

“§2. — Provisions specific to college instruction

“88.0.2. College instruction in a French-language institution shall be in French, except where this subdivision allows otherwise. College instruction in an English-language institution may be in English.

An institution that gives college instruction in English shall nevertheless ensure that every student registered in a program of studies leading to a Diploma of College Studies successfully completes, before such a diploma is issued to the student, at least three courses given in French, excluding language of instruction courses, second language courses and physical education courses. The institution may allow a student declared eligible to receive instruction in English in accordance with Division I to replace the three courses given in French by three French courses, in which case those French courses shall be in addition to the second language courses.

An institution referred to in the second paragraph shall see to it that the courses required under that paragraph are given to the student.

“88.0.3. Each of the courses required under section 88.0.2 as well as the second language courses shall comprise at least 45 hours of instruction.

The evaluation of learning achievement for each of those courses and the presentation of the evaluation results are governed by the College Education Regulations established under section 18 of the General and Vocational Colleges Act (chapter C-29).

“88.0.4. Nothing in section 88.0.2 shall, in an institution providing college instruction, preclude instruction in a language other than French to foster the learning of that other language, in accordance with the terms and on the conditions prescribed in the College Education Regulations established by the Government under section 18 of the General and Vocational Colleges Act (chapter C-29).

“88.0.5. The Minister of Higher Education, Research, Science and Technology shall determine, for each school year, a defined total number of students for each of the English-language institutions providing college instruction.

When determining a defined total number of students for a school year, the Minister shall ensure that, for that school year, the combined defined total number of students for all the English-language institutions does not increase and does not exceed the lesser of the following proportions of the combined defined total number of students for all the English-language and French-language institutions:

(1) 17.5%; and

(2) the proportion that the combined defined total number of students for all the English-language institutions for the previous school year is of the combined defined total number of students for all the English-language and French-language institutions for that same school year.

“88.0.6. The Minister of Higher Education, Research, Science and Technology shall determine, for each school year, a defined total number of students receiving college instruction in English for each of the French-language institutions providing that instruction.

When determining such a number of students for a school year, the Minister shall ensure that, for that school year, the combined defined total number of students does not exceed 2% of the combined defined total number of students for all the French-language institutions providing college instruction.

“88.0.7. For the purposes of sections 88.0.5 and 88.0.6, “total number of students” means the number of full-time students, within the meaning of the General and Vocational Colleges Act (chapter C-29) and the regulations, in a program of studies leading to a Diploma of College Studies or a Specialization Diploma in Technical Studies or in a path of studies made compulsory to foster a person’s success in any of those programs.

“88.0.8. Despite any provision to the contrary, no student in excess of the defined total number of students for an institution providing college instruction, determined under the first paragraph of section 88.0.5 or 88.0.6, may be taken into account in calculating the number of students of that institution to determine the amount of the subsidies to be granted to it in accordance with the budgetary rules established under section 25 of the General and Vocational Colleges Act (chapter C-29) or section 84 of the Act respecting private education (chapter E-9.1).

“88.0.9. Despite any provision to the contrary, the Minister of Higher Education, Research, Science and Technology shall subtract the amount prescribed by a government regulation or determined in accordance with that regulation from the subsidies the Minister pays to an institution providing college instruction, for every student in excess of its defined total number of students, determined under the first paragraph of section 88.0.5 or 88.0.6.

The regulation provided for in the first paragraph shall be made on the recommendation of the Minister of the French Language.

Where the regulation specifies the subtracted amount, the latter shall be adjusted by operation of law, on 1 July each year, according to the rate specified in section 83.3 of the Financial Administration Act (chapter A-6.001). The Minister of the French Language shall publish the results of the adjustment in the *Gazette officielle du Québec* and inform the public of the results by any other means the Minister considers appropriate.

“88.0.10. In addition to the defined total number of students for an English-language institution determined by the Minister of Higher Education, Research, Science and Technology under section 88.0.5, the Minister shall determine, for each school year, a defined quota for that institution with regard to programs of studies leading to an Attestation of College Studies.

When determining a defined quota for a school year, the Minister shall ensure that, for that school year, the combined defined quota for all the English-language institutions does not increase and does not exceed the lesser of the following proportions of the combined defined quota for all the English-language and French-language institutions:

(1) 11.7%; and

(2) the proportion that the combined defined quota for all the English-language institutions for the previous school year is of the combined defined quota for all the English-language and French-language institutions for that same school year.

“88.0.11. In addition to the defined total number of students for a French-language institution determined by the Minister of Higher Education, Research, Science and Technology under section 88.0.6, the Minister shall determine, with regard to programs of studies leading to an Attestation of College Studies and for each school year, a defined quota of students receiving college instruction in English for each of the French-language institutions providing that instruction.

When determining a defined quota of students receiving college instruction in English for a school year, the Minister shall ensure that, for that school year, the combined defined quota of such students does not increase and does not exceed the lesser of the following proportions of the combined defined quota for all the French-language institutions:

(1) 18.7%; and

(2) the proportion that the combined defined quota of students receiving college instruction in English for all the French-language institutions for the previous school year is of the combined defined quota for all the French-language institutions for that same school year.

“88.0.12. For the purposes of sections 88.0.10 and 88.0.11, “quota” means the number of full-time students, within the meaning of the General and Vocational Colleges Act (chapter C-29) and the regulations, in a program of studies leading to an Attestation of College Studies.

Sections 88.0.8 and 88.0.9 apply to the quotas determined under sections 88.0.10 and 88.0.11 as if they were total numbers of students.

“88.0.13. A college-level private institution not accredited for the purposes of subsidies is, for the purposes of sections 88.0.5 and 88.0.7, considered an English-language institution if it provides instruction in English in a program of studies leading to any of the diplomas referred to in section 88.0.7 or in a path of studies referred to in that section.

Compliance by such an institution with the defined total number of students determined for it under section 88.0.5 is deemed to be a condition established by the Act respecting private education (chapter E-9.1) for the issue of the permit authorizing the institution to provide such instruction.

“88.0.14. The Minister of Higher Education, Research, Science and Technology shall send the Minister of the French Language the provisions of the budgetary rules, established under section 25 of the General and Vocational Colleges Act (chapter C-29) or section 84 of the Act respecting private education (chapter E-9.1), made, if applicable, for the purposes of this subdivision, before submitting them to the Conseil du trésor for approval.

“88.0.15. No institution referred to in section 88.0.1 that provides college instruction may, without the authorization of the Minister of Higher Education, Research, Science and Technology, provide workforce training, applied research, technical assistance to enterprises or informational activities in a language other than French.

Before granting his authorization, the Minister must consult the Minister of the French Language.

“88.0.16. No French-language institution or private institution not accredited for the purposes of subsidies that provides college instruction may establish or modify, in accordance with the College Education Regulations established under section 18 of the General and Vocational Colleges Act (chapter C-29), a program of studies for which the language of instruction is, even in part, a language other than French without the authorization of the Minister of Higher Education, Research, Science and Technology.

Before granting his authorization, the Minister must consult the Minister of the French Language.

“88.0.17. No Diploma of College Studies may be issued to a student who does not meet the following conditions:

(1) the student has the writing knowledge of French required by the curricula of the Minister of Higher Education, Research, Science and Technology; and

(2) the student has successfully completed the three courses required under section 88.0.2.

To evaluate the knowledge of French for the purposes of subparagraph 1 of the first paragraph, that minister shall impose a uniform examination whose content is the same for all students having received college instruction given in English or in French. However, a student who has received such instruction in English and been declared eligible to receive instruction in English in accordance with Division I is not required to take that examination to be issued the Diploma of College Studies.

“88.0.18. No Attestation of College Studies may be issued to a student who does not have sufficient knowledge of French to be able to interact, thrive within Québec society and participate in its development.

French knowledge requirements for the purposes of the first paragraph must be established by regulation of the Minister of the French Language, after consultation with the Minister of Higher Education, Research, Science and Technology and the Minister of Immigration, Francization and Integration. However, a student who has received college instruction in English and been declared eligible to receive instruction given in English in accordance with Division I is not required to meet those requirements to be issued an Attestation of College Studies.

The first regulation made under the second paragraph must be made before the date of coming into force of the first paragraph.

“§3. — Provision specific to university instruction

“88.0.19. French-language university-level educational institutions shall see that the instruction they offer to provide in French is not provided in another language.

“DIVISION III

“RESEARCH

“88.0.20. Every agency of the civil administration that, in the exercise of its functions, offers financial assistance measures for research in any form, including fundamental research, shall see that such measures, taken together, contribute to supporting and enhancing research in French.”

61. Section 88.1 of the Charter is amended, in the first paragraph,

(1) by replacing “Before 1 October 2004, every” by “Every”;

(2) by inserting “that promotes respect for the fundamental language rights conferred by this Act and the institution’s contribution to the achievement of the objectives of this Act” after “language”;

(3) by replacing “paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1)” by “the first paragraph of section 88.0.1”.

62. The Charter is amended by inserting the following section after section 88.1:

“88.1.1. An institution referred to in section 88.1 is required to enforce its language policy.

That responsibility is incumbent on the institution’s most senior officer.

The institution must also establish mechanisms for the consultation and participation of its students and staff members so they can be involved in the development of the policy.”

63. Section 88.2 of the Charter is amended

(1) in the first paragraph,

(a) by replacing “an institution that provides college or university instruction in French to the majority of its students” in the introductory clause by “a French-language college- or university-level educational institution or of an institution that is a government body”;

(b) by replacing subparagraph 3 by the following subparagraph:

“(3) the quality of French and the command of the French language by the following persons:

(a) the students, in particular through the teaching of French terminology appropriate to the subjects taught in that institution;

(b) the teaching staff, especially upon recruitment; and

(c) the other staff members;”;

(c) by replacing “monitoring of its application” in subparagraph 5 by “related follow-up, specifying, in particular, the procedures for processing complaints about its application”;

(d) by adding the following subparagraphs at the end:

“(6) the functions of the institution’s most senior officer as person responsible for the application of the policy;

“(7) the procedures for the consultation and participation of students and staff members within the scope of the mechanisms established under section 88.1.1;

“(8) in the case of a college-level educational institution providing instruction in English, measures to give priority to admitting, to such instruction, students declared eligible to receive instruction in English in accordance with Division I where the number of admission applications is higher than the number of students that may be admitted.”;

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

“The policy shall specify the conditions and circumstances in which a language other than French may be used in compliance with this Act, while maintaining a concern for exemplarity and pursuing the objective of not allowing the systematic use of a language other than French within the institution.”

64. Section 88.3 of the Charter is replaced by the following:

“88.3. In addition to what is required under subparagraphs 5 to 8 of the first paragraph of section 88.2, the language policy of an English-language college- or university-level educational institution must pertain to

(1) the command of the French language required of students domiciled in Québec at the end of their studies, including command of the appropriate French terminology according to the programs of studies;

(2) the language used by the institution in its written communications with the civil administration, legal persons and enterprises established in Québec;

(3) the teaching of French as a second language; and

(4) the services provided in the official language.

“88.4. The language policy of the educational institution shall be sent to the Minister of Higher Education, Research, Science and Technology or, in the case of the policy of an institution that is a government body, to the minister responsible for the administration of the Act under which the institution is established. The same applies to any amendment to the policy. Those ministers shall send the policy or the amendment to the Minister of the French Language.

The Minister of the French Language shall, after examining the policy or the amendment, send the institution a notice that, as the case may be, states that the policy or the amendment is in compliance with this Act or indicates the corrections that must be made to it within the time specified by the Minister.

“88.5. An educational institution must disseminate its language policy among its staff members and students and publish it on its website.

“88.6. Every three years, an educational institution must send a report to the Minister of the French Language on the application of its language policy.

The educational institution must also, at the Minister’s request, send any information the Minister requires on the application of its policy.

“88.7. An educational institution is required to review its policy at least every 10 years.

If no amendment is made to the policy after its review, the institution must notify the Minister of the French Language accordingly.

“88.8. The institution must involve staff members and students in the preparation of the report required under section 88.6 and in the review of the policy it is required to conduct under section 88.7.

The provisions of section 88.1.1 and of the policy that relate to the consultation and participation mechanisms apply, with the necessary modifications.

“CHAPTER VIII.2

“THE COMMON LANGUAGE

“88.9. As the common language of the Québec nation, French is, among other things,

(1) the host language and the language of integration that enables immigrants to interact, thrive within Québec society and participate in its development;

(2) the language of intercultural communication that enables all Quebecers to participate in public life in Québec society; and

(3) the language that makes it possible to embrace and contribute to the Québec nation’s distinct culture.

“88.10. Québec’s immigration policy referred to in section 3 of the Québec Immigration Act (chapter I-0.2.1) and section 2 of the Act respecting the Ministère de l’Immigration, de la Francisation et de l’Intégration (chapter M-16.1) must be consistent with the objective of making French the common language.

“88.11. Any person domiciled in Québec who is unable to communicate in French is invited, as far as he is able, to learn French in order to use it as the common language to be able to interact, thrive within Québec society and participate in its development.

“88.12. Francisation Québec shall provide French language learning services to persons domiciled in Québec who are not subject to compulsory school attendance under the Education Act (chapter I-13.3).

Those services must enable such persons to acquire sufficient skills to use French as the common language. They must also include instruction enabling an understanding of the connection between the French language and Québec culture.

Francisation Québec shall provide such services, among other things, to persons who are unable to communicate in French and who are employed by an enterprise referred to in section 149 or an enterprise employing fewer than five persons.

“88.13. Institutions providing primary, secondary or college instruction in English, as well as the Minister of Education, Recreation and Sports and the Minister of Higher Education, Research, Science and Technology, must, according to their respective responsibilities, take reasonable means to ensure that persons domiciled in Québec, while they receive such instruction, are provided with French language instruction.

That French language instruction must enable a person who received it during all elementary, secondary and college instruction to have acquired sufficient skills to use French as the common language in order to be able to interact, thrive within Québec society and participate in its development.

“88.14. In addition to the measures provided for in sections 88.12 and 88.13, the Government is required to take measures for

(1) promoting the use of French by all as the common language and the learning of French by persons who are unable to use it; and

(2) ensuring the vitality and preservation of the French language.”

65. The Charter is amended by inserting the following sections after the heading of Chapter IX of Title I before section 89:

“88.15. Every Act must be interpreted in a manner respectful of the rights intended to protect the French language that are conferred by this Act.

“88.16. The provisions of Title I and of Chapters IV and V of Title II of this Act prevail over any contrary provisions of any Act subsequent to 1 June 2022, unless such an Act expressly states that it applies despite this Act.”

66. Section 89 of the Charter is amended by adding the following paragraph at the end:

“Nothing in the first paragraph authorizes an agency of the civil administration to depart from the obligations incumbent on it under section 13.1.”

67. The Charter is amended by inserting the following section after section 89:

“89.1. No provision of this Act may be interpreted in such a way as to prevent its application to any enterprise or employer carrying on its activities in Québec.”

68. Section 91 of the Charter is amended by adding the following paragraphs at the end:

“Where, in accordance with the first paragraph, a text or document is drafted in French and in another language, the French version must be understandable without having to refer to a version in another language.

Where there is a discrepancy between the French version and a version in another language of such a text or document, the adhering party or the consumer, in the case of a contract of adhesion or a consumer contract, or, in any other case, the person who did not draft the text or document may invoke either version, according to his interests.”

69. Section 92 of the Charter is amended by inserting “, as well as to quote a statement made in a language other than French” at the end.

70. Section 97 of the Charter is amended

(1) by replacing “the Schedule” in the second paragraph by “Schedule I”;

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

“In addition, the Government may determine by regulation the cases, conditions and circumstances in which a professional order is authorized to depart from the first paragraph of section 35 in respect of a person who resides outside Québec and practises his profession in Québec solely on such a reserve or settlement or on such lands.”

71. Section 98 of the Charter is amended by replacing “the Schedule” by “Schedule I”.

72. The heading of Title II of the Charter is amended by inserting “, CIVIL ADMINISTRATION COMPLIANCE” after “TOPONYMY”.

73. The Charter is amended by inserting the following sections after section 123.1:

“**123.2.** The quorum at meetings of the Commission is the majority of the members.

Meetings shall be presided over by the chair, who shall have a casting vote in the event of a tie.

“**123.3.** The Commission may hold meetings anywhere in Québec.

The members may participate in a meeting by any technical means, such as the telephone, enabling participants to communicate orally with one another.”

74. The Charter is amended by inserting the following section after section 126:

“**126.1.** An agency of the civil administration shall, without delay, send the Commission any name it assigns to a place.”

75. Chapter IV of Title II of the Charter, comprising sections 129 to 133, is replaced by the following chapter:

“CHAPTER IV

“CIVIL ADMINISTRATION COMPLIANCE

“DIVISION I

“AGENCIES OF THE CIVIL ADMINISTRATION TO WHICH THE LANGUAGE POLICY OF THE STATE APPLIES

“§1. — *Complaint processing procedure*

“**128.1.** An agency of the civil administration to which the language policy of the State applies shall adopt a procedure for processing complaints relating to any failure to comply with its obligations under this Act.

“**128.2.** An agency shall annually send a report to the Minister on the application of the complaint processing procedure it is required to adopt under section 128.1, detailing in particular the number of complaints received and processed.

A parliamentary institution shall send its report to the French Language Commissioner.

“§2. — Measures necessary to remedy failures by government departments, government bodies or municipal bodies

“128.3. Where the Minister is of the opinion that a government department, government body or municipal body to which the language policy of the State applies is not meeting one of its obligations under this Act, the Minister may order it to develop the measures necessary to remedy the situation and to implement them within the time the Minister specifies.

The Minister may act on his own initiative or after being informed of a failure by the Office or the French Language Commissioner.

Before rendering his decision, the Minister shall notify in writing a prior notice whose content is that of the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the government department or the body and grant it at least 15 days to submit observations.

“128.4. The Office shall provide assistance to the government department or the body in developing and implementing measures as ordered by the Minister and shall report on such development and implementation periodically to the Minister.

“128.5. The Minister shall put an end to the assistance provided by the Office if of the opinion that the government department or the body again meets its obligations under this Act.

“DIVISION II

“BODIES IN THE HEALTH AND SOCIAL SERVICES NETWORK, SCHOOL BODIES, AND BODIES OR INSTITUTIONS WHOSE RECOGNITION HAS BEEN WITHDRAWN

“128.6. A body in the health and social services network or a school body shall, not later than 180 days after the beginning of its activities, send the Office an analysis of its language situation. The analysis shall focus on the compliance with the provisions of this Act of the use of French within the body and on the body’s capacity to meet the other obligations incumbent on it under those provisions.

An agency of the civil administration that was a body or institution recognized under section 29.1 shall send the Office such an analysis not later than 180 days after the day on which its recognition was withdrawn.

“128.7. The Office may analyze the language situation in a body referred to in section 128.6 if it considers that the latter is refusing or neglecting to do so.

The Office may then make any inspection or investigation necessary for that analysis.

Before carrying out such an analysis, the Office shall notify in writing a prior notice whose content is that of the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the body and grant it at least 15 days to submit observations.

“128.8. Where the Office considers, after examining the analysis of the language situation in a body referred to in section 128.6, that the use of French within the body is in compliance with the provisions of this Act and that the body is meeting the other obligations incumbent on it under those provisions, the Office shall issue a certificate of compliance to the body.

In the case of a municipal body that was recognized under section 29.1, the Office shall report instead to the Minister on its opinion under the first paragraph. If the Minister is of the opinion that the body is meeting its obligations under this Act, he shall notify the Office and the body.

Where the Office is of the opinion that a certificate of compliance should not be issued, it shall order the body to develop and implement a compliance program and shall send, without delay, a copy of its decision to the body.

In the case of a municipal body that was recognized under section 29.1, the Office shall report instead to the Minister on its opinion under the third paragraph. If the Minister is of the opinion that the body is not meeting its obligations under this Act, it shall order the body to develop and implement a compliance program and shall send, without delay, a copy of its decision to the Office and the body.

Before ordering the development and implementation of such a program, the Office or, as applicable, the Minister shall notify in writing a prior notice whose content is that of the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the body and grant it at least 15 days to submit observations.

“129. A compliance program shall set out the measures a body intends to implement in order for the use of French in the body to be in compliance with the provisions of this Act and to meet the other obligations incumbent on it under those provisions, in particular as concerns the following:

- (1) internal communications;
- (2) recruitment, hiring, transfer and promotion of staff;
- (3) documents and work tools;
- (4) terminology;
- (5) information technologies; and
- (6) oral and written communications with persons.

The program shall also specify the time within which the intended measures are to be implemented.

“130. A body that develops a compliance program shall take into account the characteristics of the sector in which it carries on its activities and, if applicable, the recognition obtained under section 29.1.

“131. A body that is required to develop a compliance program shall send it to the Office within three months after receiving a copy of the Office’s or the Minister’s decision.

“132. The Office shall approve the compliance program sent to it in accordance with section 131 if of the opinion that the program is in compliance with the provisions of this division; it shall then send a certificate of approval for the program to the body concerned.

“133. Where the Office does not approve a compliance program, it may develop the program to be implemented by the body concerned under the supervision of the Office.

Before developing such a program, the Office shall notify in writing a prior notice whose content is that of the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the body and grant it at least 15 days to submit observations.

“134. The body shall comply with the measures set out in the compliance program approved or developed by the Office; as long as the body complies with the program, it is deemed to be complying with the provisions of this Act with which the program must bring it into compliance.

“134.1. A body that is required to implement a compliance program shall send a report to the Office every 12 months on its implementation.

“134.2. The body shall disseminate among its staff the compliance program it must implement, as well as every report sent to the Office under section 134.1.

“134.3. A body that does not expect to complete the implementation of a compliance program within the time specified in the program may request an extension from the Office.

The request must be sent to the Office not later than three months before the expiry of the time limit.

“134.4. Where the Office is of the opinion, after the complete implementation of a compliance program by a body, that the use of French within the body is in compliance with the provisions of this Act and that the body meets the other obligations incumbent on it under those provisions, the Office shall issue a certificate of compliance to the body.

In the case of a municipal body that was recognized under section 29.1, the Office shall report instead to the Minister on its opinion under the first paragraph. If the Minister is of the opinion that the body is meeting its obligations under this Act, he shall notify the Office and the body.

“134.5. An agency of the civil administration to which a certificate of compliance has been issued under the first paragraph of section 128.8 or 134.4 shall, every five years after its issue, submit a written report to the Office on the agency’s compliance with the provisions of this Act and the measures it is implementing to comply with those provisions.

The report must also include the matters referred to in the first paragraph of section 129.

Where the Office has reasons to believe that such an agency is failing to comply with this Act, it may request it to submit such a report. The agency shall send the report to the Office within the time specified by the Office.

“134.6. Where the Office considers, after examining the report provided for in the first paragraph of section 134.5 or when processing a complaint, that the use of French within an agency of the civil administration to which a certificate of compliance has been issued under the first paragraph of section 128.8 or 134.4 is no longer in compliance with the provisions of this Act or that the agency no longer meets the other obligations incumbent on it under those provisions, the Office may suspend the certificate in addition to ordering the agency, under section 128.8, to develop and implement a compliance program.

The Office may also suspend the certificate of compliance if the agency fails to comply with an order issued by the Minister under section 128.3 or by the Office under section 177.

The other provisions of this division are then applicable, with the necessary modifications.”

76. The Charter is amended by inserting the following after the heading of Chapter V of Title II before section 135:

“DIVISION I

“SCOPE”.

77. The Charter is amended by inserting the following after section 135:

“DIVISION II

“FRANCIZATION OF ENTERPRISES EMPLOYING 25 OR MORE PERSONS”.

78. Section 136 of the Charter is amended

(1) in the first paragraph,

(a) by inserting “referred to in section 139” after “Enterprises”;

(b) by adding the following sentence at the end: “Enterprises employing fewer than 100 persons are required to do so only if the Office, under the second paragraph of section 140, orders them to create such a committee, of which the Office determines the number of members.”;

(2) by striking out the second, third and fourth paragraphs.

79. Section 137 of the Charter is amended

(1) in the first paragraph,

(a) by replacing “At least half” by “Half”;

(b) by adding the following sentence at the end: “The other half of the committee shall be composed of the enterprise’s representative to the Office, designated by the management under the first paragraph of section 139.1, and of the other members the management designates.” ;

(2) in the second paragraph,

(a) by replacing “Such representatives” by “The representatives of the workers”;

(b) by inserting “after consulting the Office” after “management of the enterprise”.

80. Section 137.1 of the Charter is amended

(1) by inserting “, or take reprisals against or impose any other penalty on him,” after “transfer a worker” in the second paragraph;

(2) in the third paragraph,

(a) by replacing “Any” and “an action” by “Section 47 applies, with the necessary modifications, to any” and “a practice”, respectively;

(b) by striking out “may exercise the rights set out in the second or third paragraph of section 45, as the case may be”.

81. Section 138 of the Charter is amended by adding the following paragraph at the end:

“It shall disseminate that list among its staff, through signs and posters or by any other means it considers appropriate to ensure its dissemination.”

82. The Charter is amended by inserting the following sections after section 138:

“138.1. The francization committee shall

(1) designate, under the second paragraph of section 139.1, a representative to the Office;

(2) see to the carrying out of the analysis of the language situation, including the drafting of the report setting it out, referred to in the third paragraph of section 139;

(3) see to the development of the francization program that the enterprise must adopt under the second paragraph of section 140, supervise its implementation and, where necessary, see to the drafting of the report on that subject referred to in the third paragraph of section 143;

(4) ensure, where an enterprise holds a francization certificate issued under section 140 or 145, that the use of French remains generalized within the enterprise and see to the drafting of the three-year report referred to in the second paragraph of section 146; and

(5) at the request of the management of the enterprise, give its opinion on the employer’s practice of requiring a person to have knowledge or a specific level of knowledge of a language other than the official language in order to keep or obtain a position and on the means taken to avoid imposing such a requirement.

The committee may establish subcommittees to assist it in the exercise of its functions.

In addition, the management of the enterprise shall allow the committee to participate in the activities intended to inform the personnel on the implementation of any francization program or on the progression of the use of French in the enterprise.

“138.2. The management of the enterprise shall, after adopting the francization program referred to in subparagraph 3 of the first paragraph of section 138.1 or approving the other documents referred to in subparagraphs 2, 3 and 4 of that paragraph, have every member of the committee who endorses the program or documents sign them; the documents shall then be sent to the Office.

An employer is prohibited from not remunerating or from dismissing, laying off, demoting or transferring a worker, or from taking reprisals against or imposing any other penalty on a worker, solely to induce the person to endorse such a document or to dissuade him from endorsing it.

Section 47 applies, with the necessary modifications, to a worker who believes he is a victim of a practice that is prohibited under the second paragraph.

“138.3. The francization committee shall hold a meeting at least every six months. It shall see to the drafting of the minutes for each of its meetings. Every member of the committee who endorses the minutes shall sign them; the minutes shall then be sent to the management of the enterprise and to the Office.

A member of the Office’s staff may attend any meeting of the committee.

“138.4. The Office may communicate with a francization committee to obtain information it considers necessary. It may also investigate the reasons for which the members of the committee have not signed a document, if applicable.

The committee shall cooperate with the Office when the latter so requests. In addition, the committee may submit any question to the Office relating to its functions.

“138.5. The Office shall facilitate exchanges between the francization committees of enterprises.

It shall provide training to the members of those committees and make available documents relating to a francization committee’s role in an enterprise.”

83. Section 139 of the Charter is amended

(1) by replacing “50” in the first paragraph by “25”;

(2) in the third paragraph,

(a) by replacing “six” by “three”;

(b) by adding the following sentence at the end: “Where, at that time, a francization committee has already been established within the enterprise under section 136, it is incumbent on it to see to the carrying out of the analysis and the drafting of the report setting it out.”

84. The Charter is amended by inserting the following sections after section 139:

“139.1. An enterprise that is registered with the Office shall be represented to the Office only by a member of its management and, if applicable, by the representative designated by the francization committee under the second paragraph.

Where a francization committee is established within an enterprise, it shall designate one of its members, from among those who represent the workers, to act, along with the representative designated by the management, as a representative of the enterprise to the Office. Both representatives shall keep the other informed of the communications between the enterprise and the Office. Likewise, the Office shall ensure that both representatives are informed of its communications with the enterprise.

“139.2. The enterprise shall disseminate the names of its representatives among the members of its personnel.”

85. Section 140 of the Charter is amended

(1) by replacing “138” in the second paragraph by “139.2”;

(2) in the third paragraph,

(a) by replacing “six” by “three”;

(b) by adding the following sentence at the end: “Where a francization committee is established within the enterprise, it is incumbent on it to see to the development of the enterprise’s francization program.”

86. Section 141 of the Charter is amended

(1) by replacing “the knowledge of the official language on the part of management” in paragraph 1 by “a good knowledge of the official language on the part of the senior officers, the other officers”;

(2) by replacing “the working documents of the enterprise, especially in manuals and catalogues” in paragraph 4 by “the work documents and tools used in the enterprise”.

87. Section 142 of the Charter is amended by adding the following paragraph at the end:

“A francization program adopted by an enterprise referred to in subparagraph 4 of the first paragraph does not cover activities that are directly related to the production of cultural goods whose language content is in a language other than French and that cannot be carried on otherwise than in that other language.”

88. Section 143 of the Charter is amended

(1) in the third paragraph,

(a) by striking out “, every 24 months in the case of an enterprise employing fewer than 100 persons and”;

(b) by replacing “in the case of an enterprise employing 100 or more persons” by “. Where a francization committee is established within the enterprise, it is incumbent on it to see to the drafting of those reports”;

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

“The enterprise shall disseminate its francization program and the reports on its implementation among its personnel.”

89. The Charter is amended by inserting the following section after section 144:

“144.1. An enterprise that does not expect to complete the implementation of a francization program within the time specified in the program may request an extension from the Office.

The request must be sent to the Office not later than three months before the expiry of the time specified.”

90. Section 146 of the Charter is amended by adding the following sentence at the end of the second paragraph: “Where a francization committee is established within the enterprise, it is incumbent on it to see to the drafting of that report.”**91.** The Charter is amended by inserting the following sections after section 146:

“146.1. Where the Office considers, after examining the report an enterprise submits to it under the second paragraph of section 146, that the use of French is no longer generalized at all levels of the enterprise, it shall order the enterprise to develop and implement an action plan to remedy the situation.

Before ordering the development and implementation of an action plan, the Office shall notify in writing a prior notice whose content is that of the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to the enterprise and grant it at least 15 days to submit observations.

“146.2. The action plan must be submitted to the Office for approval within two months after the date on which the Office’s decision under the first paragraph of section 146.1 was received. The provisions of this division that concern the francization program apply to the plan, with the necessary modifications.”

92. The Charter is amended by inserting the following after section 148:

“DIVISION III

“FRANCIZATION IN CERTAIN OTHER ENTERPRISES

“149. The Office, after consultation with Francisation Québec, shall determine annually, in the sectors of activity it selects, the enterprises subject to the Act respecting the legal publicity of enterprises (chapter P-44.1) employing at least five persons, without being referred to in section 139, to which it will offer to implement the French language learning services provided by Francisation Québec, in accordance with Chapter VIII.2 of Title I.

The Office shall notify the enterprise concerned of the offer made to it and of the time limit for accepting it and, as applicable, for agreeing with Francisation Québec on the terms on which those services will be provided. The Office shall send a copy of the notice to Francisation Québec.

“150. An enterprise that implements French language learning services provided by Francisation Québec is required to allow the persons in its employment who are unable to communicate in French to receive those services.

Section 137.1 applies to those persons, with the necessary modifications.”

93. Section 151 of the Charter is amended by replacing “responsible for the administration of this Act” in the first paragraph by “of the French Language”.

94. The Charter is amended by inserting the following after section 151:

“DIVISION IV

“COMPLIANCE WITH THE FRANCIZATION PROCESS, PENALTIES, EXEMPTIONS AND FORMS”.

95. Section 151.1 of the Charter is amended by replacing “Every enterprise that fails to comply with the obligations imposed by sections 136 to 146” by “Every enterprise is required to comply with the obligations imposed on it by sections 136 to 146.2” and by striking out “commits an offence and is liable to the penalties provided for in section 205”.

96. The Charter is amended by inserting the following sections after section 151.1:

“152. The Office shall publish and keep up to date a list of enterprises with regard to which it has refused to issue an attestation, or whose attestation or certificate it has suspended or cancelled.

“152.1. The civil administration shall not enter into a contract with an enterprise to which Division II applies or grant it a subsidy where the enterprise does not have a certificate of registration, has not provided, within the time prescribed, an analysis of the language situation in the enterprise, or has no attestation of implementation of a francization program or francization certificate, or if its name appears on the list provided for in section 152.

Nor shall it enter into a contract with an enterprise to which the provisions of Division III apply or grant it a subsidy where the enterprise

(1) refused the offer made to it under section 149, unless it subsequently agreed to implement the French language learning services provided by Francisation Québec; or

(2) fails to comply with the terms agreed on with Francisation Québec.

The first and second paragraphs do not prevent Francisation Québec from entering into a contract with such an enterprise if the contract is for the provision of French language learning services.”

97. Section 154 of the Charter is replaced by the following:

“154. The information and documents that an enterprise is required to send the Office under the provisions of this chapter must be sent using the forms or in accordance with the models established by the Office, except the minutes of a meeting of the francization committee.

“TITLE II.1

“MINISTER OF THE FRENCH LANGUAGE AND MINISTÈRE DE LA LANGUE FRANÇAISE

“CHAPTER I

“MINISTER OF THE FRENCH LANGUAGE

“155. The mission of the Minister of the French Language is to promote, assert the value of and protect the French language and its status as well as to foster the establishment and maintenance of conditions that hold promise for the future of the French language.

The Minister of the French Language shall advise the Government on any matter relating to the Minister’s mission and refer to the Government any intervention the Minister considers necessary for establishing or maintaining the above conditions.

“156. The Minister shall develop and propose to the Government his general policies defining Québec’s language planning and the actions of the Government, its departments and the other agencies of the civil administration as regards the French language.

The Minister shall ensure cohesive action on the part of the civil administration in that regard as well as its compliance with the provisions of this Act in accordance with their true meaning, spirit and purpose. To that end, the Minister shall participate in the coordination of the measures implemented by the civil administration and must be consulted in the development of any ministerial measure or decision if such a measure or decision could impact the French language or its status; the Minister shall give an opinion on a measure or decision whenever the Minister considers it appropriate.

The Minister shall support and assist the government departments, government bodies and municipal bodies to which the language policy of the State applies in the performance of the obligations incumbent on them under this Act.

“156.1. In addition to the other functions this Act entrusts to the Minister, the latter’s functions include supporting and collaborating in the work carried out by the various government departments in relation to francization, in particular in the education sector and in the workplace.

The Minister may, in addition, develop policies, programs and other measures for carrying out his mission. The Minister shall see to their implementation and coordinate their carrying out, monitoring and review.

The Minister may also grant prizes or recognition to highlight outstanding contributions by persons or organizations with regard to language.

The Minister shall also exercise any other function entrusted to the Minister by the Government.

“156.2. The Minister shall, within the scope of his functions, promote knowledge, protection, enhancement and transmission of Québec’s francophone linguistic heritage.

Québec’s francophone linguistic heritage is made up of all the knowledge about the French language in use at any given time in Québec that is stored on any type of medium. The knowledge thus stored on a medium is an element of that heritage.

“156.3. In the exercise of his functions, the Minister may, in particular,

(1) require from the government departments and the agencies of the civil administration any assistance and information the Minister considers necessary;

(2) enter into agreements with any person, association, partnership or body;

(3) enter into agreements, in accordance with the law, with a government other than that of Québec or a department or body of such a government, or with an international organization or a body of such an organization;

(4) conduct or commission consultations, research, studies and analyses;

(5) grant, on the conditions the Minister sets, financial or technical assistance; and

(6) intervene, on his own initiative and without notice, in any proceeding that could impact the status or use of French in Québec.

“156.4. The Minister shall table in the National Assembly the annual report on the carrying out of this Act in the agencies of the civil administration, other than the parliamentary institutions, within four months after the end of the fiscal year or, if the Assembly is not sitting, within 15 days after resumption.

The report must include, in particular,

(1) a description of the means implemented by each of the agencies referred to in the first paragraph to perform the obligations incumbent on them under this Act and, if applicable, the grounds for amending the language policy of the State that guides them in performing those obligations;

(2) the number of positions for which those agencies require knowledge or a specific level of knowledge of a language other than the official language as well as the number of positions for which such knowledge or such a level of knowledge is desirable;

(3) the particulars required below concerning each of the agencies referred to in section 29.15:

(a) an indication of whether or not it made the directive required under section 29.15;

(b) an indication of whether or not the directive was approved by the Minister, where it is subject to approval under section 29.17; and

(c) an indication of whether the directive is being reviewed at the intervals specified in the third paragraph of section 29.15;

(4) the particulars set out in subparagraph 3 concerning the directives required under section 29.16; and

(5) the number of complaints received and processed by the agencies that are required to adopt the complaint processing procedure provided for in section 128.1.

“156.5. The incumbent minister of a government department or the chief executive officer of an agency referred to in the first paragraph of section 156.4, or the person either of them designates within his department or agency, shall send the Minister of the French Language, in the form, with the content and at the intervals determined by the Minister, the information necessary to prepare the report on the carrying out of this Act.

“156.6. The Minister shall publish the list of the agencies of the civil administration and keep it up to date.

“156.7. The Minister may require the Office to make an inspection to verify compliance with this Act in the government departments, government bodies and municipal bodies to which the language policy of the State applies.

The Minister may also require the Office to conduct an investigation in those bodies on any matter relating to the carrying out of this Act.

“CHAPTER II

“MINISTÈRE DE LA LANGUE FRANÇAISE

“156.8. The Ministère de la Langue française shall be under the direction of the Minister of the French Language.

“156.9. The Government shall appoint a Deputy Minister of the French Language in accordance with the Public Service Act (chapter F-3.1.1).

“156.10. Under the Minister’s direction, the Deputy Minister shall administer the department.

In addition, the Deputy Minister shall exercise any other function assigned to him by the Government or the Minister.

“156.11. In the exercise of his functions, the Deputy Minister has the Minister’s authority.

“156.12. The Deputy Minister may, in writing and to the extent he specifies, delegate the exercise of his functions to a public servant or to the holder of a position.

The Deputy Minister may, in the instrument of delegation, authorize the subdelegation of the functions he specifies; in such a case, he shall identify the public servant or holder of a position to whom they may be subdelegated.

“156.13. The personnel of the department shall consist in the public servants necessary for the exercise of the Minister’s functions; they shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

The Minister shall determine those public servants’ duties if they are not determined by law or by the Government.

“156.14. The Minister’s or Deputy Minister’s signature gives authority to any document emanating from the department.

No deed, document or writing is binding on the Minister or may be attributed to the Minister unless it is signed by him, the Deputy Minister, a member of the department's personnel or the holder of a position but, in the latter two cases, only to the extent determined by regulation of the Minister.

“156.15. The Minister may, by regulation and on the conditions he determines, allow a signature to be affixed by means of an automatic device or of any other information technology-based process.

“156.16. A document or copy of a document emanating from the department or forming part of its records, signed or certified true by a person referred to in the second paragraph of section 156.14, is authentic.

“156.17. The Minister shall table the department's annual management report in the National Assembly; it shall be attached to the report on the carrying out of this Act.

“CHAPTER III

“DESIGNATED ELEMENTS OF QUÉBEC'S FRANCOPHONE LINGUISTIC HERITAGE

“156.18. The Minister may, if he considers it appropriate, give heritage designation to elements of Québec's francophone linguistic heritage described in the second paragraph of section 156.2.

The Minister shall ensure that the elements given heritage designation are continuously available to the public.

“156.19. A designation is granted through a notice of designation signed by the Minister.

The notice must contain a description of the element concerned and state the reasons for the designation.

The notice of designation must be published in the *Gazette officielle du Québec*. The designation takes effect on the date the notice is so published.

“156.20. The Minister shall designate a member of the department's personnel to act as registrar.

The registrar shall be responsible for

- (1) keeping the register of Québec's francophone linguistic heritage;
- (2) entering in the register the elements designated by the Minister as well as the description of each element contained in the notice of designation; and
- (3) issuing certified extracts from the register to any interested person on payment of the fees determined by government regulation.

The Minister may also designate, from among the members of the department's personnel, a person to exercise the registrar's functions if the registrar is absent or unable to act.

“156.21. The certified extracts issued by the registrar are authentic. The registrar's signature on copies of documents is proof of the fact that those documents exist and are lawfully in the registrar's possession.

Any copy signed by the registrar is equivalent to the original itself in a court of justice, and any document purporting to bear the registrar's signature is presumed to bear that signature.

“156.22. The Minister shall contribute to the knowledge of Québec's francophone linguistic heritage, in particular by making inventories. The Minister shall establish the manner in which the inventories are made, consigned and disseminated.

“TITLE II.2

“FRANCISATION QUÉBEC

“156.23. An administrative unit is established within the Ministère de l'Immigration, de la Francisation et de l'Intégration under the name “Francisation Québec”.

“156.24. Francisation Québec shall conduct and manage government action with respect to francization of persons domiciled in Québec who are not subject to compulsory school attendance under the Education Act (chapter I-13.3) and persons considering settling in Québec, and to francization of persons within enterprises.

For that purpose, Francisation Québec is the sole government point of access for such persons wishing to receive French language learning services.

Francisation Québec must make sure its services are provided throughout Québec and shall establish offices to ensure the right to services enabling the learning of French, provided for in the first paragraph of section 6.1. Where an institution offering college or university instruction makes premises available to Francisation Québec, Francisation Québec may provide its services on those premises.

The learning services offered by Francisation Québec shall be provided free of charge to the person receiving them, unless Francisation Québec requires the person to pay a moderate fee.

“156.25. The functions of Francisation Québec consist, in particular, in

(1) coordinating and offering French language learning services in class, in the workplace and online;

(2) determining the terms governing registration for such services, classification of the persons receiving them and evaluation of French language learning, as well as accountability with regard to such services rendered on behalf of Francisation Québec;

(3) developing, in collaboration with the Office, and putting in place French language learning services within the enterprises referred to in section 149;

(4) developing education programs and educational materials and tools to facilitate French language learning for persons domiciled in Québec who are not subject to compulsory school attendance under the Education Act (chapter I-13.3);

(5) facilitating, with the collaboration of the minister responsible for the administration of the Educational Childcare Act (chapter S-4.1.1), the putting in place, by the educational childcare providers governed by that Act, of activities to foster French language learning by children; and

(6) developing and implementing programs designed to provide opportunities to participate in French in Québec society.

“156.26. Any enterprise that wishes to improve the level of proficiency in French of the members of its personnel may, on its own initiative, solicit the services offered by Francisation Québec.”

98. Section 159 of the Charter is amended

(1) by replacing “, terminology and the francization of the civil administration and enterprises” in the first paragraph by “and terminology. It shall see to the implementation of the civil administration’s compliance programs as well as the measures for the francization of enterprises, including French language learning services within those enterprises, if any, in collaboration with Francisation Québec”;

(2) by inserting “, subject to the powers conferred on the Minister or the Commissioner” at the end of the second paragraph.

99. Section 160 of the Charter is amended by adding the following paragraphs at the end:

“To monitor the progression of the language situation in Québec, the Office shall use the following indicators and show their variation in the report:

- (1) the language of work;
- (2) the language requirements on being hired;
- (3) the language of public services;
- (4) the language of service in businesses;

(5) the numbers of students determined under sections 88.0.5 and 88.0.6 and the quotas determined under sections 88.0.10 and 88.0.11;

(6) francization class attendance, including registrations, levels of French attained and success rates;

(7) language shifts; and

(8) the importance given to French language policies in the multi-year immigration plan.

The report shall compare, in particular, the progression of the use of French and English in Québec and the progression of the use of those languages in the rest of Canada. For that purpose, the Office shall take into account the statistical data produced by the Institut de la statistique du Québec.

The Office, together with the French Language Commissioner, shall determine the indicators of the use of French in the public sphere by the Québec population as well as the other monitoring indicators used to produce the report, except those referred to in the second paragraph.

The Minister shall table the report in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 15 days after resumption.”

100. Section 161 of the Charter is amended

(1) by striking out “the civil administration and in” in the first paragraph;

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

“The Office shall collaborate with the Minister in providing support and assistance to the government departments, government bodies and municipal bodies to which the language policy of the State applies for the performance of the obligations incumbent on them under this Act.”

101. The Charter is amended by inserting the following section after section 161:

“161.1. The Office shall help define and develop the francization programs and compliance programs provided for in this Act and shall oversee their application.

The Office shall, every two years, submit to the Minister a report concerning the evolution of the programs referred to in the first paragraph.

The Minister shall table the Office’s report in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 15 days after resumption.”

102. Section 163 of the Charter is amended

(1) by inserting “, in collaboration with the French Language Commissioner,” after “The Office”;

(2) by replacing “needed” by “on language rights, language policies and linguistic demography as well as on the other matters the knowledge of which is necessary”.

103. The Charter is amended by inserting the following section after section 163:

“163.1. The Office shall, on its own initiative or at the request of the French Language Commissioner, submit to the Commissioner any report on a linguistic matter relevant to achieving the objectives and fulfilling the obligations set out in this Act.”

104. Section 165 of the Charter is amended by replacing “associate deputy minister responsible for the implementation of language policy” in the third paragraph by “Deputy Minister of the French Language”.**105.** Section 165.3 of the Charter is amended by replacing “131 to 133, 139, 143 and 151” in the second paragraph by “128.6 to 134.6, 139, 143, 146.1, 146.2, 149 and 151 as well as by the provisions of Title III.1”.**106.** Section 165.8 of the Charter is amended by striking out the fifth paragraph.**107.** Section 165.10 of the Charter is replaced by the following section:

“165.10. Each year, within four months after the end of the fiscal year, the Office shall send the Minister a report on its activities for that fiscal year.

The Minister shall table the report in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 15 days after resumption.”

108. Section 165.12 of the Charter is amended, in the first paragraph,

(1) by replacing “of five members” in the introductory clause by “of a committee chair, designated by the Government from among the members of the Office appointed by the Government, and of four members”;

(2) by striking out subparagraph 1.

109. The heading of Title III.1 of the Charter is amended by replacing “INSPECTIONS AND INQUIRIES” by “COMPLAINTS, DISCLOSURES, PROTECTION MEASURES, INSPECTIONS, INVESTIGATIONS AND REMEDIAL MEASURES”.

110. The Charter is amended by inserting the following after the heading of Title III.1 before section 166:

“CHAPTER I

“COMPLAINTS, DISCLOSURES AND PROTECTION MEASURES

“DIVISION I

“COMPLAINTS

“165.15. The Office shall receive complaints relating to any failure to comply with the provisions of this Act.

“165.16. The Office must, on receiving a complaint, send the complainant a notice of the date on which it was received.

If the description of the facts supporting the complaint is not specific enough, the Office shall help the complainant draw up the complaint.

“165.17. If the facts supporting the complaint are referred to in section 45, 45.1 or 46, the Office shall either direct the complainant to the Commission des normes, de l'équité, de la santé et de la sécurité du travail and send the complaint to the latter or direct the complainant to the workers' association representing him. With the complainant's consent, the Commission des normes, de l'équité, de la santé et de la sécurité du travail shall send any complaint that concerns discriminatory conduct referred to in section 45.1 to the Commission des droits de la personne et des droits de la jeunesse, under the terms of an agreement entered into by those organizations and approved by the Minister of Labour. The agreement shall also stipulate the terms of cooperation between those two organizations, in particular to ensure that the time required to send the complaint is not prejudicial to the complainant.

If the facts supporting the complaint concern a parliamentary institution, the Office shall send the complaint to the French Language Commissioner and notify the complainant.

In all other cases, the Office shall open a complaint record, notify the complainant of that fact and, at the complainant's request, inform him of the processing of the complaint and, if applicable, of the measures it is taking to have the author of the failure to comply cease and not repeat the failure.

“165.18. Reception by the Office of a complaint referred to in the first paragraph of section 165.17 suspends the time limit for filing the complaint with the Commission des normes, de l'équité, de la santé et de la sécurité du travail or, as the case may be, with the workers' association representing the complainant.

The suspension ends when the Office directs the complainant to the Commission or the association.

“165.19. If the facts supporting the complaint are alleged to have been committed by a government department, government body or municipal body to which the language policy of the State applies, the Office shall notify the Minister of the French Language without delay.

The Minister may assign any member of the department’s personnel to the Office to participate in processing the complaint. The complaint shall be processed by the Office in collaboration with the Minister.

“165.20. The Office shall put an end to the processing of the complaint where it takes measures to have the author of the failure to comply cease and not repeat the failure.

The Office shall also put an end to the processing of the complaint if

- (1) it considers the complaint to be abusive, frivolous or clearly unfounded;
- (2) the complainant refuses or neglects to provide, within the time specified by the Office, the information or documents that the Office requires; or
- (3) it considers that the circumstances do not justify its intervention.

In the case of a complaint that is processed in collaboration with the Minister under the second paragraph of section 165.19, the Office shall report to the Minister on the processing of the complaint and on the reasons for which the Office considers it warranted to put an end to it.

The Office shall notify the complainant of the reasons for which it is putting an end to the processing of the complaint.

“165.21. Each quarter, the Office shall produce a report on the complaints received, the number of complaints and their processing and send it to the French Language Commissioner and the Minister.

“DIVISION II

“DISCLOSURES

“165.22. Any person who wishes to make a disclosure may do so by communicating to the Office any information, other than information relating to the health of a third person, that the person believes could show that a failure to comply with this Act has occurred or is about to occur, or that the person has been asked to fail to comply.

A person who discloses such a failure to comply may do so despite the provisions of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), except the provisions of section 33 of that Act, and despite the provisions of the Act respecting the protection of personal information in the private sector (chapter P-39.1), any

other communication restrictions under other laws of Québec, any provision of a contract or any duty of loyalty or confidentiality that may be binding on the person, in particular with respect to an employer or a client.

However, the lifting of professional secrecy authorized under this section does not apply to professional secrecy between a lawyer or a notary and a client.

“165.23. The Office shall take all the measures necessary to protect the identity of persons who make a disclosure.

“DIVISION III

“PROTECTION MEASURES

“165.24. It is forbidden to take a reprisal against a person who, in good faith, makes a disclosure to the Office or who cooperates in an investigation made under Chapter II, or to threaten to take a reprisal against a person so that he will abstain from making such a disclosure or cooperating in such an investigation.

“165.25. For the purposes of this chapter, the demotion, suspension, dismissal or transfer of a person or any disciplinary or other measure that adversely affects his employment or working conditions is presumed to be a reprisal.

“165.26. A person who, in good faith and in accordance with section 165.22, reports a failure to comply with this Act to the Office shall not be subject to any civil liability for doing so.

The same applies to a person who files a complaint referred to in section 165.15.

“CHAPTER II

“INSPECTIONS AND INVESTIGATIONS”.

III. Section 166 of the Charter is amended by adding the following paragraph at the end:

“However, the Office shall not make such an inspection or investigation in a parliamentary institution within the meaning of Schedule I nor, in the absence of a complaint, of a disclosure or of a request by the Minister under section 156.7, in an agency of the civil administration to which the language policy of the State applies.”

II2. Sections 167 to 169 of the Charter are replaced by the following section:

“167. The Office shall establish an inspection program concerning compliance with the provisions of sections 46 and 46.1 by employers other than the civil administration.”

113. Section 172 of the Charter is amended by replacing “The” in the first paragraph by “In an investigation other than an investigation relating to an offence under this Act, the”.

114. Section 174 of the Charter is amended by replacing the first paragraph by the following paragraphs:

“A person making an inspection for the purposes of this Act may

(1) enter at any reasonable hour any place, other than a dwelling house, where an activity governed by this Act is carried on, or any other place where documents or other property to which this Act applies may be held;

(2) take photographs of the place and of the property located there;

(3) cause any person present who has access to any computer, equipment or other thing that is on the premises to use it to access data relevant to the application of this Act that is contained in an electronic device, computer system or other medium or to verify, examine, process, copy or print out such data; and

(4) require any information relating to the application of this Act or the regulations as well as the communication, for examination or reproduction, of any related document.

Any person who has custody, possession or control of documents referred to in this section must communicate them to the person making an inspection and facilitate their examination by that person.”

115. Section 175 of the Charter is replaced by the following section:

“**175.** A person making an inspection for the purposes of this Act may, by notification of a notice, require any person to communicate to him, within a reasonable time determined by the notice, any information or document relating to the carrying out of this Act.”

116. Section 177 and Title IV of the Charter, comprising sections 185 to 198, are replaced by the following:

“CHAPTER III

“REMEDIAL MEASURES

“DIVISION I

“ORDER OF THE OFFICE

“**177.** If the Office becomes aware of a failure to comply with this Act or a regulation, the Office may order the author of the failure either to comply with it or to cease contravening it, within the time the Office specifies.

An order concerning a failure to comply with section 51, 51.1, 52.1 or 54 may be issued against anyone who distributes, sells retail, leases, offers for sale or for lease or otherwise markets, for consideration or free of charge, or holds for such purposes,

(1) a product, if the inscriptions on the product, on its container or wrapping, or on a document or object supplied with it, including the directions for use and the warranty certificates, are non-compliant; or

(2) computer software, including game software and operating systems, or a game or toy that is non-compliant.

The same applies to any operator of an establishment where menus or wine lists that do not comply with the provisions of section 51 are presented to the public.

If the Office becomes aware of a failure referred to in the second paragraph in relation to a good made available in Québec through an enterprise that, by a technological means, enables a contract for obtaining the good to be entered into and the payment agreed on to be made, in a situation where the distributor, seller, lessor, offeror or holder of the good does not have an establishment in Québec, the Office may order the operator of the enterprise to cease, within the time specified by the Office, to allow any person situated in Québec to enter into a contract with regard to the good.

The interested person against whom an order may be issued under the second, third or fourth paragraph is considered to be the author of the failure for the purposes of the sixth paragraph and of sections 165.17, 165.20, 178 and 179.

Before issuing an order under this section and where section 5 of the Act respecting administrative justice (chapter J-3) applies, the Office shall notify in writing a prior notice of at least 15 days to the author of the failure to comply, stating which provisions of this Act the author of the failure has allegedly failed to comply with, the other reasons that appear to justify the order, the date on which the order is to take effect and the possibility for the author of the failure to submit observations.

“178. The order of the Office must state the provisions of this Act or of the regulation regarding which there has been a failure to comply, the other reasons that justify the order and the time granted to the author of the failure to comply with the order. The order shall be notified to the author of the failure to which the order relates.

The order takes effect on the date of its notification or on any later date specified in the order. It remains binding for a two-year period.

“179. The author of the failure to comply must, within the time specified in the order, send the Office a notice outlining the measures taken to comply with the order.

“180. The Office may revoke or amend an order it has issued under this division.

“181. The order referred to in section 177 may, within 30 days after its notification, be contested before the Administrative Tribunal of Québec.

The Tribunal may only confirm or quash the contested order.

“182. The Office shall not, under this division, issue an order for a failure to comply with

(1) the provisions of Chapter V of Title II, other than those of sections 150 and 151.1; or

(2) the provisions of sections 78.1 to 78.3 and 176.

Nor shall the Office issue an order in the cases referred to in section 184 against an agency of the civil administration to which the language policy of the State applies or against a member of that agency’s personnel.

“DIVISION II

“INJUNCTION AND COURT ORDER

“183. The Office may apply to a judge of the Superior Court for an injunction relating to the carrying out of this Act.

The application for an injunction constitutes a proceeding in itself.

The procedure prescribed in the Code of Civil Procedure (chapter C-25.01) applies, except that the Office cannot be required to provide a suretyship.

The Office shall not apply for an injunction against an agency of the civil administration to which the language policy of the State applies, or against a member of that agency’s personnel.

“184. The court may, on an application by the Office, order the removal or destruction, within eight days after the date on which the order takes effect, of any poster, sign, advertisement, billboard or illuminated sign that contravenes this Act, at the expense of the person to whom the order is directed.

The application may be directed against the owner of the advertising equipment or against whoever placed the poster, sign, advertisement, billboard or illuminated sign or had it placed.

“TITLE IV**“FRENCH LANGUAGE COMMISSIONER****“CHAPTER I****“APPOINTMENT**

“185. On the proposal of the Prime Minister and with the approval of two-thirds of its Members, the National Assembly shall appoint a French Language Commissioner; it shall determine, in the same manner, the remuneration, employee benefits and other conditions of employment of the Commissioner.

The person proposed by the Prime Minister must have notable sensitivity and interest regarding the protection of the French language. The Minister of the French Language shall make a recommendation to the Prime Minister to that effect.

“186. Before entering into office, the Commissioner shall take the oath set out in Schedule II before the President of the National Assembly.

“187. The Commissioner is appointed for a non-renewable seven-year term. At the expiry of the term, the Commissioner remains in office until replaced.

“188. The Commissioner may resign at any time by giving written notice to the President of the National Assembly. The Commissioner may be dismissed only by a resolution of the Assembly approved by two-thirds of its Members.

“CHAPTER II**“FUNCTIONS, POWERS AND IMMUNITY**

“189. The function of the Commissioner is to monitor respect for the fundamental rights conferred by this Act, the performance of the obligations imposed by the Act on persons, enterprises and the civil administration as well as the implementation of its provisions by the Minister, the Office and Francisation Québec.

“190. A further function of the Commissioner is to monitor the progression of the language situation in Québec.

To that end, the Commissioner must, in particular,

- (1) monitor knowledge, learning and use of French by immigrants; and
- (2) identify the measures taken by the Government under section 88.14.

“191. The Commissioner must see that each parliamentary institution within the meaning of Schedule I meets its obligations under this Act.

For that purpose, the Commissioner shall exercise, with regard to parliamentary institutions, in place of the Government, the Minister of the French Language and the Office, the functions and powers that sections 20, 156, 156.3 and 204.19 allow them to exercise with regard to an agency of the civil administration.

Furthermore, the provisions of a regulation made by the Government or the Minister under the provisions of Chapter IV or IX of Title I of this Act apply to a parliamentary institution only if the Commissioner consents to it.

The Commissioner may also make any provision specific to those institutions that adds to the language policy of the State. Without delay, he shall make such a provision public and send a copy of it to the Minister.

“192. The Commissioner shall receive complaints relating to any failure, by a parliamentary institution, to comply with the provisions of this Act.

If such an institution does not meet an obligation incumbent on it under this Act, the Commissioner must see that the institution develops the necessary measures to remedy the situation and implements them within the time the Commissioner specifies.

“193. The Commissioner shall give any opinions and make any recommendations he considers appropriate to the National Assembly, the Government or the Minister if the Commissioner considers it necessary or in response to a request from any one of them on any matter within the scope of his functions.

In addition, the Commissioner may inform the public about any issue relating to the French language in Québec.

“194. The Commissioner shall exercise his functions exclusively and on a full-time basis.

“195. The Commissioner may, on his own initiative, make any audits and investigations he considers useful for the performance of his functions. The Commissioner may make such an audit or investigation at the request of the Government or the National Assembly.

Such audits and investigations may, in particular, pertain to

- (1) the civil administration’s compliance with its obligations under this Act;
- (2) the measures put in place by the civil administration to promote, assert the value of and protect the French language and to see that French language learning services are provided;
- (3) the activities carried on by the Office;
- (4) the exercise of adopting and updating the language policy of the State;

(5) the compliance of the directives made under section 29.15 or 29.16 with the provisions of section 29.15;

(6) the francization and compliance programs provided for by this Act and the measures to foster French language learning;

(7) compliance with the provisions of Division II of Chapter VIII and of Chapter VIII.1 of Title I;

(8) compliance with the provisions of Chapter V of Title II of this Act with regard to any enterprise benefiting from a grant from or contract entered into with the civil administration; and

(9) the progression of the language situation in Québec.

The Commissioner may specially authorize any person to make such audits and investigations.

“196. The Commissioner shall produce a report following any audit or investigation he makes at the request of the National Assembly.

“197. Each year, within four months after the end of the fiscal year, the Commissioner shall produce a report in which he

(1) reports on his activities;

(2) indicates whether, in the exercise of his functions, he received all the information, reports and explanations requested;

(3) reports on the defined total numbers of students determined under sections 88.0.5 and 88.0.6, on the quotas determined under sections 88.0.10 and 88.0.11 and on the compliance of the institutions concerned with those numbers; and

(4) presents the information referred to in the second paragraph of section 156.4 concerning parliamentary institutions.

In his report, the Commissioner shall point out any matter or any case that, in the Commissioner’s opinion, should be brought to the attention of the National Assembly and that arises from his audits and investigations. The Commissioner shall also mention any difficulties encountered in his audits and investigations.

The Commissioner shall set out, in the report, his observations and recommendations that may, in particular, pertain to

(1) the progression of the language situation;

(2) the activities carried on by the Minister, the Office and Francisation Québec; and

(3) the performance of the obligations incumbent on the agencies of the civil administration under this Act.

“198. The Commissioner shall analyze the report required under section 160 on the progression of the language situation in Québec within six months after it is tabled in the National Assembly and produce a report in which the Commissioner

(1) presents the conclusions of his analysis; and

(2) recommends measures that, in his opinion, contribute to the indicators listed in the second paragraph of that section showing a favourable progression of the French language as the common language.

“199. The Commissioner may, at any time, produce a report on any matter under his authority.

“200. The Commissioner shall send the reports he produces to the President of the National Assembly.

The President shall table them in the National Assembly within three days after receiving them or, if the Assembly is not sitting, within three days after the opening of the next session or after resumption.

The competent committee of the National Assembly shall examine the reports within three months after they are tabled in the Assembly.

“201. For the purpose of performing his functions, the Commissioner may assign his employees or an expert mandated by the Commissioner to an agency of the civil administration.

An agency of the civil administration must provide the premises and equipment the Commissioner considers necessary.

“202. The agencies referred to in section 201 and their directors, executive officers and employees must allow the Commissioner, on request, to have access to and make copies of records, reports, documents or data, in whatever form, relating to the work of the Commissioner under the law, and provide him with any related information or explanation.

This section applies despite the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

This section prevails over any contrary provision of a subsequent general or special Act unless the Act expressly states that it applies despite this section.

“203. The Commissioner may refuse to communicate information whose disclosure could hamper an audit or investigation made under section 195.

The Commissioner may also refuse to communicate an analysis relating to a report referred to in any of sections 196 to 199, or information that could reveal the content of such a report, until the expiry of five years from the date of the report, unless the report has been tabled in the National Assembly or otherwise made public in accordance with the law.

This section applies despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“204. For the discharge of his functions, the Commissioner may

(1) receive and hear observations from persons or groups;

(2) conduct or commission analyses; and

(3) conduct or commission such studies and research as he considers necessary.

“204.1. The Commissioner and every person specially authorized by the Commissioner to conduct an investigation are vested, for the purposes of the investigation, with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

“204.2. The Commissioner, the Commissioner’s employees or an expert mandated under section 201 cannot be compelled to make a deposition relating to information obtained in the exercise of their functions or to produce a document containing such information.

“204.3. No legal proceedings may be brought against the Commissioner or his employees for an act or omission in good faith in the exercise of their functions.

“204.4. No civil action may be brought because of the publication of a report of the Commissioner under this Act or any other Act, or the publication, in good faith, of an extract from or summary of such a report.

“204.5. Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be brought, nor any injunction granted, nor any other provisional measure taken against the Commissioner, his employees or an expert mandated under section 201 in the exercise of their functions.

A judge of the Court of Appeal may, on an application, summarily annul a decision, order or injunction made or granted contrary to this section.

“204.6. The Commissioner may, on his own initiative and without notice, intervene in any proceeding that could impact the status or use of French in Québec.

“CHAPTER III**“ORGANIZATION**

“204.7. The Government shall appoint, on the recommendation of the Commissioner, a Deputy Commissioner to assist him in the exercise of his functions.

A person is qualified to exercise deputy commissioner functions only if the person is a member of the Barreau du Québec or of the Chambre des notaires du Québec.

“204.8. The Government shall fix the salary of the Deputy Commissioner, which shall not be reduced subsequently. The Deputy Commissioner’s term shall not exceed five years, but he shall remain in office at the end of that term until re-appointed or replaced. The Government may dismiss the Deputy Commissioner before the expiry of his term, but only for cause.

“204.9. The Commissioner shall determine the duties and powers of the Deputy Commissioner.

“204.10. If the Commissioner is absent or unable to act or if the office of Commissioner is vacant, the Deputy Commissioner shall act as interim commissioner.

The latter shall receive, for the interim, a salary equivalent to that of the Commissioner.

“204.11. The members of the Commissioner’s staff shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

“204.12. The Commissioner shall establish, without further formality, his human resources management policies with respect to planning, organization and development.

Subject to the appropriations granted by Parliament, the Commissioner shall determine the staff needed for the exercise of his functions, their assignment and the level of their positions.

“204.13. The Commissioner shall prepare annual budgetary estimates and submit them to the Office of the National Assembly, which shall approve them with or without modification.

If, during a fiscal year, the Commissioner foresees that the budget estimates approved by the Office of the National Assembly will be exceeded, he shall prepare supplementary budget estimates and submit them to the Office of the National Assembly, which shall approve them with or without modification.

The provisions of the Financial Administration Act (chapter A-6.001) applicable to budget-funded bodies, except sections 30 and 31, apply to the management of the Commissioner’s financial resources.

“204.14. The Public Administration Act (chapter A-6.01), except subparagraph 6 of the first paragraph and the second paragraph of section 9, sections 10 to 23, subparagraph 3 of the second paragraph of section 24 and the third paragraph of that section, sections 25 to 28, section 44, the fourth paragraph of section 45, sections 46, 48, 49, 50 and 53, the third paragraph of section 57, and sections 74 to 75, 77.3 and 78, applies to the Commissioner. The report referred to in section 24 of that Act shall be included in the Commissioner’s annual report.

The President of the National Assembly shall table in the Assembly the strategic plan adopted by the Commissioner under section 8 of the Public Administration Act.

“204.15. The Commissioner may, by regulation, determine the conditions applicable to the contracts he may enter into.

The regulation under this section comes into force on the date it is approved by the Office of the National Assembly. It is published in the *Gazette officielle du Québec*.”

II7. Sections 205 to 208 of the Charter are replaced by the following:

“CHAPTER I

“CIVIL SANCTIONS

“204.16. The provisions of this chapter add to the provisions of the Civil Code and do not prevent an action from being brought under the rules of that Code.

“204.17. Where a right recognized by sections 2 to 6.2 of this Act has been violated, the victim is entitled to obtain the cessation of the violation.

However, the first paragraph does not apply to a violation of the right recognized by section 5 if it was committed by an enterprise referred to in the first paragraph of section 50.2 that employed fewer than five persons at the time of the violation.

“204.18. The provisions of a contract, decision or other act that cause injury by contravening the provisions of this Act, other than sections 6.2 to 13, may be annulled on the application of the person who suffers the injury.

However, such an act may be absolutely null, whether or not the contravention causes injury, where the following conditions are met:

- (1) an agency of the civil administration is a party to the act;
- (2) the provisions of the act contravene any of sections 21 to 21.2; and
- (3) the act contains no foreign element.

“204.19. The Government may apply to a court to resolve or resiliate a contract entered into by an agency of the civil administration or to suspend its performance if the failure to comply with this Act results from the performance of that contract.

The court shall grant the application if the Government shows there are grounds to believe that the resolution, resiliation or suspension is in the interest of maintaining the status of French in Québec, after taking into account the public interest in the contract being maintained.

“204.20. A party to a contract that may apply for its annulment under the first paragraph of section 204.18 may also, if the party prefers that the contract be maintained, apply for a reduction of the party’s obligation equivalent to the damages the party would be justified in claiming.

“204.21. In the case of a contravention of section 55, an adhering party who invokes the nullity of the contract is not required to prove that the contravention causes him injury.

The court shall grant the adhering party’s application unless the other party to the contract shows that the adhering party suffered no injury; no such demonstration may be made, however, if the contract is absolutely null.

“204.22. A court seized of an application under any of sections 204.18 to 204.21 may, in addition, make any order it sees fit.

“204.23. The provisions of a document that contravene the provisions of this Act, other than sections 6.2 to 13, may not be invoked by the document’s author; they may, however, be invoked against the author.

“204.24. Sections 204.18, 204.19, 204.22 and 204.23 do not affect the acquired rights of workers and their associations or groups referred to in Chapter VI of Title I.

“204.25. For the purposes of article 1435 of the Civil Code, an adhering party is presumed not to know of an external clause drawn up in a language other than French unless the contract was drawn up in that other language on the adhering party’s express request.

“204.26. For the purposes of article 1436 of the Civil Code, a clause drawn up in a language other than French is deemed to be incomprehensible unless the contract was drawn up in that other language on the adhering party’s express request.

“204.27. Despite article 2863 of the Civil Code, any person may make proof by testimony, even to contradict or vary the terms of a writing, to establish that this Act has not been complied with.

“CHAPTER II**“ADMINISTRATIVE PENALTIES AND DISCIPLINARY MEASURES**

“204.28. The Minister may, after obtaining the opinion of the Office, suspend or revoke a permit or another authorization of the same nature if the enterprise that is the permit or authorization holder repeatedly contravenes the provisions of this Act, despite any order issued by the Office under section 177 and despite any penal proceedings taken against the enterprise owing to such contraventions.

In addition to the holder, the Minister shall notify his decision to the authority that granted the authorization.

“204.29. Before ordering the suspension or revocation of a permit or another authorization of the same nature, the Minister must notify in writing the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) to its holder and grant the latter at least 15 days to submit observations.

“204.30. The decision referred to in section 204.28 may, within 30 days after its notification, be contested by the authorization holder before the Administrative Tribunal of Québec.

The Tribunal may only confirm or quash the contested decision.

“204.31. In the case of a failure by a municipal body to comply with a provision of this Act or of a regulation, the Minister of the French Language may, as long as the body has not remedied the failure, withhold any subsidy the Minister grants to the body.

The Minister of the French Language may also require another minister or the Société de financement des infrastructures locales du Québec, after consulting that minister or the Société, to withhold a subsidy granted by them to the body.

“204.32. Where a public servant referred to in section 1 of the Public Service Act (chapter F-3.1.1) or a public office holder referred to in section 3.0.1 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) fails, in the exercise of his functions, to comply with a provision of this Act or of a regulation, other than sections 78.1 to 78.3 or 176, the failure to comply is deemed to be a breach of the standards of ethics and discipline or, if applicable, of the standards of ethics and professional conduct applicable to him and makes the author of the failure liable to the disciplinary measures prescribed for such a breach.

Moreover, every agency of the civil administration shall establish disciplinary measures to prevent and punish such a failure by members of its personnel, other than public servants or public office holders referred to in the first paragraph, in the exercise of their functions.

“CHAPTER III**“PENAL PROVISIONS**

“205. Anyone who contravenes any of sections 78.1 to 78.3 and 176 or an order issued by the Minister under section 128.3 or by the Office under section 177 commits an offence and is liable to a fine of \$700 to \$7,000 in the case of a natural person and \$3,000 to \$30,000 in all other cases.

No penal proceedings may be instituted against a person if the alleged failure to comply makes the person liable to the disciplinary measures referred to in section 204.32.

“206. The following commit an offence and are liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in all other cases:

- (1) anyone who discloses, under section 165.22, information he knows to be false or misleading; and
- (2) anyone who contravenes section 165.24.

“207. The minimum and maximum fines prescribed by this Act are doubled for a second offence and tripled for a subsequent offence.

In addition, if an offender commits an offence under a provision of this Act after having previously been found guilty of an offence under such a provision and if, without regard to the amounts prescribed for a second or subsequent offence, the minimum fine to which the offender was liable for the first offence was equal to or greater than the minimum fine prescribed for the second offence, the minimum and maximum fines for the offence become, if the prosecutor so requests, those prescribed in the case of a second or a subsequent offence, as applicable.

This section applies where prior findings of guilty were pronounced in the two-year period preceding the second offence or, if the minimum fine to which the offender was liable for the prior offence is that prescribed in section 206, in the five-year period preceding the second offence. Fines for a third or subsequent offence apply if the penalty imposed for the prior offence was the penalty for a second or subsequent offence.

“208. If an offence under this Act is committed by a director or officer of a legal person or of another group, regardless of its juridical form, the minimum and maximum fines are double those applicable to a natural person for such an offence.

“208.0.1. If an offence under this Act continues for more than one day, it constitutes a separate offence for each day it continues.”

118. The Charter is amended by inserting the following sections after section 208.4:

“208.4.1. A copy of an order issued under section 128.3 is sufficient, in the absence of any evidence to the contrary, to establish proof of the order if the copy is accompanied by an affidavit of a person referred to in the second paragraph of section 156.14 attesting that it is an exact copy of the order.

The same applies to a copy of an order issued under section 177 if the copy is accompanied by an affidavit of a person referred to in section 165.9.

“208.4.2. If a legal person or an agent, mandatary or employee of a legal person, of a partnership or of an association without legal personality commits an offence under this Act, the directors of the legal person, partnership or association are presumed to have committed the offence unless it is established that they exercised due diligence, taking all necessary precautions to prevent the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

“208.4.3. In determining the penalty, the judge takes into account the following aggravating factors, among others:

- (1) the seriousness of the harm or the risk of harm to human safety;
- (2) whether the offender acted intentionally or was negligent or reckless;
- (3) the foreseeable character of the offence or the failure to follow recommendations or warnings to prevent it;
- (4) the offender’s attempts to cover up the offence or failure to try to mitigate its consequences;
- (5) whether the offender intended to obtain an increase in revenues or a decrease in expenses by committing the offence or by omitting to take measures to prevent it; and
- (6) the offender’s failure to take reasonable measures to prevent the commission of the offence or mitigate its consequences despite the offender’s ability to do so.

“208.4.4. On an application made by the prosecutor and submitted with the statement of offence, the judge may impose on the offender, in addition to any other penalty, a further fine not exceeding the financial benefit realized by the offender as a result of the offence, even if the maximum fine has been imposed.

“208.4.5. When determining a fine higher than the minimum fine prescribed by law, or when determining the time within which an amount must be paid, the judge may take into account the offender’s inability to pay, provided the offender proves the inability by establishing his assets and liabilities.”

119. The Charter is amended by inserting the following after section 208.5:

“CHAPTER IV

“PROCEEDINGS

“208.6. A pleading to which, in contravention of section 9, no translation certified by a certified translator is attached cannot be filed at a court office or at the secretariat of an agency of the civil administration that exercises an adjudicative function or within which a person appointed by the Government or by a minister exercises such a function.

The court clerk or the secretary shall notify the legal person concerned without delay of the reason for which the pleading cannot be filed.”

120. Section 212 of the Charter is replaced by the following section:

“212. The Minister of the French Language is responsible for the administration of this Act, except sections 156.23 to 156.26, whose application is under the authority of the Minister of Immigration, Francization and Integration.”

121. The Charter is amended by inserting the following sections after section 213:

“213.1. This Act applies despite sections 1 to 38 of the Charter of human rights and freedoms (chapter C-12).

“214. This Act has effect notwithstanding sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

122. The schedule to the Charter is replaced by Schedules I and II, the text of which appears in Schedule I to this Act.

CIVIL CODE OF QUÉBEC

123. The preliminary provision of the Civil Code of Québec is amended by inserting “Charter of the French language (chapter C-11), the” after “in harmony with the” in the first paragraph.

124. Article 108 of the Code is amended by striking out “or English” before “the name” and “or English, at the option of the interested person” in the second paragraph.

125. Article 109 of the Code is amended

(1) by replacing “he receives, or by drawing it up himself in accordance with the judgment or other” in the first paragraph by “drawn up in French that he receives, or by drawing it up himself in French in accordance with the judgment, with a declaration drawn up in English or with another”;

(2) by inserting “he signed or drew up” after the first occurrence of “declaration” in the second paragraph.

126. Article 140 of the Code is amended by striking out “or English” in the first paragraph.**127.** Article 1060 of the Code is amended, in the first paragraph,

(1) by inserting “exclusively in French” after “are filed”;

(2) by adding the following sentence at the end: “The amendments must be made exclusively in French.”

128. The Code is amended by inserting the following article after article 1070.1:

“1070.1.1. The register and documents kept at the disposal of the co-owners, as well as any document drawn up by the syndicate for a co-owner, must be drawn up in French.

The Office québécois de la langue française sees to the application of the first paragraph as if it were a provision of the Charter of the French language (chapter C-11).”

129. Article 2984 of the Code is amended by adding the following paragraph at the end:

“Applications for registration are drawn up exclusively in French.”

130. Article 3006 of the Code is amended by striking out “or English”.

FINANCIAL ADMINISTRATION ACT

131. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by striking out “Conseil supérieur de la langue française”.

TAX ADMINISTRATION ACT

132. Section 69.1 of the Tax Administration Act (chapter A-6.002) is amended by inserting the following subparagraph after subparagraph z.7 of the second paragraph:

“(z.7.1) the Office Québécois de la langue française, to the extent that the information is required for the purposes of Division II or III of Chapter V of Title II of the Charter of the French language (chapter C-11);”.

ACT RESPECTING THE CENTRE DE LA FRANCOPHONIE DES AMÉRIQUES

133. Section 8 of the Act respecting the Centre de la francophonie des Amériques (chapter C-7.1) is amended by replacing “responsible for the Charter of the French language” in subparagraphs 1 and 2 of the first paragraph by “of the French Language”.

134. Section 20 of the Act is amended by replacing “responsible for the Charter of the French language” in paragraph 2 by “of the French Language”.

CHARTER OF VILLE DE LONGUEUIL

135. Section 12 of the Charter of Ville de Longueuil (chapter C-11.3) is amended by inserting “or until the recognition is withdrawn by the operation of section 29.2 of the same Charter. The resolution provided for in the second paragraph of that section may be adopted by the borough council” after “of that Charter” in the first paragraph.

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

136. Section 11 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended by inserting “or until the recognition is withdrawn by the operation of section 29.2 of the same Charter. The resolution provided for in the second paragraph of that section may be adopted by the borough council” after “of that Charter” in the second paragraph.

CHARTER OF HUMAN RIGHTS AND FREEDOMS

137. The preamble of the Charter of human rights and freedoms (chapter C-12) is amended by inserting the following paragraph after the third paragraph:

“Whereas French is the only official language of Québec and the common language of the Québec nation and the language of integration into the Québec nation;”.

138. The Charter is amended by inserting the following section after section 3:

“**3.1.** Every person has a right to live in French to the extent provided for in the Charter of the French language (chapter C-11).”

139. Section 9.1 of the Charter is amended, in the first paragraph,

(1) by replacing “fundamental freedoms and rights” by “human rights and freedoms”;

(2) by inserting “the importance given to the protection of French,” after “State laicity,”.

140. Section 50 of the Charter is amended by adding the following paragraph at the end:

“Moreover, the Charter shall not be so interpreted as to suppress or limit the enjoyment or exercise of any right intended to protect the French language conferred by the Charter of the French language (chapter C-11).”

CITIES AND TOWNS ACT

141. Section 335 of the Cities and Towns Act (chapter C-19) is amended by striking out the third paragraph.

CODE OF CIVIL PROCEDURE

142. The preliminary provision of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “Charter of the French language (chapter C-11), the” after “in harmony with the” in the first paragraph.

143. Article 496 of the Code is amended by striking out “or English” in the second paragraph.

144. Article 508 of the Code is amended by adding the following sentence at the end of the third paragraph: “The translation must be in French if the party seeking the recognition or the enforcement of the foreign decision is a legal person.”

145. Article 652 of the Code is amended by adding the following sentence at the end of the second paragraph: “The translation must be in French if the party presenting the application is a legal person.”

PROFESSIONAL CODE

146. The Professional Code (chapter C-26) is amended by inserting the following section after section 59.1.2:

“**59.1.3.** The fact that a professional contravenes section 35.1 of the Charter of the French language (chapter C-11) constitutes an act derogatory to the practice of the profession.”

GENERAL AND VOCATIONAL COLLEGES ACT

147. Section 24.2 of the General and Vocational Colleges Act (chapter C-29) is amended by replacing “In addition, a college must,” in the second paragraph by “A college must, in addition, subject to section 29.6 of the Charter of the French language (chapter C-11) and”.

EXECUTIVE POWER ACT

148. Section 4 of the Executive Power Act (chapter E-18) is amended by adding the following subparagraph after subparagraph 39 of the first paragraph:

“(40) a Minister of the French Language.”

ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

149. Section 3.1 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011) is replaced by the following section:

“**3.1.** In the pursuit of its mission, the Institut shall, among other things, collect, produce and disseminate the statistical information necessary for the following purposes:

(1) to help develop and monitor the Government’s sustainable development strategy, including the statistical information required for sustainable development indicators;

(2) to draft the reports provided for in the Act respecting sustainable development (chapter D-8.1.1);

(3) to help monitor the language situation in Québec, including the indicators of the use of French in the public sphere by the Québec population; and

(4) to draft the reports, conduct the research, analyses and studies and draft the opinions provided for in the Charter of the French language (chapter C-11).”

INTERPRETATION ACT

150. The Interpretation Act (chapter I-16) is amended by inserting the following sections after section 40:

“**40.1.** Acts shall be construed so as not to suppress or limit the enjoyment or exercise of any right intended to protect the French language conferred by the Charter of the French language (chapter C-11).”

“**40.2.** Every Act is presumed to allow using only French in the performance of the obligations it prescribes.”

“**40.3.** Every Act shall be construed so as to promote the use and protection of French.”

ACT RESPECTING ADMINISTRATIVE JUSTICE

151. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by inserting the following paragraph after paragraph 4.0.1:

“(4.1) sections 181 and 204.30 of the Charter of the French language (chapter C-11);”.

ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE LA
TECHNOLOGIE

152. The Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) is amended by inserting the following section after section 41:

“**41.1.** In carrying out its functions, a fund must contribute to supporting and enhancing research in French.”

ACT RESPECTING THE MINISTÈRE DE L'IMMIGRATION, DE LA
DIVERSITÉ ET DE L'INCLUSION

153. The title of the Act respecting the Ministère de l'Immigration, de la Diversité et de l'Inclusion (chapter M-16.1) is amended by replacing “DIVERSITÉ” and “INCLUSION” by “FRANCISATION” and “INTÉGRATION”, respectively.

GOVERNMENT DEPARTMENTS ACT

154. Section 1 of the Government Departments Act (chapter M-34) is amended by adding the following paragraph after paragraph 38:

“(39) the Ministère de la Langue française, presided over by the Minister of the French Language.”

ACT RESPECTING MUNICIPAL TERRITORIAL ORGANIZATION

155. Section 86.1 of the Act respecting municipal territorial organization (chapter O-9) is amended by replacing “applies” in paragraph 2 by “and section 29.2 of the Charter apply”.

CONSUMER PROTECTION ACT

156. Section 26 of the Consumer Protection Act (chapter P-40.1) is replaced by the following section:

“26. The contract and the related documents must be drawn up in French. The contract may be drawn up in a language other than French if, after the French version has been given to the consumer in accordance with section 27, such is the express wish of the parties.

If the version of the contract drawn up in a language other than French is the version signed by the parties, the related documents may then be drawn up in that other language.

If the contract or the documents are drawn up in French and in another language, and there is a discrepancy between the two versions, the interpretation most favourable to the consumer prevails.

No sum may be required from the consumer for the drawing up of the French version of the contract or of the related documents.”

ACT RESPECTING THE LEGAL PUBLICITY OF ENTERPRISES

157. Section 33 of the Act respecting the legal publicity of enterprises (chapter P-44.1) is amended by inserting “, and, if the registrant is an enterprise referred to in the first paragraph of section 149 of the Charter of the French language (chapter C-11), the proportion of such employees not capable of communicating in French, if applicable” at the end of subparagraph 10 of the second paragraph.

158. The Act is amended by inserting the following section after section 131:

“131.1. The inspection and investigation powers conferred by the provisions of this chapter do not apply with regard to the provisions of this Act whose administration is under the responsibility of the Minister of the French Language under section 300.”

159. Section 300 of the Act is amended

(1) by inserting “, and the provisions regarding the declaration of the proportion referred to in subparagraph 10 of the second paragraph of section 33, its correction and updating, the administration of which falls under the responsibility of the Minister of the French Language” after “Revenue”;

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

“The Office Québécois de la langue française may exercise the inspection and investigation powers conferred on it by the Charter of the French language (chapter C-11), to verify compliance with the provisions of this Act falling under the responsibility of the Minister of the French Language.”

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

160. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by striking out paragraph 12.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

161. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by striking out paragraph 13.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

162. Section 62.4 of the Act respecting occupational health and safety (chapter S-2.1) is amended by inserting “; the text of such a translation must not prevail over the French text or be accessible on more favourable terms” at the end.

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

163. Schedule I to the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended by replacing “the second paragraph of section 45, the second paragraph of section 46 and the third paragraph of section 137.1” in paragraph 1 by “section 47.2”.

COURTS OF JUSTICE ACT

164. The Courts of Justice Act (chapter T-16) is amended by inserting the following section after section 1:

“**1.1.** French is the language of the courts in Québec, as provided in section 7 of the Charter of the French language (chapter C-11).”

165. The Act is amended by inserting the following section after section 88:

“**88.1.** The Minister of Justice shall not require any criterion in addition to those determined under subparagraph 4 of the first paragraph of section 88, in connection with the knowledge or specific level of knowledge of a language other than the official language of candidates for the office of judge, unless, pursuant to section 12 of the Charter of the French language (chapter C-11),

the Minister considers, after consultation with the Minister of the French Language, that the exercise of that office requires such knowledge and that all reasonable means have been taken to avoid imposing such a criterion.

In his assessment, the Minister shall not be required to take into consideration data other than that relating to the number of judges who have knowledge of a language other than the official language and to the number of hearings held under section 530 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) in such a language.”

CONSTITUTION ACT, 1867

166. The Constitution Act, 1867 (30 & 31 Victoria, c. 3 (U.K.); 1982, c. 11 (U.K.)) is amended by inserting the following after section 90:

“FUNDAMENTAL CHARACTERISTICS OF QUEBEC

“**90Q.1.** Quebecers form a nation.

“**90Q.2.** French shall be the only official language of Quebec. It is also the common language of the Quebec nation.”

REGULATION RESPECTING THE EXEMPTION FROM THE APPLICATION OF THE FIRST PARAGRAPH OF SECTION 72 OF THE CHARTER OF THE FRENCH LANGUAGE THAT MAY BE GRANTED TO CHILDREN STAYING IN QUÉBEC TEMPORARILY

167. Section 1 of the Regulation respecting the exemption from the application of the first paragraph of section 72 of the Charter of the French language that may be granted to children staying in Québec temporarily (chapter C-11, r. 7) is amended

(1) in the first paragraph,

(a) by replacing “certificate of acceptance issued under section 3.2 of the Québec Immigration Act (chapter I-0.2.1)” in subparagraph 1 by “Québec certificate of acceptance issued under section 3 of the Québec Immigration Regulation (chapter I-0.2.1, r. 3)”;

(b) by striking out subparagraph 2;

(c) by replacing “certificate of acceptance, an employment authorization or a student authorization under a statute applicable in Québec” in subparagraph 3 by “Québec certificate of acceptance or a work permit or study permit referred to in the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27), except in the cases referred to in subparagraph 3 of the first paragraph of section 84.1 of that Charter”;

(d) by replacing “certificate of acceptance” in subparagraph 4 by “Québec certificate of acceptance”;

(e) by striking out subparagraph 5;

(f) by replacing “certificate of acceptance, an employment authorization or a student authorization” in subparagraph 6 by “Québec certificate of acceptance, a work permit or a study permit”;

(2) in the second paragraph,

(a) by replacing “the certificates or authorizations referred to in subparagraphs 1, 2, 4 and 5” in subparagraph 1 by “the certificate referred to in subparagraphs 1 and 4”;

(b) by replacing “4 to 6” in subparagraph 3 by “4 and 6”;

(3) by replacing “section 3.1” in the third paragraph by “section 22 of the Québec Immigration Regulation for the purposes of sections 18 to 20, 34 and 38”;

(4) by striking out the fourth paragraph.

168. Section 3 of the Regulation is amended by striking out the second paragraph.

169. Section 7 of the Regulation is amended by replacing the first paragraph by the following paragraph:

“Subject to the third paragraph of section 1, an exemption provided for by this Regulation is valid for a period of up to 3 years. However, it is extended until 30 June of the school year in which the period of validity ends if that period ends before that date.”

170. The Regulation is amended by inserting the following section after section 7:

“7.1. Where applicable, the second, third and fourth paragraphs of section 1 and sections 4 to 6 apply, with the necessary modifications, to a child referred to in section 84.1 of the Charter. The work permit or study permit issued under the Immigration and Refugee Protection Act replaces the Québec certificate of acceptance for the purposes of subparagraph 1 of the second paragraph of section 1 of this Regulation.”

REGULATION RESPECTING THE SELECTION PROCEDURE OF
CANDIDATES FOR THE OFFICE OF JUDGE OF THE COURT OF
QUÉBEC, MUNICIPAL COURT JUDGE AND PRESIDING JUSTICE OF
THE PEACE

171. Section 3 of the Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace (chapter T-16, r. 4.1) is amended by replacing the second paragraph by the following paragraph:

“The secretary is designated by the Government and acts under the authority of the Deputy Minister of Justice.”

172. Section 6 of the Regulation is amended by inserting the following paragraph after the first paragraph:

“In the report, the secretariat also includes, for each district or court, where applicable, the data relating to the number of judges who have knowledge of a language other than the official language and to the number of hearings held under section 530 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) in such a language.”

173. The Regulation is amended by inserting the following chapter after section 6:

“CHAPTER II.1

“PLANNING FOR POSITIONS TO BE FILLED

“6.1. At least once a year, the Minister invites the chief judge of the Court of Québec, the municipalities in which the chief-place of a municipal court where judges exercise their functions on a full-time and exclusive basis is located, and the associate chief judge of the Court of Québec who is responsible for municipal courts to submit to the Minister, for information purposes, a plan for positions to be filled, taking into account the number of judges in office and the foreseeable vacancies, as well as the offices of judge by division, by place of residence pertaining to an office or by court, where applicable.

In the case of unplanned vacancies, the Minister may consult the chief judge of the Court of Québec, the municipality in which the chief-place of the municipal court is located and the associate chief judge of the Court of Québec who is responsible for municipal courts to obtain their opinion concerning the division concerned, the place of residence pertaining to the office, or the court concerned, where applicable.”

174. Section 7 of the Regulation is replaced by the following section:

“**7.** Where a judge must be appointed, the Minister requests the secretary to hold a competition and to publish on the website of the Ministère de la Justice and on that of the Barreau du Québec a notice inviting interested persons to submit their application.

The Minister indicates to the secretary the information with regard to paragraphs 2, 3 and 5.1 of section 9.”

175. Section 9 of the Regulation is amended by inserting the following paragraph after paragraph 5:

“(5.1) the criterion required by the Minister of Justice under section 88.1 of the Courts of Justice Act (chapter T-16), if applicable;”.

176. The Regulation is amended by inserting the following section after section 9:

“**9.1.** The notice must not include the requirement that candidates for the office of judge have knowledge or a specific level of knowledge of a language other than the official language to obtain the position, unless the Minister, after consultation with the Minister of the French Language, considers that such knowledge is necessary for the exercise of that office and that all reasonable means have been taken to avoid imposing such knowledge.”

177. Section 25 of the Regulation is amended, in paragraph 1,

(1) by inserting “, except knowledge of a language other than the official language, unless that requirement is included in the notice,” after “knowledge” in subparagraph *a*;

(2) by inserting “in French, the language of the courts in Québec” after “expression” in subparagraph *c*.

MISCELLANEOUS PROVISIONS

178. The name assigned to the electoral division of Bourget is replaced by the name “Camille-Laurin”.

179. Section 178 of this Act has the same effect as if the name “Camille-Laurin” had been assigned to that electoral division by the Commission de la représentation under section 18 of the Election Act (chapter E-3.3).

The Commission is required, within 30 days after the date of coming into force of section 178 of this Act, to see to the publication of the list of electoral divisions updated with the modification provided for in that section. The second paragraph of section 29 of the Election Act is, for the rest, applicable to that publication.

TRANSITIONAL PROVISIONS

180. Section 9 of the Charter of the French language (chapter C-11), enacted by section 5, does not apply to pleadings filed at the office of a competent court or the secretariat of an agency referred to in section 208.6 of that Charter, enacted by section 119, before 1 September 2022.

181. Section 21 of the Charter of the French language, amended by section 13, as well as sections 21.3, 21.10 and 21.11 of that Charter, enacted by section 14, do not apply to a contract entered into before 1 June 2023.

Section 21 of that Charter, as it read on 31 May 2023, continues to apply to contracts and other writings that, after that date, are related to a contract referred to in the first paragraph.

182. Section 21 of the Charter of the French language, amended by section 13, and section 21.9 of that Charter, enacted by section 14, do not apply to documents sent to the civil administration for the purpose of entering into a contract with it or obtaining a subsidy or other form of financial assistance, or a permit or another authorization of the same nature, if the tendering or awarding procedure for the contract was in progress on 1 June 2023 or, as applicable, if the application for a subsidy or other form of financial assistance, or a permit or another authorization of the same nature, was sent to the civil administration before that date.

In addition, the second paragraph of that section 21.9 does not apply to documents that must be sent to an agency of the civil administration because of financial assistance or an authorization granted before that date.

183. The Minister of the French Language must submit the first language policy of the State to the Government for approval not later than 1 December 2022.

184. The first directives made under section 29.15 or section 29.16 of the Charter of the French language, enacted by section 19, must, in addition, set out measures concerning the use of a language other than French, where the use of that other language is allowed under a provision of the Charter of the French language that is the subject of an amendment under this Act and that is not yet in force at the time the directives are made.

185. An individual contract of employment referred to in subparagraph 2 of the first paragraph of section 41 of the Charter of the French language, amended by section 29, that is entered into before 1 June 2022 and drawn up only in a language other than French must, as soon as possible, be translated into French if the worker asks the employer for such a translation before 1 June 2023.

If there is a discrepancy between the French text and the text in another language of a contract thus translated, a worker may invoke either text, depending on his or her interests.

No sum may be collected against a worker for such a translation.

This section does not apply to a fixed-term contract of employment that expires not later than 1 June 2024.

186. Subject to section 62.4 of the Act respecting occupational health and safety (chapter S-2.1), if a document referred to in subparagraph 4 of the first paragraph of section 41 of the Charter of the French language, amended by section 29, was made available only in a language other than French, before 1 June 2022, its French version may be made available within 12 months after that date. During that period, the employer may continue to make the document available only in the other language.

187. A group agreement referred to in the second paragraph of section 43 of the Charter of the French language, amended by section 31, that was entered into before 1 June 2022 and drawn up only in a language other than French must be translated into French before 1 June 2023, unless the agreement expires within 12 months after that date.

If there is a discrepancy between the French text and the text in another language of a group agreement thus translated, a worker may invoke either text, depending on his or her interests.

188. Section 45 of the Charter of the French language, as it read on 31 May 2022, continues to apply to remedies exercised before the Administrative Labour Tribunal under that section up to that date, and to any grievance submitted for arbitration under that section up to that date.

189. Section 46 of the Charter of the French language, as it read on 31 May 2022, continues to apply to remedies exercised before the Administrative Labour Tribunal under that section up to that date, to remedies exercised under that section following the failure of the mediation applied for with the Office under section 47 of that Charter up to that date, as well as to any grievance submitted for arbitration under that section up to that date.

190. Sections 47 to 47.2 of the Charter of the French language, as they read on 31 May 2022, continue to apply to the mediation applied for to the Office under section 47 of that Charter up to that date.

191. If the articles and financial statements referred to in section 48 of the Charter of the French language, enacted by section 37, were made available only in a language other than French before 1 June 2022, their French version may be made available within 12 months after that date. During that period, the association or parity committee may continue to make those articles and financial statements available only in the other language.

192. A group insurance contract referred to in section 50.1 of the Charter of the French language, enacted by section 40, entered into before 1 June 2022 and drawn up only in a language other than French, must be translated into French before 1 June 2023, unless the contract expires within 12 months after that date.

The same applies to a group annuity contract.

193. Sections 185 to 192 of this Act apply despite sections 204.17 to 204.24 of the Charter of the French language, enacted by section 117.

194. The Minister of Higher Education, Research, Science and Technology and the Minister of the French Language must designate, without delay, the following institutions as English-language institutions:

- (1) John Abbott College;
- (2) Champlain Regional College;
- (3) Centennial College;
- (4) Dawson College;
- (5) Heritage College;
- (6) Marianopolis College;
- (7) TAV College;
- (8) Vanier College;
- (9) The Royal Institution for the Advancement of Learning (McGill University);
- (10) Bishop's University; and
- (11) Concordia University.

The designation takes effect on 1 June 2022.

195. A diploma or attestation referred to in section 88.0.17 or 88.0.18 of the Charter of the French language, enacted by section 60, may be issued to a student who, for a school year before the 2023–2024 school year, was registered in the program leading to the diploma or attestation and was receiving instruction given in English under that program, even if the student does not meet the conditions set out in subparagraph 1 of the first paragraph of section 88.0.17 or the first paragraph of section 88.0.18 of that Charter.

Likewise, such a diploma may be issued to a student who, for a school year before the 2024–2025 school year, was registered in the program leading to the diploma and was receiving instruction given in English under that program, even if the student does not meet the condition set out in subparagraph 2 of the first paragraph of section 88.0.17 of that Charter.

196. The first review of an educational institution’s language policy provided for in section 88.7 of the Charter of the French language, enacted by section 64, must be conducted not later than the date that is one year after the date of coming into force of that section. Subsequent reviews are to be conducted at the intervals prescribed by section 88.7 of that Charter.

197. The first report of an educational institution on the application of the various components of its language policy, provided for in section 88.6 of the Charter of the French language, enacted by section 64, must be sent to the Minister not later than three years after the first review of the policy provided for in section 196 of this Act. Subsequent reports are to be sent to the Minister at the intervals prescribed in section 88.6 of that Charter.

198. An agency of the civil administration referred to in subparagraph 4 or 5 of paragraph A of Schedule I to the Charter of the French language whose activities began before 1 June 2022 must, not later than the date between 27 November 2022 and 26 May 2023 determined by the Office, submit to the Office the analysis of its language situation required under section 128.6 of that Charter, as amended by section 75.

The same applies to an agency of the civil administration, other than an agency referred to in the first paragraph, that was required, on 31 May 2022, to apply a francization program under the authority and with the assistance of the Office under section 129 of that Charter, as it read on that date; the provisions of Division II of Chapter IV of Title II of that Charter, enacted by section 75, apply to that agency as if it were a municipal body that was recognized under section 29.1 of that Charter.

199. The amendments made to the Charter of the French language by this Act must be taken into account, even if they are not yet in force, when carrying out

- (1) an analysis of the language situation referred to in section 198 of this Act;
- (2) an examination by the Office of the language situation, provided for in the first paragraph of section 128.8 of that Charter, enacted by section 75, of a body that sends the Office such an analysis; and
- (3) the development and implementation of a compliance program under the third or fourth paragraph of that section 128.8.

200. The heading of Division II of Chapter V of Title II of the Charter of the French language, enacted by section 77, is to be read, during the period from 1 June 2022 to 1 June 2025, as if “25” were replaced by “50”.

201. Despite sections 152.1 and 204.18 of the Charter of the French language, enacted respectively by sections 96 and 117, a contract may not be cancelled due to the enterprise with which it was entered into being subject to the provisions of the first or second paragraph of section 152.1, where the contract was entered into before the coming into force of those provisions.

The same applies to a subsidy granted to such an enterprise.

202. Unless the context indicates otherwise, in any document other than an Act, any reference to the Minister responsible for the Charter of the French language, the minister responsible for the administration of the Charter of the French language or the Minister responsible for the French Language, to the administrative unit of the Ministère de la Justice called the “Secrétariat à la promotion et à la valorisation de la langue française” or to the associate deputy minister who is responsible for that unit is a reference to, respectively, the Minister of the French Language, the Ministère de la Langue française and the Deputy Minister of the French Language.

203. The records and other physical documents of the Ministère de la Justice are transferred to the Ministère de la Langue française, insofar as they pertain to the powers assigned to the Minister of the French Language.

204. The rights and obligations of the Minister responsible for the Charter of the French language, the minister responsible for the administration of the Charter of the French language or the Minister responsible for the French Language continue to be exercised and performed by the Minister of the French Language.

Any proceeding relating to the French language or to any other matter devolving on the Minister of the French Language and to which the Minister responsible for the Charter of the French language, the minister responsible for the administration of the Charter of the French language or the Minister responsible for the French Language is a party is continued by the Minister of the French Language without continuance of suit.

205. The personnel members of the Ministère de la Justice assigned to the Secrétariat à la promotion et à la valorisation de la langue française become, without other formality, personnel members of the Ministère de la Langue française.

206. Until 31 March 2023, the Minister of Justice pays, out of the appropriations allocated to that minister by Parliament, from the “Justice—Langue française” portfolio in the Expenditure Budget for the fiscal year 2022–2023, the financial commitments made by the Minister of the French Language.

Despite the first paragraph, the Conseil du trésor may, after consultation with the ministers concerned and to the extent it determines, transfer appropriations between the Ministère de la Justice and the Ministère de la Langue française, for the fiscal year 2022–2023, to reflect the division of responsibilities established between the ministers by the provisions of sections 202 to 205 of this Act.

207. The next report on the progression of the language situation provided for in section 160 of the Charter of the French language, amended by section 99, must, despite the intervals prescribed in that section, be sent to the Minister not later than 30 April 2024.

208. The Minister of the French Language acquires the rights and assumes the obligations of the Conseil supérieur de la langue française.

209. The assets of the Conseil supérieur de la langue française are transferred to the Minister of the French Language.

The records and other documents of the Conseil become those of the Minister.

210. The members of the personnel of the Conseil supérieur de la langue française become, without other formality, employees of the Ministère de la Langue française.

211. The terms of the members of the Conseil supérieur de la langue française end on 1 June 2022.

The chair is reintegrated into the public service under the conditions governing an eventual return to the public service set out in his or her instrument of appointment.

212. Despite articles 1060, 2984 and 3006 of the Civil Code, amended respectively by sections 127, 129 and 130, any act that amends or corrects another act that was filed at the Land Registry Office exclusively in a language other than French before 1 June 2022 may be filed there exclusively in that other language.

213. Any exemption granted to a child before 1 June 2022 that may not be renewed under the second paragraph of section 84.1 of the Charter of the French language, enacted by section 57, may, despite that paragraph, be renewed not later than 30 days before its expiry, for a maximum period of one year, provided the conditions for the initial application are met.

214. The secretary for the selection of candidates for judicial office in office on 31 May 2022 exercises the functions of secretary until that office is filled in accordance with the second paragraph of section 3 of the Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace (chapter T-16, r. 4.1), amended by section 171.

215. Unless the context indicates otherwise and with the necessary modifications, in any other Act, or in any regulation or any other document,

(1) a reference to the Minister or Deputy Minister of Immigration and Cultural Communities or to the Ministère de l'Immigration et des Communautés culturelles is a reference to the Minister or Deputy Minister of Immigration, Francization and Integration or to the Ministère de l'Immigration, de la Francisation et de l'Intégration, respectively;

(2) a reference to the Minister or Deputy Minister of Immigration, Diversity and Inclusion or to the Ministère de l'Immigration, de la Diversité et de l'Inclusion is a reference to the Minister or Deputy Minister of Immigration, Francization and Integration or to the Ministère de l'Immigration, de la Francisation et de l'Intégration, respectively;

(3) a reference to the Act respecting the Ministère de l'Immigration, de la Diversité et de l'Inclusion (chapter M-30.01) or one of its provisions is a reference to the Act respecting the Ministère de l'Immigration, de la Francisation et de l'Intégration or its corresponding provisions.

FINAL PROVISIONS

216. This Act and the amendments it makes, other than those made by sections 1 to 122 and 137 to 140, apply despite sections 1 to 38 of the Charter of human rights and freedoms (chapter C-12).

217. This Act and the amendments it makes, other than those made by sections 1 to 122, have effect notwithstanding sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

218. The provisions of this Act come into force on 1 June 2022, except

(1) section 5 insofar as it enacts section 9 of the Charter of the French language, section 19 insofar as it enacts section 29.15, to the extent that section 29.16 refers to that section, section 29.16 and section 29.17, as concerns the directive made under that section 29.16, of that Charter, and sections 119, 129 and 130, which come into force on 1 September 2022;

(2) section 4 insofar as it enacts the first paragraph of section 6.1 of that Charter, section 6 insofar as it enacts paragraphs 1 and 2 of section 13.2 of that Charter, sections 7 to 11, 13 and 14, section 15 insofar as it enacts sections 22.2 to 22.5 of that Charter, sections 16 and 45, section 64 insofar as it enacts section 88.12 of that Charter, section 92, section 96 insofar as it enacts the second and third paragraphs of section 152.1 of that Charter, section 97 insofar as it enacts Title II.2 of that Charter, section 117 insofar as it enacts section 204.31 of that Charter, and sections 141 and 156 to 159, which come into force on 1 June 2023;

(3) section 19 insofar as it enacts sections 29.6 and 29.8 of that Charter, section 60 insofar as it enacts the first paragraph of section 88.0.2, sections 88.0.4 to 88.0.16, section 88.0.17, except subparagraph 2 of the first paragraph of that section, and section 88.0.18 of that Charter, and section 147, which come into force as of the 2023–2024 school year;

(4) section 5 insofar as it enacts sections 10 and 11 of that Charter, and section 32, which come into force on 1 June 2024;

(5) section 60 insofar as it enacts the second and third paragraphs of section 88.0.2, section 88.0.3 and subparagraph 2 of the first paragraph of section 88.0.17 of that Charter, which comes into force as of the 2024–2025 school year;

(6) sections 43, 48 and 49 and paragraph 1 of section 83, which come into force on 1 June 2025;

(7) section 19 insofar as it enacts sections 29.15, except as concerns parliamentary institutions, 29.17, except as concerns the directive made under section 29.16, 29.18, except as concerns the sending of a copy of a directive to the French Language Commissioner, 29.21 and 29.22 of that Charter, and section 75 insofar as it enacts sections 128.3 to 128.5 and the second paragraph of sections 128.6, 128.8 and 134.4 of that Charter, which come into force on the date that is three months after the date on which the first language policy of the State, provided for in section 29.10 of that Charter, enacted by section 19, is approved;

(8) section 5 insofar as it enacts the second paragraph of section 13 of that Charter, section 99 insofar as it enacts the fourth paragraph of section 160 of that Charter, paragraph 1 of section 102, section 110 insofar as it enacts the second paragraph of section 165.17 and section 165.21 of that Charter, and section 122 insofar as it enacts the second paragraph of paragraph A of Schedule I to that Charter, which come into force on the date on which the first French Language Commissioner appointed under section 185 of that Charter, enacted by section 116, takes office;

(9) section 19 insofar as it enacts sections 29.15, as concerns parliamentary institutions, 29.18, as concerns the sending of a copy of a directive to the French Language Commissioner, and 29.19 of that Charter, which comes into force on the later of

(a) the date that is three months after the date on which the first language policy of the State, provided for in section 29.10 of that Charter, enacted by section 19, is approved; and

(b) the date on which the first French Language Commissioner appointed under section 185 of that Charter, enacted by section 116, takes office.

SCHEDULE I
(Section 122)

“SCHEDULE I
(Section 98)

A. *The civil administration*

The following are agencies of the civil administration:

- (1) the Government and government departments;
- (2) government bodies:
 - (a) bodies whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1);
 - (b) bodies to which the Government or a minister appoints the majority of the members or directors;
 - (c) bodies to which the National Assembly appoints the majority of the members;
 - (d) government agencies listed in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2), including the persons listed in that schedule, except the Public Protector;
 - (e) budget-funded bodies, bodies other than budget-funded bodies and government enterprises listed in Schedules 1 to 3 to the Financial Administration Act (chapter A-6.001), including the persons listed in those schedules, as well as bodies whose capital forms part of the domain of the State, and legal persons and other groups whose results are consolidated in the financial statements of those bodies and enterprises or at least half of whose capital stock is derived from the Consolidated Revenue Fund; and
 - (f) inquiry commissions established under the Act respecting public inquiry commissions (chapter C-37);
- (3) municipal bodies:
 - (a) municipalities, except municipalities governed by the Cree Villages and the Naskapi Village Act (chapter V-5.1) or by the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1), municipal boroughs considered municipalities, metropolitan communities, urban agglomeration councils, intermunicipal boards and municipal and regional housing bureaus;

(b) bodies under the authority of a municipality and taking part in the administration of its territory; and

(c) public transit authorities, the Autorité régionale de transport métropolitain and any other operator of a shared transportation system as well as any other body that provides, in particular, shared transportation planning;

(4) school bodies:

(a) school service centres established under the Education Act (chapter I-13.3);

(b) the Comité de gestion de la taxe scolaire de l'île de Montréal established under that Act; and

(c) the Centre de services scolaire du Littoral established by the Act respecting the Commission scolaire du Littoral (1966-1967, chapter 125);

(5) bodies in the health and social services network:

(a) health services and social services:

i. institutions within the meaning of the Act respecting health services and social services (chapter S-4.2); and

ii. institutions within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5);

(b) the health and social services network insurance manager referred to in section 435.1 of the Act respecting health services and social services; and

(c) the health communication centres referred to in the Act respecting pre-hospital emergency services (chapter S-6.2).

The following parliamentary institutions are considered agencies of the civil administration:

(a) the National Assembly, in the exercise of activities other than those necessary for its deliberative function or for the exercise of its legislative power and of its oversight power; and

(b) persons designated by the National Assembly to an office under its authority, with the personnel directed by them.

Despite the preceding paragraphs, the civil administration does not include an educational institution that is a government body when it gives instruction or the Université du Québec.

B. Semipublic agencies

Semipublic agencies include:

(1) public utility enterprises, if they do not already belong to the civil administration, telephone and cable-delivery enterprises, air, ship, bus and rail transport enterprises, enterprises that produce, transport, distribute or sell gas, water or electricity, and enterprises holding authorizations from the Commission des transports; and

(2) professional orders listed in Schedule I to the Professional Code (chapter C-26) or established in accordance with that Code.

“SCHEDULE II
(*Section 186*)

OATH

I declare under oath that I will fulfil the duties of my office with honesty, impartiality and justice and that I will not accept any sum of money or other consideration for what I do in the discharge of my duties apart from what is allowed to me by law.

I further declare under oath that I will not reveal, unless duly authorized, any information I have obtained in the discharge of my duties.”

2022, chapter 15

AN ACT TO TERMINATE THE PUBLIC HEALTH EMERGENCY WHILE MAINTAINING TRANSITIONAL MEASURES NECESSARY TO PROTECT THE HEALTH OF THE POPULATION

Bill 28

Introduced by Mr. Christian Dubé, Minister of Health and Social Services

Introduced 16 March 2022

Passed in principle 11 May 2022

Passed 1 June 2022

Assented to 1 June 2022

Coming into force: The provisions of this Act come into force on 1 June 2022 and cease to have effect on 31 December 2022, except the provisions of the second paragraph of section 4, which cease to have effect on 1 June 2027 or on any earlier date or dates to be set by the Government.

Legislation amended: None

Explanatory notes

This Act terminates the public health emergency declared on 13 March 2020.

Under the Act, the measures set out in certain orders of the Minister of Health and Social Services made under the Public Health Act remain in force until 31 December 2022. However, the Government may amend or repeal those orders to allow a gradual easing of the measures.

In addition, the Act provides that certain contracts in force that have been entered into by the Minister or a health and social services institution during the public health emergency may be extended for a period that does not, according to the nature of the contract, extend beyond 31 December 2022 or exceed five years.

Lastly, the provisions of the Act, with certain exceptions, cease to have effect on 31 December 2022.



Chapter 15

AN ACT TO TERMINATE THE PUBLIC HEALTH EMERGENCY WHILE MAINTAINING TRANSITIONAL MEASURES NECESSARY TO PROTECT THE HEALTH OF THE POPULATION

[Assented to 1 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** The public health emergency declared on 13 March 2020 and renewed since is terminated.
- 2.** The measures prescribed by Order 2022-031 of the Minister of Health and Social Services dated 11 May 2022 concerning measures relating to education remain in force until 30 June 2022.

The measures prescribed by the following orders of the Minister remain in force until 31 December 2022:

- (1) Order 2022-028 (2022, G.O. 2, 1015A) concerning operational measures;
- (2) Order 2022-029 (2022, G.O. 2, 1016A) concerning measures relating to vaccination and screening;
- (3) Order 2022-032 dated 11 May 2022 concerning public health measures; and
- (4) Order 2022-033 dated 11 May 2022 concerning measures relating to human resources.

No judicial proceedings may be brought against the Government, the Minister or any other person for acts performed in good faith in applying the above orders.

- 3.** The Government may amend or repeal a ministerial order referred to in section 2 to allow a gradual easing of the measures.
- 4.** Despite any contrary provision of the Act respecting contracting by public bodies (chapter C-65.1) or of any other Act or any regulation, the contracts entered into by the Minister or a health and social services institution during the public health emergency under Order in Council 177-2020 dated 13 March 2020 (2020, G.O. 2, 763A) and its subsequent amendments that are still in force at the end of the public health emergency and are necessary to ensure the proper operation of screening or vaccination clinics may be extended for a period that does not extend beyond 31 December 2022.

Despite the preceding paragraph, the term or value of any existing contract for the storage or transportation of goods acquired during the COVID-19 pandemic may be extended or increased until the stocks have been exhausted. However, the term of such contracts may not extend beyond five years after the end of the public health emergency.

Consequently, this section does not apply to contracts entered into after 23 March 2022.

5. Anyone who

(1) contravenes a measure that has continued to apply or was amended under section 2 or 3,

(2) by an act or omission, helps a person to commit an offence under subparagraph 1, or

(3) by encouragement, advice or consent or by an authorization or an order, induces a person to commit an offence under subparagraph 1,

commits an offence and is liable to a fine of \$1,000 to \$6,000.

The fines are doubled for a subsequent offence.

6. The Minister must table in the National Assembly, not later than 10 June 2022, the event report referred to in section 129 of the Public Health Act (chapter S-2.2).

7. The Minister of Health and Social Services is responsible for the administration of this Act.

8. The provisions of this Act come into force on 1 June 2022 and cease to have effect on 31 December 2022, except the provisions of the second paragraph of section 4, which cease to have effect on 1 June 2027 or on any earlier date or dates to be set by the Government.

2022, chapter 16

AN ACT TO INCREASE THE SUPPLY OF PRIMARY CARE SERVICES AND TO IMPROVE THE MANAGEMENT OF THAT SUPPLY

Bill 11

Introduced by Mr. Christian Dubé, Minister of Health and Social Services

Introduced 11 November 2021

Passed in principle 10 February 2022

Passed 31 May 2022

Assented to 1 June 2022

Coming into force: on the date or dates to be determined by the Government, except

(1) sections 10, 11, 15 to 18 and 28, which come into force on 1 June 2022; and

(2) sections 12 to 14, 20 to 27 and 29, which come into force on the date of coming into force of the first regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2), enacted by section 29.

Legislation amended:

Act to promote access to family medicine and specialized medicine services (chapter A-2.2)

Health Insurance Act (chapter A-29)

Medical Act (chapter M-9)

Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)

Act respecting health services and social services (chapter S-4.2)

Act to amend certain provisions regarding the clinical organization and management of health and social services institutions (2017, chapter 21)

Explanatory notes

This Act amends the Act to promote access to family medicine and specialized medicine services to provide that general practitioners who participate in the Québec Health Insurance Plan are required to add to their caseload of patients only those persons registered for the Québec Family Doctor Finder (GAMF). It also provides that those physicians are required to make themselves available to insured persons through the appointment booking system put in place by the Régie de l'assurance maladie du Québec (the Board) or through an appointment booking system offered by another supplier.

The Act allows the Minister of Health and Social Services to enter into agreements with suppliers of appointment booking systems so that appointments with a same physician may be made by means of more than one such system. It provides that, as soon as a first agreement is entered into, the Minister

(cont'd on next page)

Explanatory notes (*cont'd*)

sees to the management of appointment booking and that every general practitioner must send their hours of availability to the Minister. The Minister is authorized to use the information collected in the course of that management where it is necessary for the exercise of the Minister's functions.

In addition, the Act amends the Act respecting health services and social services so that the Minister may determine the cases in which and the conditions under which certain health services and social services may be provided from a distance.

Moreover, the Act amends the Health Insurance Act to specify that the remuneration of health professionals, within the meaning of that Act, may be different for the provision of medical services from a distance, in particular according to the means used to provide such a service. It also amends that Act to authorize the Board to communicate, to a health and social services institution and to a regional department of general medicine, certain information necessary for medical staff planning and for the application of the Act to promote access to family medicine and specialized medicine services. It also prescribes the conditions under which the Board may communicate to the Minister the information necessary for the exercise of the Minister's functions.

Furthermore, the Act amends the Act respecting the Régie de l'assurance maladie du Québec to set up a system that allows every insured person to find a health and social services professional who agrees to provide medical care to them.

Lastly, the Act contains consequential provisions.



Chapter 16

AN ACT TO INCREASE THE SUPPLY OF PRIMARY CARE SERVICES AND TO IMPROVE THE MANAGEMENT OF THAT SUPPLY

[Assented to 1 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT TO PROMOTE ACCESS TO FAMILY MEDICINE AND SPECIALIZED MEDICINE SERVICES

I. Section 11 of the Act to promote access to family medicine and specialized medicine services (chapter A-2.2) is replaced by the following sections:

“II. Every general practitioner subject to an agreement entered into under section 19 of the Health Insurance Act (chapter A-29) must

(1) add to the caseload of patients they provide medical care to only those persons registered in the information system mentioned in the sixth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), which is designed to allow them to find a health and social services professional who agrees to provide medical care to them, except to take over for another physician in the cases referred to in section 10; and

(2) make themselves available to insured persons, within the meaning of the Health Insurance Act, by means of the appointment booking system mentioned in the sixth paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec or another system whose supplier has entered into an agreement referred to in section 11.1 with the Minister.

The Government may, by regulation, prescribe the cases in which and conditions under which physicians may add to their caseload of patients a person other than a person registered in the system referred to in subparagraph 1 of the first paragraph. The Government may, likewise, determine to what extent physicians must make themselves available under subparagraph 2 of that paragraph. The Government may also determine, in such a regulation, the percentage of a physician's hours of availability that must be offered from Monday to Friday, before 8:00 a.m. and after 7:00 p.m., as well as on Saturdays and Sundays and prescribe the requirements relating to the use of the information system or an appointment booking system and the information that must be entered into those systems.

“11.1. To allow for the booking of appointments with the same physician using more than one appointment booking system, the Minister may enter into an agreement with a supplier of an appointment booking system other than the one referred to in the sixth paragraph of section 2 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5).

As soon as a first agreement is entered into, the Minister must see to the management of appointment booking through those systems, in particular by taking the means necessary to prevent there being more than one appointment booked for a single period of availability.

As soon as such an agreement is entered into, every physician to whom section 11 applies must send the Minister their hours of availability referred to in that section, in accordance with the form and content, and at the intervals, determined by government regulation.

The Minister may use the information collected under the second and third paragraphs for any other purpose in addition to the purpose provided for therein, where such use is necessary for the exercise of the Minister’s functions, in particular for developing policies, medical staff planning, monitoring the implementation of those policies and that planning, and assessing applications for an approval, authorization or other decision that the Minister is empowered to make under the law in respect of the medical staff or any member of such staff.”

2. Section 21 of the Act is amended

(1) by replacing “or under section 10 or 11, the regional department of general medicine is responsible for verifying fulfillment of an obligation under section 6 or” and “or 15” in the first paragraph by “, section 10, subparagraph 1 of the first paragraph of section 11 or section 13.1, the regional department of general medicine is responsible for verifying fulfillment of an obligation under section 6, subparagraph 2 of the first paragraph of section 11 or section” and “, 15 or 15.1”, respectively;

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

“Lastly, the Minister is responsible for verifying fulfillment of an obligation under the third paragraph of section 11.1.”

3. Section 23 of the Act, amended by section 70 of chapter 21 of the Statutes of 2017, is again amended, in the first paragraph,

(1) by inserting “, the Minister” after “professional services”;

(2) by replacing “section 6, 7,” by “section 6 or 7, subparagraph 2 of the first paragraph of section 11, the third paragraph of section 11.1 or section”.

4. Section 24 of the Act is amended by replacing “general practitioner has failed to fulfill an obligation under subparagraph 1 of the first paragraph of section 4 or under section 10 or 11” by “physician has failed to fulfill an obligation under subparagraph 1 of the first paragraph of section 4, section 10, subparagraph 1 of the first paragraph of section 11 or section 13.1”.

5. Section 30 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is amended

(1) by replacing “eighth” in paragraph 1 by “ninth”;

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

“(2) by replacing “sixth or seventh” in the tenth paragraph by “fifth or sixth”.

6. Section 31 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is amended by replacing “twelfth” and “tenth” by “thirteenth” and “eleventh”, respectively.

7. Section 39 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is amended by replacing “seventh and eighth” and “sixth” by “eighth and ninth” and “seventh”, respectively.

8. Section 63 of the Act, enacted by section 1 of chapter 25 of the statutes of 2015, is replaced by the following section:

“**63.** Section 377.1 of the Act is amended by replacing “seventh” by “sixth”.”

9. Section 72 of the Act is amended by replacing “the medical appointment system mentioned in the sixth paragraph of section 2 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5)” in subparagraph 5 of the first paragraph by “an appointment booking system referred to in subparagraph 2 of the first paragraph of section 11”.

HEALTH INSURANCE ACT

10. Section 19 of the Health Insurance Act (chapter A-29) is amended

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

“An agreement may provide for a different remuneration for the provision of medical services from a distance, in particular according to the means used to provide such a service.”;

(2) by replacing “in the sixth paragraph” in the ninth paragraph by “in the sixth or seventh paragraph”.

11. Section 19.1 of the Act is amended by replacing “twelfth” in the second paragraph by “thirteenth”.

12. The Act is amended by inserting the following section after section 22.0.0.0.2:

“22.0.0.0.3. A health professional subject to the application of an agreement or a health professional who has withdrawn is entitled to be remunerated for an insured service the health professional provided from a distance only in the cases determined by a regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2) and if the conditions determined in the regulation are met.”

13. Section 22.2 of the Act is amended by inserting “or with the cases and conditions determined by a regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2), as the case may be” after “in non-conformity with the agreement” in the first paragraph.

14. Section 54 of the Act is amended by adding the following sentence at the end of the first paragraph: “The same applies to a dispute concerning a professional in the field of health who is subject to the application of an agreement and that results from the interpretation or application of a provision of a regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2).”

15. Section 65 of the Act is amended

(1) in the fifth paragraph,

(a) by striking out “concerning the remuneration of a physician”;

(b) by inserting “or required for medical staff planning” after “services (chapter A-2.2)”;

(2) by inserting the following paragraph after the fifth paragraph:

“The Board may also, in accordance with the conditions and formalities provided for in the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), forward to the Minister the information necessary for the exercise of the Minister’s functions, in particular for developing policies, medical staff planning, monitoring the implementation of those policies and that planning, and assessing applications for an approval, authorization or other decision that the Minister is empowered to make under the law in respect of the medical staff or any member of such staff. Such information must not allow an insured person to be identified.”

16. Section 67 of the Act is amended by striking out the tenth paragraph.

17. Section 69.0.1.1 of the Act is amended by replacing “seventh and eighth” by “eighth and ninth”.

MEDICAL ACT

18. The Medical Act (chapter M-9) is amended by inserting the following section after section 14:

“**14.1.** The president or the person designated by the president may, on request, send to the Minister of Health and Social Services the information concerning physicians or holders of a registration certificate in medicine that the Minister considers necessary for the exercise of his functions, in particular for developing policies, medical staff planning, monitoring the implementation of those policies and that planning, and assessing applications for an approval, authorization or other decision that the Minister is empowered to make under the law in respect of the medical staff or any member of such staff.”

ACT RESPECTING THE RÉGIE DE L’ASSURANCE MALADIE DU QUÉBEC

19. Section 2 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5) is amended by replacing “physician who agrees to provide medical care to the person in collaboration, if applicable, with other health and social services professionals. It shall also set up a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under section 19 of that Act. The Board may also, at the Minister’s request, allow such a system to be used to make an appointment with” in the sixth paragraph by “health and social services professional who belongs to a class of professionals, and practises in premises belonging to a class, identified by the Minister and who agrees to provide medical care to the person in collaboration, if applicable, with other professionals. The Board shall also set up a system designed to allow every insured person to make an appointment with”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

20. Section 6 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following sentence at the end of the first paragraph: “The person is also entitled to have those services provided to him in person.”

21. Section 13 of the Act is amended by replacing “The right to health services and social services and the right to choose a professional and an institution as provided in sections 5 and 6” by “The rights provided for in section 5 and in the first paragraph of section 6”.

22. Section 34 of the Act is amended by striking out “or 108.1” in the first paragraph.

23. The Act is amended by inserting the following section after section 105:

“105.0.1. The services determined under section 105 may be provided from a distance only in the cases and on the conditions determined by a regulation made under section 453.2. The same applies to the conduct of activities determined under section 105.”

24. Sections 108.1 and 108.2 of the Act are repealed.

25. Section 109 of the Act is amended by striking out “, 108.1” in the first and fourth paragraphs.

26. The Act is amended by inserting the following section after section 333.4.1:

“333.4.2. The services insured under the plan established by the Health Insurance Act (chapter A-29) may be provided from a distance by a health professional, within the meaning of that Act, who practises in a specialized medical centre referred to in subparagraph 1 of the first paragraph of section 333.3, only in the cases and on the conditions determined by a regulation made under section 453.2.”

27. The Act is amended by inserting the following title after section 338.1:

“TITLE III

“PRIVATE HEALTH FACILITY

“338.2. The services insured under the plan established by the Health Insurance Act (chapter A-29) may be provided from a distance by a health professional, within the meaning of that Act, who practises in a private health facility, only in the cases and on the conditions determined by a regulation made under section 453.2.”

28. Section 377.1 of the Act is amended by replacing “sixth” by “seventh”.

29. The Act is amended by inserting the following chapter after section 453.1:

“CHAPTER II.1

“HEALTH SERVICES AND SOCIAL SERVICES PROVIDED FROM A DISTANCE

“453.2. The Minister may, by regulation, determine the cases in which and the conditions under which the following services may be provided from a distance, in particular to ensure their quality:

- (1) the health services and social services determined under section 105;

(2) the services insured under the plan established by the Health Insurance Act (chapter A-29) and provided by a health professional, within the meaning of that Act, who practises in a specialized medical centre referred to in subparagraph 1 of the first paragraph of section 333.3; and

(3) the services insured under the plan established by the Health Insurance Act and provided by a health professional, within the meaning of that Act, who practises in a private health facility.

The regulation may also determine the conditions under which the activities determined under section 105 may be conducted from a distance.

The Minister may, in particular, determine the cases and circumstances in which a technological product or service certified in accordance with the specific rules defined by the health and social services network information officer under section 5.2 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) must be used when services are provided or activities are conducted from a distance.”

ACT TO AMEND CERTAIN PROVISIONS REGARDING THE CLINICAL ORGANIZATION AND MANAGEMENT OF HEALTH AND SOCIAL SERVICES INSTITUTIONS

30. Sections 69 and 71 of the Act to amend certain provisions regarding the clinical organization and management of health and social services institutions (2017, chapter 21) are repealed.

FINAL PROVISION

31. The provisions of this Act come into force on the date or dates to be determined by the Government, except

(1) sections 10, 11, 15 to 18 and 28, which come into force on 1 June 2022; and

(2) sections 12 to 14, 20 to 27 and 29, which come into force on the date of coming into force of the first regulation made under section 453.2 of the Act respecting health services and social services (chapter S-4.2), enacted by section 29.

2022, chapter 17

AN ACT RESPECTING THE NATIONAL STUDENT OMBUDSMAN

Bill 9

Introduced by Mr. Jean-François Roberge, Minister of Education

Introduced 23 November 2021

Passed in principle 3 February 2022

Passed 31 May 2022

Assented to 2 June 2022

Coming into force: on the date or dates to be set by the Government, except sections 92 and 100, which come into force on 2 June 2022

- 2022-06-29: ss. 1-15, 18, 52, 53 (1st par.), 55
O.C. 1307-2022
G.O., 2022, Part 2, p. 2527
- 2023-09-15: ss. 71 (par. 1, 3), 77, 79 (par. 2), 86
O.C. 1307-2022
G.O., 2022, Part 2, p. 2527

Legislation amended:

Financial Administration Act (chapter A-6.001)

Charter of human rights and freedoms (chapter C-12)

Act respecting private education (chapter E-9.1)

Education Act (chapter I-13.3)

Act respecting labour standards (chapter N-1.1)

Act to ensure the protection of trainees in the workplace (2022, chapter 2)

Regulation amended:

Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1)

Explanatory notes

This Act proposes to replace the existing complaint processing procedure for school service centres.

To that end, the Act provides for the Government to appoint a National Student Ombudsman and for the Minister of Education to appoint regional student ombudsmen. The Act establishes that the function of the National Student Ombudsman and the regional student ombudsmen is to see that the rights of students, homeschooled children and the parents of those students or children are respected with regard to the services rendered to them by a school service centre, a private educational institution or an educational institution in matters under the jurisdiction of the Minister that the Minister determines.

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Explanatory notes (cont'd)

In particular, the Act requires the National Student Ombudsman to be responsible for the adequate and optimal application of the provisions relating to the complaint processing procedure. For that purpose, the National Student Ombudsman must, among other things,

- (1) ensure that regional student ombudsmen serve the entire territory of Québec;
- (2) promote his or her role as well as that of the regional student ombudsmen;
- (3) disseminate information on the rights of students and homeschooled children, and their parents;
- (4) coordinate, distribute and supervise the regional student ombudsmen's work and encourage concerted action by them; and
- (5) give an opinion to the Minister of Education on any matter the Minister submits to the Ombudsman.

The Act enacts a procedure for processing complaints by school service centres and private educational institutions. In particular, it establishes in the procedure that a student or child or their parents must first file a complaint with the person directly concerned by the complaint or that person's immediate supervisor. If they are dissatisfied with the processing of the complaint, they can refer it to the person in charge of processing complaints designated among the personnel of the school service centre or private educational institution.

The Act also provides that the National Student Ombudsman may examine complaints processed by regional student ombudsmen and, if he or she considers it advisable, substitute his or her conclusions or recommendations for those of the regional student ombudsman. For that purpose, the Act grants the regional student ombudsmen, and the National Student Ombudsman, powers of investigation and immunity.

The Act provides for regional student ombudsmen to give their opinion to the board of directors of a school service centre, a governing board, a parents' or students' committee or a private educational institution on any matter those parties submit to them.

The Act grants protection against reprisals to persons who make a report or file a complaint, cooperate in the processing of a report or complaint or accompany a person who makes a report or files a complaint.

In respect of the fight against bullying and violence, the Act allows a person who is dissatisfied with the processing of a report or complaint to refer it to the person in charge of processing complaints, then to a regional student ombudsman. Where the complaint concerns an act of sexual violence, the Act allows for it to be filed directly with the regional student ombudsman. In those cases, in addition to the processing of the complaint, provision is made for the regional student ombudsmen to ensure the follow-up on actions taken by the institution in implementing the anti-bullying and anti-violence plan.

Regarding acts of sexual violence, the Act also entrusts regional student ombudsmen with the power to intervene following a report or on their own initiative and grants them powers of inspection for that purpose.

The Act requires the National Student Ombudsman and regional student ombudsmen to submit a report on their activities annually. The National Student Ombudsman's report may include any recommendation of collective scope that the Ombudsman considers useful with regard to the services provided by school service centres or private educational institutions. The Minister tables the report in the National Assembly.

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Explanatory notes (*cont'd*)

The Act also contains various measures about bullying and violence, including the requirement for educational institutions to devote a separate section of the anti-bullying and anti-violence plan to sexual violence.

Lastly, the Act creates penal offences, makes consequential amendments and contains transitional and final provisions.



Chapter 17

AN ACT RESPECTING THE NATIONAL STUDENT OMBUDSMAN

[Assented to 2 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

NATIONAL STUDENT OMBUDSMAN AND REGIONAL STUDENT OMBUDSMEN

DIVISION I

APPOINTMENT AND ORGANIZATION

1. On the recommendation of the Minister, the Government appoints a National Student Ombudsman. The term of office must not exceed five years.

The person so appointed must have knowledge of the education system and dispute resolution mechanisms.

2. The National Student Ombudsman exercises the functions of office exclusively and on a full-time basis.

3. At the expiry of the term, the National Student Ombudsman remains in office until replaced or reappointed.

4. If the National Student Ombudsman is absent or unable to act, or the office is vacant, the Minister appoints one of the regional student ombudsmen acting on a full-time basis to act as interim National Student Ombudsman.

However, a regional student ombudsman who acts as interim National Student Ombudsman does not exercise the functions entrusted to the National Student Ombudsman under section 44 in respect of complaints that the regional student ombudsman has processed. Those functions are entrusted to another regional student ombudsman.

5. The Minister appoints regional student ombudsmen from among persons declared qualified for appointment to those functions by a selection committee and according to the recruiting and selection procedure established by regulation of the Minister. Their term of office must not exceed five years. Their term is renewable.

Regional student ombudsmen who exercise the functions of office on a full-time basis do so exclusively.

The regulation referred to in the first paragraph must, in particular,

- (1) determine the publicity to be made for recruitment purposes and its content;
- (2) determine the eligibility requirements and the application procedure to be followed by candidates;
- (3) determine the selection criteria to be taken into account by the selection committee;
- (4) determine the information the selection committee may require from a candidate and the consultations it may hold; and
- (5) determine the period for which a declaration of qualification is valid.

The recruiting and selection procedure referred to in the first paragraph does not apply to the regional student ombudsmen whose term is renewed.

6. The selection committee, established by the National Student Ombudsman, is composed of the National Student Ombudsman, who acts as chair, and the following persons designated by the National Student Ombudsman from among the persons recommended by the associations or organizations most representative after consultation with those associations or organizations:

- (1) a parent of a student who attends an institution of a French-language school service centre;
- (2) a parent of a student who attends an institution of an English-language school service centre;
- (3) a parent of a student who attends an institution of a school board or of the Centre de services scolaire du Littoral established by the Act respecting the Centre de services scolaire du Littoral (1966-1967, chapter 125);
- (4) a parent of a student who attends a private educational institution;
- (5) a teacher;
- (6) a non-teaching professional staff member;
- (7) a member of the executive staff of a school service centre or private educational institution;
- (8) a principal of an educational institution of a school service centre;
- (9) a director general of a school service centre; and
- (10) a person who administers a private educational institution.

As part of the consultations, the National Student Ombudsman sees that associations or organizations representing English speakers and Indigenous persons are consulted.

If the National Student Ombudsman does not receive any recommendation for the designation of a person within the time he or she sets, the Ombudsman may designate a person after notifying the associations or organizations concerned.

7. The members of the selection committee receive no remuneration, except in the cases, on the conditions and to the extent as the Minister may determine.

However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions on the conditions and to the extent determined by the Minister.

8. No judicial proceedings may be brought against the members of the selection committee for any act done in good faith in the exercise of their functions.

9. The National Student Ombudsman and a regional student ombudsman may not be

(1) a member of the board of directors, a parents' committee or a governing board or be the director general, an assistant director general or the secretary general of a school centre or the person in charge of processing complaints within such a centre;

(2) a director, shareholder, officer or person in charge of processing complaints of or within a private educational institution that provides educational services belonging to the categories referred to in paragraphs 1 to 5 of section 1 of the Act respecting private education (chapter E-9.1);

(3) an employee of a school service centre or a private educational institution that provides educational services belonging to the categories referred to in paragraphs 1 to 5 of section 1 of the Act respecting private education; or

(4) a relative or the spouse of a person referred to in paragraphs 1 and 2.

10. The Government fixes the National Student Ombudsman's and regional student ombudsmen's salary, conditions of employment and, where applicable, their additional salary, allowances or fees.

11. The National Student Ombudsman coordinates, distributes and supervises the work of regional student ombudsmen, who must comply with his or her orders and directives in that regard.

12. The National Student Ombudsman assigns each regional student ombudsman to a region and also designates, for each region, the regional student ombudsman in charge of accountability under section 58. The National Student Ombudsman ensures that regional student ombudsmen serve the entire territory of Québec.

For the purposes of assignment and designation under the preceding paragraph, the National Student Ombudsman may, when the territory of a school service centre exceeds the boundaries of a region, include the excess part of the territory of the school service centre as part of the region. The National Student Ombudsman may also include all the facilities of a private educational institution in the same region.

A part-time regional student ombudsman may be assigned to more than one region.

The National Student Ombudsman may modify the boundaries of a region to which a regional student ombudsman is assigned. The regional student ombudsman concerned completes the processing of complaints in progress at the time of the modification.

Where the National Student Ombudsman determines the territory of regions for the purposes of assignment and designation under the first paragraph, the National Student Ombudsman takes into account, wherever possible, factors such as the boundaries of administrative regions and municipalities, and the existence of common characteristics and physical barriers.

13. The members of the National Student Ombudsman's personnel are appointed in accordance with the Public Service Act (chapter F-3.1.1).

14. The National Student Ombudsman is deemed to be a body for the purposes of the law.

The National Student Ombudsman's head office is located at the place determined by the Government.

Notice of the location and any change of location of the head office is published in the *Gazette officielle du Québec*.

15. The National Student Ombudsman makes an office available to each regional student ombudsman. That office may not be located on the premises of a school service centre or private educational institution.

DIVISION II**FUNCTIONS AND RESPONSIBILITIES**

16. The National Student Ombudsman and regional student ombudsmen see that the rights of students, homeschooled children, and their parents, are respected with regard to the services the school service centre provides to them.

In the same manner, they see that the rights of students who receive from a private educational institution educational services belonging to the categories referred to in paragraphs 1 to 5 of section 1 of the Act respecting private education, and their parents, are respected with regard to those services and to the follow-up on a report or complaint concerning an act of bullying or violence.

They also see that the rights of students who receive services from an educational institution in matters under the jurisdiction of the Minister other than those established in accordance with the Act respecting private education, the Education Act (chapter I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) that the Minister determines are respected.

For the purposes of this Act, “parent” means the person having parental authority or, unless that person objects, the person having de facto custody of the student or child.

17. The National Student Ombudsman is responsible for the adequate and optimal application of the provisions relating to the complaint processing procedure provided for by this Act.

For that purpose, the National Student Ombudsman promotes his or her role and that of the regional student ombudsmen, and disseminates information on the rights of students and homeschooled children, and their parents, to improve knowledge of those roles. The National Student Ombudsman also promotes the complaint processing procedure provided for by this Act.

The National Student Ombudsman also encourages concerted action by the regional student ombudsmen and the sharing of good practices applicable in the exercise of their functions. The National Student Ombudsman sees that the regional student ombudsmen receive the training relevant to the exercise of their functions, including on racism and discrimination, Indigenous realities and sexual violence as well as any matter the Minister determines.

Lastly, the National Student Ombudsman provides support to any regional student ombudsman who requires it for the purposes of processing a complaint, with due regard to their functions and the confidentiality of information. The National Student Ombudsman may thus give regional student ombudsmen an opinion on the means to be favoured or the solutions to be considered in dealing with a problem related to the exercise of their functions. The National Student Ombudsman also examines the complaints where the regional student ombudsmen consider it advisable to make conclusions or recommendations.

18. The National Student Ombudsman gives an opinion to the Minister on any matter the Minister submits to the National Student Ombudsman.

19. For the purposes of section 16, regional student ombudsmen process any complaint filed by a student who attends an educational institution located in the region to which the regional student ombudsmen are assigned, by a homeschooled child who resides in the region or by their parents. Regional student ombudsmen also process any complaint concerning an act of bullying or violence, as well as any report concerning an act of sexual violence against a student who attends an educational institution located in the region.

Regional student ombudsmen give their opinion to the board of directors of a school service centre, a governing board, a parents' committee, a students' committee or a private educational institution referred to in section 16 on any matter those parties submit to the regional student ombudsmen with regard to the services the school service centre or private educational institution provides to students, homeschooled children or their parents. Those opinions are posted on the website of the National Student Ombudsman within 30 days after they are sent.

20. Regional student ombudsmen disseminate information about the complaint processing procedure provided for by this Act as well as information about the possibility of making a report or filing a complaint concerning an act of sexual violence to or with regional student ombudsmen.

Regional student ombudsmen provide any information on applying the complaint processing procedure to persons who request it and inform them of the protection measures under the law against reprisals afforded to any person who makes a report or files a complaint, cooperates in the processing of a report or complaint or who accompanies a person who makes a report or files a complaint.

21. A school service centre or private educational institution must, not later than 30 September each year, inform the students, children and their parents of the possibility of filing a complaint under the complaint processing procedure provided for by this Act. The centre or institution must also inform the students and their parents of the possibility of making a report or filing a complaint concerning an act of sexual violence to or with the regional student ombudsman. To that end, the centre or institution must post in a visible manner, in each educational institution, a document provided by the National Student Ombudsman explaining who may file a complaint and how that right is to be exercised. The document must specify the contact information of the regional student ombudsman to whom the complaint must be referred.

The centre or institution must also disseminate such information by the same time limit in a section dedicated to that purpose which is accessible from the home page of the website of each educational institution.

The National Student Ombudsman may determine any other means of communication that centres and institutions, or some of them, must use to disseminate such information.

22. In exercising the functions conferred on them by this Act, the National Student Ombudsman and the regional student ombudsmen ensure that they take into account Indigenous realities.

CHAPTER II

COMPLAINT PROCESSING

DIVISION I

COMPLAINT PROCESSING BY A SCHOOL SERVICE CENTRE OR PRIVATE EDUCATIONAL INSTITUTION

23. A student or child referred to in section 16 or the parents of that student or child who are dissatisfied with a service they received, are receiving, ought to have received or require from the school service centre may file a complaint with the person directly concerned by the complaint or with the person's immediate supervisor.

If the complaint is filed with a personnel member of an educational institution, the member informs the principal of the institution without delay.

24. A person who is dissatisfied with the processing of their complaint or whose complaint has not been processed within 10 working days after it is received may refer the complaint to the person in charge of processing complaints within the school service centre. The person in charge of processing complaints is designated from among the school service centre personnel by the board of directors.

Despite section 23, a person who is dissatisfied with the follow-up on a report or complaint concerning an act of bullying or violence made to a principal of an educational institution under section 96.12 or 110.13 of the Education Act may file a complaint with the person in charge of processing complaints.

25. The person in charge of processing complaints must, within 15 working days after receiving the complaint, give the complainant and the person directly concerned by the complaint a written opinion on the merits of the complaint and specify any corrective measures the person in charge considers appropriate.

If the complaint concerns the follow-up on a report or complaint concerning an act of bullying or violence, the opinion is given to the complainant and the principal of the educational institution.

The person in charge of processing complaints must, before giving an opinion on the merits of the complaint, give the complainant and the person directly concerned by the complaint or the person's immediate supervisor the opportunity to be heard and, where applicable, invite the person or the person's supervisor to remedy the situation which gave rise to the complaint.

26. If the person in charge of processing complaints considers that facts brought to their attention raise questions of a disciplinary nature, the person notifies the human resources manager within the school service centre in writing without delay. If the person considers it expedient, the complainant is also notified.

In the same way, if the person in charge of processing complaints considers that facts brought to their attention concern a serious fault or derogatory act referred to in the first paragraph of section 26 of the Education Act, the person notifies the Minister in writing without delay of the facts relating to the fault or act concerned. The person also notifies the complainant.

The Minister ensures the follow-up with the complainant of any notice received under the preceding paragraph, in particular as regards the complainant's intention to file a complaint under section 26 of the Education Act.

The person in charge of processing complaints continues the examination of the complaint.

27. A person who is dissatisfied with the processing of their complaint by the person in charge of processing complaints, or whose complaint has not been processed within 15 working days after it is received, may refer the complaint to a regional student ombudsman in accordance with the provisions of Division II of this chapter.

28. The procedure set out in this chapter also applies, with the necessary modifications, to a private educational institution that provides educational services belonging to the categories listed in paragraphs 1 to 5 of section 1 of the Act respecting private education with regard to those services and to the follow-up on a report or complaint concerning an act of bullying or violence.

For the purposes of section 24, the board of directors of a school service centre means the board of directors of a private educational institution or, if there is no board of directors, the person operating that institution within the meaning of section 3 of the Act respecting private education.

29. For the purposes of this division, the Minister may, by regulation, establish any other terms relating to the filing of a complaint or the processing of complaints.

DIVISION II**COMPLAINT PROCESSING BY REGIONAL STUDENT OMBUDSMEN****§1. — *General provisions***

30. Regional student ombudsmen assist any persons who require it in drawing up a complaint or in taking any action relating to the complaint and inform them of their right to be accompanied by a person of their choice, at any step of the processing of the complaint.

31. Any complaint must be filed in writing and addressed to a regional student ombudsman.

The complaint must also be filed in accordance with the other terms that the Minister determines by regulation.

Despite the first paragraph, the National Student Ombudsman may, if warranted by the circumstances, entrust the processing of a complaint to a regional student ombudsman other than the one to whom it was addressed.

32. Regional student ombudsmen may, if they consider that circumstances so warrant, refuse to examine a complaint or terminate the examination of a complaint where a proceeding is brought by the complainant before a court of justice or before a person or body of the administrative branch exercising adjudicative functions and the proceeding regards the facts on which the complaint is based and where, in the regional student ombudsmen's opinion, the conclusions sought by bringing the proceeding are similar to the conclusions sought by drawing up the complaint.

They may also refuse to examine a complaint if they consider that another proceeding could adequately and within a reasonable time correct the situation giving rise to the complaint.

33. If the steps of the complaint processing procedure under Division I of this chapter have not been followed, regional student ombudsmen may examine the complaint regardless, in the following cases:

(1) they are of the opinion that following the steps of the procedure could not adequately correct the situation or that the time taken for processing the complaint at the previous steps makes their intervention unnecessary; or

(2) the complaint concerns an act of sexual violence.

34. Regional student ombudsmen may, upon summary examination, refuse or cease to examine any complaint if, in their opinion, it is frivolous, vexatious or made in bad faith.

Regional student ombudsmen may also refuse or cease to examine a complaint if

(1) the complainant refuses or neglects to provide any information or document that the regional student ombudsmen consider relevant for a clear understanding of the facts;

(2) they have reasonable grounds to believe that their intervention would clearly serve no purpose; or

(3) the lapse of time between the facts on which the complaint is based and the receipt of the complaint makes it impossible to examine the complaint.

Regional student ombudsmen may, with the consent of the complainant, suspend the processing of the complaint if they consider that their intervention would be premature with regard to the complaint processing procedure provided for in Division I of this chapter.

35. Each time regional student ombudsmen refuse to examine a complaint or terminate the examination of a complaint, they must notify the complainant in writing without delay, giving reasons and, in the case of the second paragraph of section 32, indicating the proceedings to be brought.

Regional student ombudsmen must also, if they are of the opinion that the complaint may be processed by another person or organization and with the complainant's consent, send the information relating to the complaint to that person or organization.

36. When regional student ombudsmen examine a complaint, they must inform the school service centre or private educational institution concerned by the complaint. The centre or institution must in that case send the information it holds relating to the complaint to the regional student ombudsmen without delay.

Regional student ombudsmen give the complainant and the person directly concerned by the complaint or the person's immediate supervisor the opportunity to be heard and, where applicable, invite those persons to remedy the situation which gave rise to the complaint.

When the complaint concerns an act of bullying or violence, regional student ombudsmen give the complainant and the principal of the educational institution or the person designated by the private educational institution in accordance with section 63.5 of the Act respecting private education, as applicable, the opportunity to be heard.

37. In addition to what is provided for in section 36, if the complaint concerns an act of sexual violence, regional student ombudsmen send the complaint without delay to the principal of the institution or to the person designated by the private educational institution, as applicable, unless they have reasonable grounds to believe that the sending could impede an investigation or unless the complainant objects.

When the complaint is sent, regional student ombudsmen ensure the follow-up on actions taken by the institution in implementing the anti-bullying and anti-violence plan.

38. During the examination of a complaint, regional student ombudsmen may, if they consider it expedient, conduct an investigation.

They may also entrust the investigation to a person authorized by the National Student Ombudsman for that purpose.

39. Section 26 applies, with the necessary modifications, to the processing of complaints by regional student ombudsmen.

40. Regional student ombudsmen may, if they consider it useful, if circumstances permit and if the complainant and the other persons concerned consent to it in writing, meet with them to attempt to bring the parties to an agreement. The complaint processing is suspended for the duration of the process.

41. For the purposes of this division, the Minister may, by regulation, establish any other terms relating to the processing of complaints by regional student ombudsmen.

§2.—*Special provisions applicable to the processing of complaints concerning acts of sexual violence*

42. Complaints concerning acts of sexual violence are processed as urgent.

43. On receiving a complaint concerning an act of sexual violence, regional student ombudsmen must inform the student that it is possible to refer the complaint to the Commission des services juridiques. If the student is under 14 years of age, the regional student ombudsmen also inform their parents of that option, and if the student is 14 years of age or over, the regional student ombudsmen may also inform their parents of that option, with the student's consent.

DIVISION III**CONCLUSIONS AND RECOMMENDATIONS**

44. Regional student ombudsmen must, within 20 working days after receiving a complaint, complete the examination of the complaint and determine the conclusions and, if applicable, the recommendations they consider advisable to make to the school service centre or private educational institution.

Regional student ombudsmen send their conclusions and recommendations as well as the information they hold relating to the complaint to the National Student Ombudsman. The National Student Ombudsman then has five working days to inform the regional student ombudsmen of his or her intention to examine the complaint.

Where the National Student Ombudsman examines the complaint, he or she has 10 working days to complete the examination and, if he or she considers it advisable, substitute his or her conclusions or recommendations for those of the regional student ombudsman. The National Student Ombudsman may, for the purposes of examining the complaint, conduct an investigation.

On the expiry of the time limit prescribed in the first, second or third paragraph, as applicable, the regional student ombudsmen inform the complainant and the school service centre or private educational institution in writing of the conclusions and the grounds on which they are made and of any recommendations.

If the complaint concerns an act of sexual violence and it was sent in accordance with section 37, the regional student ombudsmen inform, in the manner set out in the preceding paragraph, the principal of the institution or the person designated by the private educational institution concerned.

If the processing of the complaint is not completed within 25 working days after it is received, the regional student ombudsmen so inform the complainant and the school service centre or private educational institution, indicating the reasons for an extension.

The time limit provided for in the previous paragraph is extended by the number of days equivalent to the period during which the processing of the complaint was suspended under the third paragraph of section 34 or section 40, as applicable.

45. The school service centre or private educational institution must, within 10 working days after receiving any conclusion or recommendation, inform the complainant and the regional student ombudsman in writing of the action it intends to take on such a recommendation or conclusion and, if applicable, of the grounds for any refusal to take action on such a recommendation or conclusion.

CHAPTER III**REPORTS AND INITIATIVE OF REGIONAL STUDENT OMBUDSMEN**

46. Regional student ombudsmen must, after receiving a report or on their own initiative and if they are of the opinion that the information in their possession could show that an act of sexual violence was committed against a student who attends an educational institution located in the region to which they are assigned, send the information to the principal of the institution concerned or to the person designated by the private educational institution unless they have reasonable grounds to believe that sending the information could impede an investigation.

Regional student ombudsmen assist any person who requires it in making a report or in taking any action relating to it.

Such information is processed by the principal of the institution or by the person designated by the private educational institution, as applicable, as a report received in accordance with section 96.12 of the Education Act or section 63.5 of the Act respecting private education.

In addition, regional student ombudsmen process such information as a complaint that they examine in accordance with the provisions of Divisions II and III of Chapter II, with the necessary modifications.

47. Regional student ombudsmen take all necessary measures to preserve the confidentiality of any information allowing a person who has made a report to be identified, unless the person consents to being identified. However, regional student ombudsmen may communicate the identity of the person to the director of youth protection or to the police force concerned.

48. In exercising functions assigned under this chapter, regional student ombudsmen or any person authorized by the National Student Ombudsman may act as inspectors.

49. Persons acting as inspectors may

(1) enter, at any reasonable time, the premises and immovables of a school service centre, including the premises and immovables that are placed at the disposal of the educational institutions of the school service centre, and the facilities of any private educational institution;

(2) require, for examination or reproduction purposes, any information or document relating to the application of this chapter;

(3) take photographs or make recordings; and

(4) require a person, by any means that allows proof of receipt and of the exact time of receipt, to communicate to them any information or document required for exercising inspection functions conferred on them by this chapter, within the time and according to the conditions they specify.

50. Persons acting as inspectors must, on request, identify themselves and produce a certificate of authority.

No judicial proceedings may be brought against such persons for any act done in good faith in the exercise of their functions.

CHAPTER IV

INVESTIGATIONS AND IMMUNITY

51. For the conduct of an investigation, the National Student Ombudsman, regional student ombudsmen and any other person authorized for such purpose have the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to impose imprisonment.

52. Despite any other general law or special Act, the National Student Ombudsman, regional student ombudsmen and members of the National Student Ombudsman's personnel may not be compelled to make a deposition relating to information obtained in the exercise of their functions or produce any document containing such information.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to such a document.

53. No judicial proceedings may be brought against the National Student Ombudsman, regional student ombudsmen and members of the National Student Ombudsman's personnel for an omission or act in good faith in the exercise of their functions.

No judicial proceedings may be brought against a person who, in good faith, has made a report or filed a complaint, cooperated in the processing of a report or complaint or accompanied a person who has made a report or filed a complaint in accordance with this Act.

54. No civil action may be instituted because of the publication of conclusions or recommendations, or reports of the National Student Ombudsman or regional student ombudsmen or the publication, in good faith, of an extract from or summary of such conclusions or recommendations or of such reports.

55. Except on a question of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised nor any injunction granted against the National Student Ombudsman, a regional student ombudsman or a member of the National Student Ombudsman's personnel in the exercise of their functions.

CHAPTER V

PROTECTION AGAINST REPRISALS

56. Reprisals are prohibited against a person who, in good faith, makes a report or files a complaint, cooperates in the processing of a report or complaint or accompanies a person who makes a report or files a complaint in accordance with this Act.

It is also prohibited to threaten to take a reprisal against a person to dissuade them from performing an act described in the first paragraph.

The demotion, suspension, termination of employment or transfer of a person or any disciplinary or other measure that adversely affects the employment or working conditions of a person is presumed to be a reprisal. Depriving a student, child or their parents of any right or subjecting them to differential treatment or suspending or expelling a student who makes a report or files a complaint is also presumed to be a reprisal.

CHAPTER VI

REPORTS

57. The person in charge of processing complaints at a school service centre or private educational institution must, not later than 30 September of each year, send the regional student ombudsman in charge of accountability an activity report for the preceding school year. The report indicates the number and nature of complaints received from students attending an educational institution located in the regional student ombudsman's assigned region and homeschooled children residing in that region, or from their parents. The report also includes the time taken to examine the complaints, the nature of the corrective measures recommended and any follow-up to those measures. The report must separately list complaints concerning acts of bullying or violence. It must also separately list reports and complaints concerning acts of sexual violence.

58. The regional student ombudsmen in charge of accountability must, not later than 31 October of each year, send a report of their activities for the preceding school year to the National Student Ombudsman and to each school service centre and private educational institution located in the region in which they are assigned. The report must separately list complaint referrals concerning acts of bullying or violence. It must also separately list reports and complaints concerning acts of sexual violence.

The report states, in particular,

- (1) the number of complaints received, examined, refused or abandoned since the last report, and the nature of and grounds for those complaints;
- (2) the time taken for complaint examination;
- (3) the nature of the recommendations and the action taken on those recommendations within the scope of the examination of a complaint; and
- (4) the number and nature of the matters submitted to the regional student ombudsmen for an opinion.

The regional student ombudsmen send the reports received under section 57 to the National Student Ombudsman at the same time.

The Minister may, by regulation, prescribe any other information that regional student ombudsmen's annual reports must contain as well as the form of the reports.

The regional student ombudsmen's reports must bear their signature.

59. The National Student Ombudsman must, not later than 31 December of each year, send an activity report for the preceding school year to the Minister.

The report must set out, in particular and separately for each region,

- (1) the number of complaints received, examined, refused or abandoned since the last report, and the nature of and grounds for those complaints;
- (2) the time taken for complaint examination;
- (3) the nature of the recommendations and the action taken on those recommendations within the scope of the examination of a complaint; and
- (4) the number and nature of the matters submitted to the National Student Ombudsman for an opinion.

The report must separately list complaints concerning acts of bullying or violence. It must also separately list reports and complaints concerning acts of sexual violence.

The Minister may, by regulation, prescribe any other information that the National Student Ombudsman's annual report must contain as well as the form of the report.

The Minister tables the report in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days of resumption.

60. The National Student Ombudsman may, in the annual report, make any recommendation of collective scope that he or she considers useful with regard to the services provided by school service centres or private educational institutions.

CHAPTER VII

MISCELLANEOUS PROVISIONS

61. The National Student Ombudsman may determine the information asset that school service centres and private educational institutions must use for complaint examination.

The information asset must comply with the standards for record keeping and make it possible to enter the information determined by the Minister by regulation.

62. The Minister may, by regulation, prescribe the use of a complaints register whose form, content and conditions governing access and preservation the Minister determines.

63. The Minister determines the manner in which this Act is to apply to educational institutions in matters coming under the Minister's jurisdiction other than educational institutions established in accordance with the Act respecting private education, the Education Act or the Education Act for Cree, Inuit and Naskapi Native Persons referred to in the third paragraph of section 16.

64. Within the meaning of this Act, "school service centre" includes a school board, with the necessary modifications.

65. The fiscal year of the National Student Ombudsman ends on 31 March.

CHAPTER VIII

PENAL PROVISIONS

66. Anyone who threatens or intimidates or attempts to threaten or intimidate a person or takes or attempts to take reprisals against a person because the person complies with this Act, exercises a right provided for by this Act or reports conduct that contravenes this Act commits an offence and is liable to a fine of \$2,000 to \$20,000 in the case of a natural person and \$10,000 to \$250,000 in any other case.

For a subsequent offence, the amounts are doubled.

67. Anyone who in any way hinders or attempts to hinder an inspector in the performance of inspection functions, including by misleading the inspector, by withholding information or making false statements or by refusing to provide a document or information that the inspector is entitled to require under this Act, commits an offence and is liable to a fine of \$500 to \$5,000 in the case of a natural person and \$1,500 to \$15,000 in any other case.

For a subsequent offence, the amounts are doubled.

CHAPTER IX

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

68. Schedule 1 to the Financial Administration Act (chapter A-6.001) is amended by inserting “National Student Ombudsman” in alphabetical order.

CHARTER OF HUMAN RIGHTS AND FREEDOMS

69. Section 75 of the Charter of human rights and freedoms (chapter C-12) is amended

(1) by inserting “or a regional student ombudsman” after “Public Protector” in the first paragraph;

(2) by inserting “or a regional student ombudsman” after “Public Protector” in the second paragraph.

ACT RESPECTING PRIVATE EDUCATION

70. The Act respecting private education (chapter E-9.1) is amended by inserting the following section after section 63:

“**63.0.1.** An institution dispensing educational services belonging to the categories referred to in paragraphs 1 to 5 of section 1 shall establish a procedure for processing complaints related to its functions.

The procedure does not apply, however, to complaints filed by a student or the parents of that student with regard to the educational services belonging to the categories referred to in paragraphs 1 to 5 of section 1 that the institution provides to them or to the follow-up to a report or complaint concerning an act of bullying or violence. Those complaints are subject to the procedure provided for by the Act respecting the National Student Ombudsman (2022, chapter 17).”

71. Section 63.1 of the Act is amended

(1) by replacing “3” in the first paragraph by “5”;

(2) in the third paragraph,

(a) by inserting “to or with the institution” after “violence” in subparagraph 4;

(b) by inserting “or when a report or complaint is sent to the institution by the regional student ombudsman” at the end of subparagraph 5;

(3) by inserting the following paragraph after the third paragraph:

“A separate section of the anti-bullying and anti-violence plan must be for sexual violence. That section must include, in addition to the elements prescribed by the preceding paragraph, the following elements:

(1) compulsory training activities for management and other personnel; and

(2) safety measures to stop sexual violence.”;

(4) by inserting the following sentence after the first sentence in the fourth paragraph: “The document must indicate that it is possible to make a report or file a complaint concerning an act of sexual violence to or with the regional student ombudsman and, for a person who is dissatisfied with the follow-up on a complaint filed with the institution, to use the complaint processing procedure provided for in the Act respecting the National Student Ombudsman (2022, chapter 17).”;

(5) by adding the following sentence at the end of the last paragraph: “The institution sends a copy of the anti-bullying and anti-violence plan and any updated version to the National Student Ombudsman.”

72. Section 63.5 of the Act is amended

(1) by adding the following sentences at the end of the fourth paragraph: “In the case of a complaint concerning an act of sexual violence, the designated person shall also inform the student who is the victim that it is possible to refer the complaint to the Commission des services juridiques. If the student is under 14 years of age, the designated person also informs their parents of that option, and if the student is 14 years of age or over, the designated person may also inform their parents of that option, with the student’s consent.”;

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

“For each report and complaint received with regard to an act of sexual violence, the designated person shall send the regional student ombudsman a summary report on the nature of the incident and the follow-up measures taken.”

73. Section 63.8 of the Act is amended

(1) by replacing “, the institution shall send the Minister a yearly report” by “each year, the institution shall send the Minister a report”;

(2) by replacing “complaints” by “reports and complaints concerning an act of bullying or violence”.

74. Section 63.9 of the Act is amended by adding the following paragraph at the end:

“The institution shall send a copy of the agreement to the regional student ombudsman in charge of accountability assigned to the region in which the institution is located.”

75. Section 63.10 of the Act is amended by adding the following paragraph at the end:

“The institution shall send a copy of the agreement to the regional student ombudsman in charge of accountability assigned to the region in which the institution is located.”

76. The Act is amended by inserting the following section after section 63.10:

“63.11. Regional student ombudsmen shall, on request, present the report of their activities sent in accordance with section 58 of the Act respecting the National Student Ombudsman (2022, chapter 17) to the institution. Regional student ombudsmen must answer any questions addressed to them concerning the report.”

77. The Act is amended by inserting the following section after section 65.1:

“65.2. Any agreement between an institution and a body or person as part of providing extracurricular services or carrying out a special school project for the provision of services other than education services must be made in writing.

The agreement must provide for measures to prevent and stop any form of bullying or violence during the provision of extracurricular services or implementation of the special school project and, where applicable, require that persons who would be required to work with minor students and persons regularly in contact with minor students inform the person designated in accordance with section 63.5 of any act of bullying or violence that they observe. The agreement must also require that, in collaboration with the institution, persons who would be required to work with minor students and persons regularly in contact with minor students complete proper anti-bullying and anti-violence training as soon as possible.”

EDUCATION ACT

78. Sections 9 to 12 of the Education Act (chapter I-13.3) are replaced by the following section:

“**9.** The school service centre’s board of directors may overturn, entirely or in part, a decision referred to in conclusions or recommendations made under section 44 of the Act respecting the National Student Ombudsman (2022, chapter 17) and make the decision which, in its opinion, ought to have been made in the first instance.”

79. Section 75.1 of the Act is amended

(1) in the third paragraph,

(a) by inserting “to or with the institution” after “violence” in subparagraph 4;

(b) by inserting “or when a report or complaint is sent to the institution by the regional student ombudsman” at the end of subparagraph 5;

(2) by inserting the following paragraph after the third paragraph:

“A separate section of the anti-bullying and anti-violence plan must be for sexual violence. That section must include, in addition to the elements prescribed by the preceding paragraph, the following elements:

(1) compulsory training activities for management and other personnel; and

(2) safety measures to stop sexual violence.”;

(3) by inserting the following sentence after the first sentence in the fourth paragraph: “The document must indicate that it is possible to make a report or file a complaint concerning an act of sexual violence to or with the regional student ombudsman and, for a person who is dissatisfied with the follow-up on a complaint filed with the institution, to use the complaint processing procedure provided for in the Act respecting the National Student Ombudsman (2022, chapter 17).”;

(4) by adding the following sentence at the end of the last paragraph: “The principal of the school sends a copy of the anti-bullying and anti-violence plan and any updated version to the National Student Ombudsman.”

80. Section 83.1 of the Act is amended by replacing “Student Ombudsman” in the second paragraph by “regional student ombudsman in charge of accountability assigned to the region in which the school is located”.

81. Section 96.12 of the Act is amended

(1) by replacing “and shall receive and promptly deal with all reports or complaints concerning bullying or violence” in the third paragraph by “and shall promptly deal with any report or complaint concerning an act of bullying or violence that the principal receives or that the regional student ombudsman sends to the principal”;

(2) by adding the following sentences at the end of the fourth paragraph: “In the case of a complaint concerning an act of sexual violence, the principal shall also inform the student who is the victim that it is possible to refer the complaint to the Commission des services juridiques. If the student is under 14 years of age, the principal also informs their parents of that option, and if the student is 14 years of age or over, the principal may also inform his or her parents of that option, with the student’s consent.”;

(3) by replacing the fifth paragraph by the following paragraph:

“For each complaint received concerning bullying or violence and each report received relating to an act of sexual violence, the principal shall send the director general of the school service centre a summary report on the nature of the incident and the follow-up measures taken. The summary report concerning an act of sexual violence shall also be sent to the regional student ombudsman.”

82. Section 96.14 of the Act is amended by replacing “school service centre’s complaint examination procedure provided for in section 220.2” in the first paragraph by “complaint processing procedure provided for by the Act respecting the National Student Ombudsman (2022, chapter 17)”.

83. Section 187.1 of the Act is amended by replacing “requests for reconsideration made under section 9 relating to” in the second paragraph by “complaints filed with the person in charge of processing complaints regarding”.

84. Section 214.1 of the Act is amended by replacing “the school principals and the Student Ombudsman” in the fourth paragraph by “the principals of the educational institutions and the regional student ombudsman in charge of accountability assigned to the region in which the institutions are located”.

85. Section 214.2 of the Act is amended by replacing “the school principals and the Student Ombudsman” in the second paragraph by “the principals of the educational institutions and the regional student ombudsman in charge of accountability assigned to the region in which the institutions are located”.

86. The Act is amended by inserting the following section after section 214.3:

“215. Any agreement between a school service centre and a body or person as part of providing extracurricular services or carrying out a special school project for the provision of services other than educational services must be made in writing.

The agreement must provide for measures to prevent and stop any form of bullying or violence during the provision of extracurricular services or implementation of the special school project and, where applicable, require that persons who would be required to work with minor students and persons regularly in contact with minor students inform the principal of the school attended by the students directly involved of any act of bullying or violence that they observe. The agreement must also require that, in collaboration with the educational institution, persons who would be required to work with minor students and persons regularly in contact with minor students complete proper anti-bullying and anti-violence training as soon as possible.”

87. Section 220 of the Act is amended by replacing “the nature of the complaints” and “with the Student Ombudsman” in the second paragraph by “the nature of the reports and complaints” and “in accordance with the complaint processing procedure provided for by the Act respecting the National Student Ombudsman (2022, chapter 17)”, respectively.

88. Section 220.1 of the Act is amended

- (1) by replacing “The meeting” in the first paragraph by “Such a meeting”;
- (2) by replacing “the meeting” in the second paragraph by “such a meeting”;
- (3) by replacing the third paragraph by the following paragraph:

“During such a meeting, the school service centre’s board members must present to the public the content of the annual report provided for in section 220, subject to the content of the regional student ombudsman’s annual activity report which the regional student ombudsman must present. The board members and regional student ombudsman must answer any questions addressed to them concerning the report.”

89. Section 220.2 of the Act is amended by replacing the second, third, fourth and fifth paragraphs by the following paragraph:

“The procedure does not apply, however, to complaints filed by a student, homeschooled child or the parents of either with regard to the services the school service centre provides to them. Those complaints are subject to the procedure provided for in the Act respecting the National Student Ombudsman (2022, chapter 17).”

90. Section 242 of the Act is amended by replacing “Student Ombudsman” in the third paragraph by “regional student ombudsman in charge of accountability assigned to the region in which the school is located”.

91. Section 457.3 of the Act is repealed.

92. Section 479 of the Act is replaced by the following section:

“479. The Minister may, during or after the verification or investigation, order all or part of the powers and functions of a school service centre or of the Comité de gestion de la taxe scolaire de l’île de Montréal to be suspended for a period not exceeding six months and appoint an administrator to exercise the functions and powers of the school service centre’s board of directors or of the Comité de gestion de la taxe scolaire de l’île de Montréal that have been suspended.

The administrator may, subject to the rights of third persons in good faith, annul any decision made by the school service centre or by the Comité de gestion de la taxe scolaire de l’île de Montréal under the powers which have been suspended.

The administrator may not be prosecuted for acts performed in good faith in the exercise of his functions.

The administrator shall, before the date set for the expiration of his term of office and of any extension, submit to the Minister, within the time limit determined by the Minister, a report of his findings, together with his recommendations. The report must contain any information required by the Minister.

After examining the administrator’s report, the Minister may extend the period provided for in the first paragraph for one or more periods not exceeding 120 days.”

ACT RESPECTING LABOUR STANDARDS

93. Section 3.1 of the Act respecting labour standards (chapter N-1.1) is amended by replacing “19” in the second paragraph by “20”.

94. Section 122 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(20) on the ground that the employee has made a report or filed a complaint, cooperated in the processing of a report or complaint or accompanied a person who has made a report or filed a complaint under the Act respecting the National Student Ombudsman (2022, chapter 17).”

95. Section 140 of the Act is amended by replacing “, 13 and 14 to 19” in paragraph 6 by “and 13 to 20”.

ACT TO ENSURE THE PROTECTION OF TRAINEES IN THE WORKPLACE

96. Section 20 of the Act to ensure the protection of trainees in the workplace (2022, chapter 2) is amended by replacing “19” in subparagraph 5 of the first paragraph by “20”.

REGULATION RESPECTING THE APPLICATION OF THE ACT RESPECTING PRIVATE EDUCATION

97. The Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1) is amended by inserting the following section after section 21:

“**21.1.** In the case of educational services belonging to the categories listed in paragraphs 1 to 5 of section 1 of the Act respecting private education (chapter E-9.1), the contract or registration form must also contain the complaint processing procedure provided for in Chapter II of the Act respecting the National Student Ombudsman (2022, chapter 17).”

CHAPTER X

TRANSITIONAL AND FINAL PROVISIONS

98. The examination of complaints by a Student Ombudsman in progress on the date of coming into force of section 23 of this Act is continued in accordance with section 220.2 of the Education Act (chapter I-13.3) and with the complaint examination procedure established by the school service centre under that section, as it read before being amended by section 89 of this Act. The Student Ombudsman has 30 days after that date to complete the examination of complaints. Section 9 of the Education Act, as replaced by section 78 of this Act, applies, with the necessary modifications, to a recommendation of the Student Ombudsman.

Any complaint under examination at a step previous to a Student Ombudsman’s examination in accordance with the procedure referred to in the first paragraph on the same date is sent, along with all information relating to the complaint, to the person in charge of processing complaints within the school service centre. The person in charge of processing complaints must inform the complainant without delay of its reception and the time period applicable for its examination.

Despite the time periods provided for in sections 25 and 27 of this Act, the person in charge of processing complaints has 30 working days after receiving the complaints to complete the examination.

Despite the second paragraph, a request for reconsideration made in accordance with sections 9 to 12 of the Education Act, as they read before being replaced by section 78 of this Act, that was in progress on the same date is sent, along with all information relating to the complaint, to a regional student ombudsman for examination in accordance with Divisions II and III of Chapter II of this Act.

99. A Student Ombudsman in office on the date of coming into force of section 23 remains in office, on the same terms, until the Student Ombudsman has completed the examination of complaints in progress on that date.

100. A suspension of a school service centre's functions and powers in effect on 2 June 2022 that was ordered by the Government in accordance with section 479 of the Education Act, as it read before being amended by section 92 of this Act, is deemed to have been ordered and extended by the Minister in accordance with section 479 of the Education Act, as amended.

An administrator appointed by the Government to exercise the functions and powers of the board of directors of the school service centre that were suspended before the coming into force of section 92 of this Act whose term of office is in effect on 2 June 2022 is deemed to have been appointed and his or her term of office is deemed to have been extended by the Minister in accordance with section 479 of the Education Act, as amended.

101. The National Student Ombudsman must, not later than five years after the date of coming into force of section 23 of this Act, report to the Minister on the implementation of this Act. The report may contain recommendations to improve the complaint processing scheme and the protection of the rights of students, homeschooled children and their parents covered under this Act.

The Minister must table the report in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days of resumption.

102. The Minister of Education, Recreation and Sports is responsible for the administration of this Act.

103. The provisions of this Act come into force on the date or dates to be set by the Government, except sections 92 and 100, which come into force on 2 June 2022.

2022, chapter 18

AN ACT MAINLY TO PROMOTE QUÉBEC-SOURCED AND RESPONSIBLE PROCUREMENT BY PUBLIC BODIES, TO REINFORCE THE INTEGRITY REGIME OF ENTERPRISES AND TO INCREASE THE POWERS OF THE AUTORITÉ DES MARCHÉS PUBLICS

Bill 12

Introduced by Madam Sonia LeBel, Minister Responsible for Government Administration and Chair of the Conseil du trésor

Introduced 3 February 2022

Passed in principle 17 February 2022

Passed 25 May 2022

Assented to 2 June 2022

Coming into force: 2 June 2022, except

(1) sections 1 to 3, section 4 insofar as it enacts sections 14.1 to 14.6, the first and second paragraphs of section 14.7, section 14.8 and the first and third paragraphs of section 14.9 of the Act respecting contracting by public bodies (chapter C-65.1), sections 6 and 7, section 8 insofar as it enacts section 22.2 and the first sentence of the first paragraph and the second paragraph of section 22.3 of that Act, and paragraph 2 of section 106, which come into force on the date or dates to be set by the Government or not later than 2 December 2022;

(2) section 4 insofar as it enacts the third paragraph of section 14.7 and the second paragraph of section 14.9 of the Act respecting contracting by public bodies, section 8 as regards the second sentence of the first paragraph of section 22.3 of that Act, and sections 111 to 113 and 115, which come into force on the date or dates to be set by the Government;

(3) section 10 insofar as it enacts section 21.2 of the Act respecting contracting by public bodies, which comes into force on the date of coming into force of the first regulation made by the Government for the purposes of that section 21.2;

(4) section 21.5.1 of the Act respecting contracting by public bodies, except the words “except the third paragraph of section 21.48.4 and” in the first paragraph of that section, enacted by section 10, which comes into force on the date of coming into force of the first regulation made by the Autorité des marchés publics for the purposes of that section 21.5.1;

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Coming into force: (cont'd)

(5) section 10 insofar as it enacts the words “, unless such ineligibility results from a temporary registration in the register of enterprises ineligible for public contracts under the third paragraph of section 21.48.4” in subparagraph 3 of the first paragraph of section 21.4, the words “except the third paragraph of section 21.48.4 and” in the first paragraph of section 21.5.1, subparagraph 2 of the first paragraph of section 21.5.3 and the second paragraph of section 21.5.4 of the Act respecting contracting by public bodies, subparagraph *b* of paragraph 1 of section 13 insofar as it enacts the words “and, if applicable, a reference to the temporary nature of that registration” in subparagraph *c* of subparagraph 3 of the first paragraph of section 21.7 of the Act respecting contracting by public bodies, subparagraph *c* of paragraph 1 of section 13, subparagraph *c* of paragraph 2 of section 17, section 33 insofar as it enacts the second sentence of section 21.38 of the Act respecting contracting by public bodies, section 43 insofar as it enacts the third paragraph of section 21.48.4 and the words “, otherwise than temporarily,” in the third paragraph of section 21.48.5 of the Act respecting contracting by public bodies, section 88, section 89 insofar as it enacts the words “, otherwise than temporarily,” in subparagraph 1 of the first paragraph of section 65.1.0.1 of the Building Act (chapter B-1.1), and paragraph 1 of section 91, which come into force on 2 December 2022;

(6) sections 21.40 and 21.41 of the Act respecting contracting by public bodies, enacted respectively by sections 35 and 36, and paragraph 2 of section 42, which come into force on 2 June 2023;

(7) Division II of Chapter VIII.2 of the Act respecting contracting by public bodies, enacted by section 54, which comes into force on the date of coming into force of the first regulation made by the Autorité des marchés publics under section 27.16 of that Act, enacted by section 54.

Legislation amended:

Act respecting the acceleration of certain infrastructure projects (chapter A-2.001)

Tax Administration Act (chapter A-6.002)

Act respecting the Autorité des marchés publics (chapter A-33.2.1)

Building Act (chapter B-1.1)

Cannabis Regulation Act (chapter C-5.3)

Act respecting the Centre d'acquisitions gouvernementales (chapter C-7.01)

Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4)

Cities and Towns Act (chapter C-19)

Municipal Code of Québec (chapter C-27.1)

Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)

Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)

Act respecting contracting by public bodies (chapter C-65.1)

Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1)

Act respecting elections and referendums in municipalities (chapter E-2.2)

Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3)

Election Act (chapter E-3.3)

Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1)

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Legislation amended: (cont'd)

Act respecting administrative justice (chapter J-3)

Anti-Corruption Act (chapter L-6.1)

Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01)

Act respecting public transit authorities (chapter S-30.01)

Regulations amended:

Regulation of the Autorité des marchés publics under an Act respecting contracting by public bodies (chapter C-65.1, r. 0.1)

Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2)

Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4)

Regulation respecting construction contracts of public bodies (chapter C-65.1, r. 5)

Regulation respecting contracting by public bodies in the field of information technologies (chapter C-65.1, r. 5.1)

Explanatory notes

The first purpose of this Act is to promote, in keeping with public procurement liberalization agreements, Québec-sourced and responsible procurement by public bodies subject to the Act respecting contracting by public bodies.

To that end, the Act provides that public bodies must, when tendering or awarding a contract not subject to an agreement, favour procurement of Québec goods, services or construction work from enterprises in the region concerned by such procurement.

Public bodies may, when tendering a contract subject to an agreement and involving an expenditure below the lowest threshold applicable under the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, reserve a public call for tenders for small enterprises located in Québec and elsewhere in Canada under a program established to that effect by the Conseil du trésor. Public bodies may also, when tendering such a contract, grant preference based on Québec or otherwise Canadian value added or require Québec or otherwise Canadian goods, services or construction work.

Before the tendering or awarding process for a contract, public bodies must conduct an evaluation of their procurement requirements that furthers the pursuit of sustainable development. The Act provides expressly that public bodies must, when evaluating their requirements, take into account the objectives they have set under the Sustainable Development Act as well as the objectives determined by the Government in the sustainable development strategy adopted under that Act.

The Act provides that public bodies must give priority to including in tender documents or contracts at least one condition relating to the responsible nature of the procurement, from an environmental, social or economic perspective. The Act also allows the Conseil du trésor to determine the cases in which public bodies must include such conditions in those documents or in contracts.

The Act provides for a public procurement innovation space intended to foster the development of contract rules. In that respect, the Act allows the Chair of the Conseil du trésor to determine the procurement through which public bodies must apply various measures, such as granting a premium in the form of a preferential margin to enterprises that comply with environmental standards more stringent than those set by the applicable legislation or the tender documents.

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Explanatory notes (*cont'd*)

A further purpose of the Act is to reinforce the integrity regime of enterprises governed by the Act respecting contracting by public bodies.

To that end, the Act provides that any enterprise that is party to a public contract or subcontract must meet the high standards of integrity that the public is entitled to expect from a party to such a contract or subcontract. In addition, such an enterprise is subject to the oversight of the Autorité des marchés publics.

The Act provides that, following a decision concluding that an enterprise does not meet the required standards of integrity, the Authority must impose on the enterprise any corrective measure enabling it to meet those standards. Such an enterprise must, with some exceptions, continue to perform the public contract or subcontract to which it is party but is required to submit to any oversight or monitoring measure the Authority may impose.

The Authority is granted the powers necessary for auditing the integrity of any enterprise subject to its oversight, such as the power to require such an enterprise and the persons or entities who control the enterprise to send to the Authority any relevant documents or information.

Amendments are made to the rules governing authorizations to contract, such as conferring on the Authority the responsibility to conduct most of the audits relating to the integrity of the enterprises applying for authorization and increasing from three to five years the validity period of an authorization to contract.

In addition, the integrity requirements imposed on enterprises are enhanced, monetary administrative penalties are introduced in the Act respecting contracting by public bodies, and new penal sanctions are added to that Act and other Acts.

Municipal laws are also amended to make bodies and public contracts and subcontracts in the municipal domain subject to the new terms of the integrity regime.

An additional purpose of the Act is to broaden the scope of the Authority's mission, functions and powers provided for in the Act respecting the Autorité des marchés publics, in particular by allowing the Authority to investigate any matter relating to its oversight mission with respect to public contracts.

The Act provides that the Public Protector may receive and process a disclosure of a contravention of an Act or regulation regarding a contracting process of the Authority or the performance of any of its contracts.

With regard to construction work carried out on behalf of public bodies subject to the Act respecting contracting by public bodies, the Act prescribes requirements relating to requests for payment of sums of money that enterprises that take part in such work consider to be owed to them as well as requirements relating to payment of and refusal to pay such sums. The Act also allows such enterprises and such bodies to require that a dispute that arises between enterprises or between an enterprise and a public body be decided by a third-person decider, in the cases and on the conditions determined by the Government. The Act confers on the Minister of Justice the power to designate the persons, bodies and associations responsible for certifying the persons who may act as third-person decider.

Lastly, the Act contains miscellaneous, transitional and consequential provisions.



Chapter 18

AN ACT MAINLY TO PROMOTE QUÉBEC-SOURCED AND RESPONSIBLE PROCUREMENT BY PUBLIC BODIES, TO REINFORCE THE INTEGRITY REGIME OF ENTERPRISES AND TO INCREASE THE POWERS OF THE AUTORITÉ DES MARCHÉS PUBLICS

[Assented to 2 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PROVISIONS RELATING TO QUÉBEC-SOURCED AND RESPONSIBLE PROCUREMENT

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

1. Section 2 of the Act respecting contracting by public bodies (chapter C-65.1) is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 3:

“(3.1) the use of public contracts as a lever for the economic development of Québec and its regions;”;

(2) by replacing “reflects the Government’s sustainable development and environmental policies” in subparagraph 4 by “furthers the pursuit of sustainable development within the meaning of the Sustainable Development Act (chapter D-8.1.1)”;

(3) by inserting the following subparagraph after subparagraph 4:

“(4.1) the search for the best value in the public interest;”.

2. Section 10 of the Act is amended by replacing the third paragraph by the following paragraph:

“A public body must tender a contract not subject to an intergovernmental agreement in accordance with section 14.2.”

3. Section 14 of the Act is replaced by the following section:

“14. In accordance with the principles set out in section 2, contracts involving an expenditure below the public tender threshold may, in accordance with section 14.3, either be awarded by a public body following a public call for tenders or an invitation to tender or be awarded by mutual agreement.

The public body must also put in place control measures relating to the amount of such contracts and of any related additional expenditure, especially in the case of contracts entered into by mutual agreement.

Lastly, the public body must set up a monitoring mechanism to ensure that the contracting procedures established for the purposes of the tendering or awarding of a contract referred to in this section are effective and efficient.”

4. The Act is amended by inserting the following divisions after Division III of Chapter II:

“DIVISION IV

“ECONOMIC DEVELOPMENT OF QUÉBEC AND ITS REGIONS

“14.1. If a contract referred to in subparagraph 1 of the first paragraph of section 10 involves an expenditure, including, if applicable, the value of the options, below the lowest threshold applicable under the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States, a public body may

(1) reserve a public call for tenders for small enterprises in Québec and elsewhere in Canada if the body is covered by a directive made in accordance with the first paragraph of section 14.4;

(2) grant preference based on the Québec or otherwise Canadian value added; or

(3) require Québec or otherwise Canadian goods, services or construction work.

The Conseil du trésor determines, by regulation, the form and maximum percentage of the preference a public body may grant under the first paragraph.

“14.2. A public body must favour making a regionalized public call for tenders in the case of any contract referred to in section 10 that is not subject to an intergovernmental agreement. If the contract is a supply, service or construction work contract, the public body must also favour procurement of Québec goods, services or construction work.

If the public body does not make a regionalized public call for tenders or, in the case of a supply, service or construction work contract, does not favour procurement of Québec goods, services or construction work, it must record the circumstances or reasons considered.

“14.3. If a contract is referred to in the first paragraph of section 14, a public body must,

(1) in the case of a call for tenders, favour regionalizing the call for tenders or inviting enterprises in the region concerned, as applicable, and favour procurement of Québec goods, services or construction work; or

(2) in the case of a contract by mutual agreement, favour procurement of Québec goods, services or construction work from enterprises in the region concerned and use a rotation system among them.

“14.4. The Conseil du trésor may, by directive, set up a program allowing public bodies to reserve public calls for tenders for small enterprises in Québec and elsewhere in Canada, including social economy enterprises within the meaning of the Social Economy Act (chapter E-1.1.1), or requiring them to do so, for contracts referred to in the first paragraph of section 14.1.

The Conseil du trésor may, by directive, require public bodies to tender contracts referred to in the first paragraph of section 14.1 in accordance with subparagraph 2 or 3 of that paragraph.

A directive may apply to all public bodies or to a group of public bodies in particular, and it may apply to only one category of contracts or to only one group of contracts, whether or not of the same category. Furthermore, it is binding on the public bodies concerned.

“14.5. The Conseil du trésor defines, by regulation, the expressions “small enterprises in Québec and elsewhere in Canada”, “Québec or otherwise Canadian value added” and “Québec or otherwise Canadian goods, services or construction work” for the purposes of sections 14.1 and 14.4, and the expression “Québec goods, services or construction work” for the purposes of sections 14.2 and 14.3.

“DIVISION V

“SUSTAINABLE DEVELOPMENT

“14.6. Before the tendering or awarding process for a contract, a public body must conduct an evaluation of procurement requirements that furthers the pursuit of sustainable development.

A public body subject to the Sustainable Development Act (chapter D-8.1.1) must, more specifically, take into account the Government's sustainable development policies in addition to the specific objectives it has set under that Act and those determined by the Government in the sustainable development strategy adopted under that Act.

“14.7. With a view to continual improvement, a public body must give priority to including in the tender documents or the contract, as applicable, at least one condition relating to the responsible nature of the procurement, from an environmental, social or economic perspective.

Such a condition may, among other things, take the form of an eligibility requirement, technical requirement, criterion for quality assessment or preferential margin.

A public body must record the circumstances or reasons considered if it does not include such a condition in the tender documents or the contract, as applicable.

“14.8. The conditions relating to the responsible nature of a procurement, from an environmental, social or economic perspective, must be related to the object of the contract unless otherwise authorized by law.

For the purposes of the first paragraph, conditions that relate to goods, services or construction work in any way and at any stage in their life cycle, including the research, development, production, commercialization, delivery, distribution, use, maintenance and end-of-life stages, are deemed to be related to the object of the contract, even where such conditions do not pertain to one of their inherent characteristics.

The second paragraph applies, with the necessary modifications, to any category of contracts.

“14.9. The Conseil du trésor may, by directive and in the cases it determines, require public bodies to include in the tender documents or the contract, as applicable, one or more conditions relating to the responsible nature of a procurement, from an environmental, social or economic perspective.

The Conseil du trésor may, by directive, authorize public bodies to not record the circumstances or reasons considered if the bodies do not include a condition relating to the responsible nature of a procurement, from an environmental, social or economic perspective, in the tender documents or the contract, as applicable.

A directive may concern all public bodies or a particular group of public bodies and it may apply only with regard to a category of contracts or to a group of contracts, whether or not the latter are of the same category. Furthermore, such a directive is binding on the public bodies concerned.”

5. The Act is amended by inserting the following chapter after Chapter II:

“CHAPTER II.1

“PUBLIC PROCUREMENT INNOVATION SPACE

“14.10. The purpose of this chapter is to improve contract rules to enable public bodies to better contribute to the achievement of the following government objectives:

- (1) increase procurement by public bodies that is responsible in nature;
- (2) reduce the actual and potential negative environmental impacts of the goods, services and construction work procured by public bodies, in particular as concerns their carbon footprint and greenhouse gas emissions, and increase their sustainability;
- (3) use public procurement as a vector of influence in the fight against climate change;
- (4) improve representation of Indigenous enterprises and of social economy enterprises within the meaning of the Social Economy Act (chapter E-1.1.1) in public procurement;
- (5) encourage participation, in the performance of public contracts, of persons facing labour market barriers; and
- (6) support the development of innovative goods, services and construction work.

The Government may, by order and on the recommendation of the Conseil du trésor, define any other objective, provided the objective is compatible with the principles set out in section 2.

“14.11. In order to enable a public body to contribute to the achievement of a government objective referred to in section 14.10, the Chair of the Conseil du trésor may determine the procurement through which the body must

- (1) grant a premium in the form of a preferential margin to enterprises that comply with environmental or climate change-related standards more stringent than those set by the applicable legislation or the tender documents;
- (2) before the tendering or awarding process for a contract, use tools or analysis grids that relate to sustainable development or are based on a life cycle approach or a circular economy approach, in particular with respect to climate change mitigation and adaptation;

(3) grant a premium in the form of a preferential margin to Indigenous enterprises or to enterprises that would involve Indigenous persons in the performance of the contract;

(4) grant a premium in the form of a preferential margin to social economy enterprises within the meaning of the Social Economy Act (chapter E-1.1.1);

(5) require that persons facing labour market barriers and belonging to a group identified by the Chair of the Conseil du trésor be assigned to the performance of the contract, even if that requirement is not related to the object of the contract;

(6) issue an invitation to tender in order to acquire a prototype, despite section 10;

(7) make a public call for tenders involving a competitive dialogue, on the conditions prescribed by a regulation made under this Act, where there is a need to procure innovative goods, services or construction work;

(8) use a tendering mode prescribed by a regulation made under this Act, even if that mode is not allowed in respect of all or part of the procurement concerned;

(9) impose an eligibility requirement, technical requirement, criterion for quality assessment or any other optional condition prescribed by this Act or a regulation made under this Act;

(10) apply a measure prescribed by the Government in accordance with section 14.12; or

(11) apply a measure prescribed by the Conseil du trésor in accordance with section 14.13.

To determine procurement for the purposes of the first paragraph, the Chair of the Conseil du trésor may target a contract or a group of contracts, whether or not of the same category.

Every time the Chair of the Conseil du trésor imposes a measure under the first paragraph, the Chair determines the conditions for applying the measure, including, where advisable, the conditions relating to the public subcontracts related to the procurement concerned.

When making an order relating to subparagraph 3 of the first paragraph, the Chair of the Conseil du trésor defines in the order, if applicable, the expression “Indigenous enterprises”. When making an order relating to subparagraph 4 of the first paragraph, the procurement the Chair determines must not include any contract subject to an intergovernmental agreement. When making an order relating to subparagraph 5 of the first paragraph, the persons belonging to the group the Chair identifies must be persons that may be given a premium under intergovernmental agreements.

Goods, services and construction work, whether new or significantly improved, in particular because of new production, service delivery or construction processes or because of a new commercialization or organizational method, are innovative within the meaning of subparagraph 7 of the first paragraph.

Any order made by the Chair of the Conseil du trésor under this section is published in the *Gazette officielle du Québec*.

“14.12. The Government may, by regulation and on the recommendation of the Conseil du trésor, prescribe any other measure that differs from the standards established by this Act, provided the measure is compatible with the principles set out in section 2 and consistent with the pursuit of any of the government objectives listed in section 14.10.

“14.13. The Conseil du trésor may, by regulation, prescribe any other measure that differs from the standards prescribed by a regulation made under this Act, provided the measure is compatible with the principles set out in section 2 and consistent with the pursuit of any of the government objectives listed in section 14.10.

“14.14. For the purposes of this chapter, when so requested by the Chair of the Conseil du trésor, ministers must provide assistance to the Chair in the areas under their jurisdiction.

The same applies to public bodies, in particular to allow the Chair of the Conseil du trésor to determine procurement for the purposes of section 14.11.

Furthermore, ministers and public bodies must provide, on request, the information necessary for the production of any monitoring report required under section 22.4.”

6. Section 16 of the Act is amended by inserting “and recording” after “account” in the first paragraph.

7. Section 18 of the Act is amended by replacing “of this Act” by “and the requirements of Division V of Chapter II”.

8. The Act is amended by inserting the following sections after section 22.1:

“22.2. Every year, the Chair of the Conseil du trésor publishes on the website of the secretariat of the Conseil du trésor a report presenting statistics on the regionalized public calls for tenders and the procurement of Québec goods, services and construction work that were favoured by public bodies under section 14.2. The report must also state the circumstances and reasons considered in the cases where such calls for tenders and such procurement were not favoured.

“22.3. Every year, the Chair of the Conseil du trésor publishes on the website of the secretariat of the Conseil du trésor a report presenting statistics on the inclusion of conditions relating to the responsible nature of a procurement, from an environmental, social or economic perspective, in the tender documents or the contracts of public bodies under Division V of Chapter II. The report must also set out the circumstances and reasons considered that were recorded by public bodies under the third paragraph of section 14.7.

The report must, however, pertain only to procurement involving an expenditure equal to or greater than the amount set out in the first paragraph of section 22.

“22.4. Not later than 2 December 2023 and subsequently every year, the Chair of the Conseil du trésor publishes, on the website of the secretariat of the Conseil du trésor, a monitoring report on the carrying out of Chapter II.1.

Every monitoring report must contain the following information:

- (1) the procurement determined for the purposes of section 14.11;
- (2) the progress made as concerns achievement of the government objectives listed in section 14.10 and its anticipated beneficial effects on the environment, society and the economy;
- (3) the recommendations of the Chair of the Conseil du trésor as to the advisability of amending the contract rules concerned; and
- (4) any other element considered relevant by the Chair of the Conseil du trésor.”

CHAPTER II

PROVISIONS RELATING TO THE INTEGRITY REGIME OF ENTERPRISES

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

9. The heading of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) is replaced by the following heading:

“INTEGRITY OF ENTERPRISES”.

10. Division I of Chapter V.1 of the Act, comprising sections 21.1 to 21.4.1, is replaced by the following:

“DIVISION I

“STANDARDS AND DECLARATION OF INTEGRITY

“21.1. Any enterprise that is party to a public contract or subcontract must meet the high standards of integrity that the public is entitled to expect from a party to such a contract or subcontract, hereinafter called “standards of integrity”. In the cases referred to in Division III, the enterprise must demonstrate before the contract or subcontract is entered into that it meets those standards by obtaining the authorization to contract provided for in that division.

An enterprise that is ineligible for public contracts under Division II is presumed not to meet the standards of integrity.

“21.2. Any enterprise interested in entering into a public contract must, by means of a written declaration, recognize that it is aware of the standards of integrity and undertake to take all measures necessary to meet those standards throughout the duration of the contract.

The declaration of integrity is made in the form determined by government regulation and at the time a tender is submitted or, in the case of a contract entered into by mutual agreement, at the time the contract is entered into.

“DIVISION II

“INELIGIBILITY FOR PUBLIC CONTRACTS

“§1. — Cases of ineligibility

“21.3. An enterprise’s ineligibility for public contracts may result either from a decision of the Autorité des marchés publics, where so provided by this chapter, or from the fact that the enterprise is in any of the situations provided for in section 21.4.

“21.4. An enterprise is ineligible for public contracts if it does not hold an authorization to contract under Division III and is in any of the following situations:

- (1) it is found guilty, by a final judgment, of an offence listed in Schedule I;
- (2) it is an associate of a person found guilty, by a final judgment, of an offence listed in Schedule I; or
- (3) it is a legal person controlled by an enterprise that becomes ineligible for public contracts under subparagraph 1 or following a decision by the Authority under Division III or IV, unless such ineligibility results from a temporary registration in the register of enterprises ineligible for public contracts under the third paragraph of section 21.48.4.

For the purposes of subparagraph 2 of the first paragraph, if an enterprise is a legal person, it is an associate of the natural person who is its majority shareholder. An enterprise is also an associate of any person acting within the

enterprise as a director, a partner or otherwise as an officer, but, in those cases, only if the offence under that subparagraph was committed in the exercise of the functions of the person within the enterprise. A person referred to in this paragraph, other than the enterprise itself, is hereinafter designated as an “associate”.

For the purposes of subparagraph 3 of the first paragraph, an enterprise is controlled by the enterprise that is its majority shareholder.

For the purposes of this chapter, the majority shareholder is the shareholder that holds shares of a legal person’s capital stock that confer 50% or more of the voting rights that may be exercised under any circumstances.

“21.5. Despite section 21.4, a final judgment referred to in subparagraph 1 or 2 of the first paragraph of that section does not cause an enterprise to become ineligible for public contracts if the offence that led to the finding of guilty was previously considered by the Authority in the course of an examination of the enterprise’s integrity carried out under Division IV and following which the Authority rendered a decision.

The same applies in the case of a final judgment rendered in respect of an enterprise whose integrity is being examined by the Authority under Division III or IV. However, if the examination of integrity is not concluded because the application for authorization to contract that gave rise to the examination is withdrawn or cancelled, only the effect of the judgement, in respect of the ineligibility of the enterprise for public contracts, is suspended.

“21.5.1. Before an enterprise is registered in the register of enterprises ineligible for public contracts under section 21.6, an enterprise referred to in section 21.4 may, if it is party to a public contract or subcontract, file an application with the Authority for the examination of its integrity in accordance with Division IV. In such a case, the provisions of that division apply, except the third paragraph of section 21.48.4 and subject to section 21.48.5 applying on the filing of the application with the Authority.

If the enterprise fails to implement, within the time granted, a corrective measure imposed under Division IV, the Authority renders a decision and registers the enterprise in the register of enterprises ineligible for public contracts.

To be considered, an application under this section must be submitted in the form prescribed by the Authority and be filed with the fees determined in accordance with section 84 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) and the information and documents prescribed by regulation of the Authority.

“21.5.2. For the purposes of this division, an enterprise or an associate is deemed to have been found guilty, by a final judgment, of an offence listed in Schedule I if a penalty has been imposed on the enterprise or associate under any of sections 1079.13.1, 1079.13.2, 1082.0.2 and 1082.0.3 of the Taxation Act (chapter I-3), in connection with an assessment regarding which any time limit for objecting has expired or, if the enterprise or associate has either validly objected to the assessment or filed a contestation with or brought an appeal before a court of competent jurisdiction regarding the assessment, the objection, contestation or appeal, as applicable, has been finally settled.

In such cases, this Act applies, with the necessary modifications.

“§2. — Beginning and duration of the period of ineligibility

“21.5.3. An enterprise becomes ineligible for public contracts as of the date on which the enterprise is registered in the register of enterprises ineligible for public contracts under section 21.6. The period of ineligibility lasts five years, except

(1) where the ineligibility results from the situation described in subparagraph 3 of the first paragraph of section 21.4; in that case, the enterprise’s ineligibility ends as soon as the period of ineligibility of the enterprise that caused it to be registered in the register ends; or

(2) where the ineligibility is imposed temporarily; in that case, the period of ineligibility is the one that results from the application of the third paragraph of section 21.48.4.

Despite the first paragraph, the enterprise’s ineligibility for public contracts ends as soon as an authorization to contract referred to in Division III is granted to it.

“§3. — Effects of ineligibility

“21.5.4. An enterprise that becomes ineligible for public contracts while in the process of performing a public contract is, subject to permission given by the Conseil du trésor under section 25.0.2, deemed to have defaulted on the performance of the contract on the expiry of 60 days after the date on which it becomes ineligible. However, the enterprise is not deemed to have defaulted as regards honouring the contract guarantees.

This section does not apply to an enterprise temporarily registered in the register of enterprises ineligible for public contracts under section 21.48.4.

“21.5.5. An enterprise that is ineligible for public contracts may not, as long as it is ineligible, submit a bid to obtain a public contract, enter into such a contract or enter into a public subcontract.”

11. Division II of Chapter V.1 of the Act is amended by replacing the portion before section 21.6 by the following:

“§4. — *Register of enterprises ineligible for public contracts*”.

12. Section 21.6 of the Act is amended by replacing the second and third paragraphs by the following paragraphs:

“The Authority must enter in the register the information relating to any enterprise referred to in subparagraph 1 or 2 of the first paragraph of section 21.4, not later than 20 days after the date on which the Authority is informed of the final judgment. However, if the effect of the judgment has been suspended under the second paragraph of section 21.5, the information must be entered in the register as soon as possible after the date the application for authorization to contract is withdrawn or cancelled.

The Authority must also enter in the register the information relating to any enterprise that is in a control situation referred to in subparagraph 3 of the first paragraph of section 21.4 or that is the subject of a decision rendered under this chapter, as soon as possible after the date on which, as applicable, it is informed of the control situation or it renders its decision.”

13. Section 21.7 of the Act is amended

(1) in the first paragraph,

(a) by replacing “, resulting in the enterprise being named” in subparagraph *b* of subparagraph 3 by “and that caused the enterprise to be registered”;

(b) by replacing subparagraphs *c* and *d* of paragraph 3 by the following subparagraphs:

“(c) the content of the Authority’s decision causing the enterprise to be registered in the register and, if applicable, a reference to the temporary nature of that registration;

“(d) a reference to the fact that the enterprise is in a control situation referred to in subparagraph 3 of the first paragraph of section 21.4 as well as the name of the majority shareholder causing the enterprise to be registered in the register and of the municipality in whose territory the shareholder resides;”;

(c) by replacing subparagraph 4 by the following subparagraph:

“(4) if the enterprise’s ineligibility for public contracts is not temporary, its projected end date; and”;

(2) by striking out the second paragraph.

14. Section 21.8 of the Act is amended by striking out the second paragraph.

15. Section 21.11 of the Act is amended

(1) by replacing “contract described in section 3” in the first paragraph by “public contract”;

(2) by replacing “contract described in section 3 with a public body” in the second paragraph by “public contract”.

16. Division III of Chapter V.1 of the Act is amended by striking out the portion before section 21.12.

17. Section 21.12 of the Act is amended

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

“The Authority informs the enterprise, in writing and without delay, of its registration in the register, of the nature of and grounds for the registration, of the enterprise’s period of ineligibility for public contracts and, if the enterprise holds an authorization to contract, of the revocation or suspension of the authorization, as applicable, that results from its registration in the register.”;

(2) in the second paragraph,

(a) by replacing “contract described in section 3” by “public contract”;

(b) by replacing “holds shares carrying 50% or more of the voting rights attached to the shares of the capital stock of the legal person that may be exercised under any circumstances” by “is the majority shareholder”;

(c) by adding the following sentence at the end: “This paragraph does not apply to an enterprise whose registration in the register is temporary.”

18. Chapter V.2 of the Act is amended by replacing the portion before section 21.17 by the following:

“DIVISION III

“AUTHORIZATION TO CONTRACT

“§1. — *Conditions and obligations*”.

19. Section 21.17 of the Act is amended by adding the following paragraph at the end:

“For the purposes of this Act, the obligation for an enterprise to obtain or hold the authorization referred to in the first paragraph applies, in the case of

a consortium, to every enterprise in the consortium, in addition to applying to the consortium itself if it takes the juridical form of a general or limited partnership.”

20. Section 21.17.3 of the Act is amended

- (1) by replacing “21.1 or 21.2” in the first paragraph by “21.4”;
- (2) by replacing “21.2” in the second paragraph by “21.4”.

21. Section 21.18 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“An enterprise that responds to a call for tenders for a public contract or subcontract must hold an authorization on the date it submits its bid. An enterprise that enters into a public contract or subcontract by mutual agreement must hold an authorization on the date the contract or subcontract is entered into.”

22. Section 21.23 of the Act is amended by replacing “this chapter” in the first paragraph by “this division”.

23. Section 21.24 of the Act is amended, in subparagraph 2 of the first paragraph,

- (1) by striking out “under any of sections 21.26 to 21.28”;
- (2) by replacing “des correctifs” in the French text by “les mesures correctrices”.

24. Section 21.26 of the Act is replaced by the following section:

“**21.26.** The Authority refuses to grant or renew any enterprise’s authorization if, in the preceding five years, a director or officer of the enterprise, or the natural person who is its majority shareholder, was found guilty of an offence listed in Schedule I, unless a pardon was obtained.”

25. Section 21.26.1 of the Act is amended, in the first paragraph,

- (1) by replacing “this chapter” by “this division”;
- (2) by replacing “has validly objected to the assessment or appealed from it to a court of competent jurisdiction, the objection or the appeal” by “has either validly objected to the assessment or filed a contestation with or brought an appeal before a court of competent jurisdiction regarding the assessment, the objection, contestation or appeal”.

26. Section 21.27 of the Act is replaced by the following section:

“21.27. The Authority refuses to grant or to renew an enterprise’s authorization if of the opinion that the enterprise fails to meet the standards of integrity.

In order to verify whether an enterprise meets the standards of integrity, the Authority has the powers set out in Division V.”

27. Section 21.28 of the Act is amended

(1) in the second paragraph,

(a) by replacing “not referred to in subparagraph 2 of the first paragraph of section 21.26, one of its associates” in subparagraph 0.1 by “other than the natural person who is the majority shareholder, one of its partners”;

(b) by inserting the following subparagraph after subparagraph 0.2:

“(0.2.1) whether the enterprise has, in the preceding five years, been the subject of an order of the Minister of Sustainable Development, Environment and Parks under an Act under that minister’s administration;”;

(c) by inserting “or has maintained, in the preceding five years,” after “maintains” in subparagraph 1;

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

“For the purposes of this section, legal or de facto control over an enterprise may be established, among other ways, on the basis of participation in the concerted exercise of rights within the enterprise or of powers over the enterprise; each of the participants in the exercise is then presumed to be the holder of control even though none of them would alone be the holder of control. It is presumed that the exercise is concerted if family ties exist between the participants. Furthermore, participation in a concerted exercise is presumed between spouses; each spouse is then presumed to be the holder of control even though only one of them exercises it.”

28. Section 21.30 of the Act is replaced by the following section:

“21.30. When an enterprise submits an application for authorization, the Authority sends the information obtained to the Associate Commissioners for Audits appointed in accordance with section 8 of the Anti-Corruption Act (chapter L-6.1), who exercise the function provided for in paragraph 1.1 of section 10 of that Act, so that one of them conducts, in respect of the enterprise, the audits relating to the elements set out in subparagraphs 1 and 9 of the second paragraph of section 21.28.

As soon as possible after the information is sent, an Associate Commissioner provides to the Authority a report detailing the result of the audits conducted.

The audits required under this section may be conducted, in accordance with the Anti-Corruption Act, by the audit teams referred to in paragraph 1 of section 10 of that Act and by any person authorized for that purpose by an Associate Commissioner referred to in the first paragraph.”

29. Section 21.31 of the Act is replaced by the following section:

“21.31. An enterprise that withdraws its application for authorization or for renewal may not file a new application within 12 months after the withdrawal unless the Authority allows it. The same applies to an enterprise whose application for authorization is cancelled under section 21.40.1.”

30. Sections 21.32 to 21.35 of the Act are repealed.

31. Section 21.36 of the Act is replaced by the following section:

“21.36. Before the granting or renewal of an authorization is refused under section 21.26 or 21.27, the Authority may give the enterprise an opportunity to take the corrective measures that would enable it to meet the standards of integrity. Such measures are determined in accordance with section 21.48.6. The Authority informs the enterprise of the terms and conditions, including the time limit, for implementing any corrective measure, and those for reporting to the Authority on that implementation.”

32. Section 21.37 of the Act is amended

(1) by striking out “or before revoking” in the first paragraph;

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

“On the expiry of the time limit specified in the first paragraph and after examining the observations, if any, submitted by the enterprise, the Authority informs the enterprise of its decision.

The enterprise concerned by a decision of the Authority refusing the granting or renewal of an authorization becomes ineligible for public contracts in accordance with Division II.”

33. Section 21.38 of the Act is replaced by the following section:

“21.38. The authorization to contract held by an enterprise that, following an examination of its integrity initiated under Division IV, becomes ineligible for public contracts is revoked as of the date on which the enterprise becomes ineligible. However, the authorization is merely suspended if the ineligibility is imposed temporarily under section 21.48.4.”

34. Section 21.39 of the Act is amended

(1) by striking out “the Associate Commissioners referred to in section 21.30,” in the first paragraph;

(2) by replacing “second paragraph of section 21.38” in the second paragraph by “first paragraph of section 21.41.1”.

35. Section 21.40 of the Act is replaced by the following sections:

“21.40. An enterprise holding an authorization must annually update the documents and information determined by regulation of the Authority. It must, in addition, notify the Authority of any modification of the information previously provided not later than 30 days after the change in its situation that makes the modification necessary.

Any other terms or conditions relating to such communication of documents and information are determined by regulation of the Authority.

“21.40.1. The Authority may cancel an application for authorization or suspend the authorization of any enterprise that fails to communicate to it, within the time granted, a document or information the Authority requires for the purposes of this division or Division IV.”

36. Section 21.41 of the Act is replaced by the following section:

“21.41. An authorization is valid for a period of five years.

To maintain its authorization, an enterprise must submit to the Authority an application for renewal at least 90 days before the authorization is to expire. If applicable, the authorization remains valid even if it has expired, until the Authority rules on the application, unless the authorization is revoked in the meantime.

The application for renewal must be submitted in the form prescribed by the Authority. It must be filed together with the documents and information prescribed by regulation of the Authority and the fee determined in accordance with section 84 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1). The requirements so prescribed may vary according to the nature and significance of the changes that have occurred within the enterprise since the granting or latest renewal of the authorization to contract. Those requirements may also vary according to the type of enterprise or the place where the enterprise mainly carries on its activities.

An application for renewal submitted after the time limit specified in the second paragraph is a new application for authorization.”

37. Section 21.41.1 of the Act is replaced by the following section:

“21.41.1. An enterprise whose authorization has expired or is suspended must, within 10 days after the expiry or suspension, send to the Authority, in writing, the name of every public body with which the enterprise has a contract in process.

Such an enterprise must continue to perform any public contract or subcontract for which such an authorization is required. However, it is required to submit to any oversight or monitoring measure the Authority may impose on it, in accordance with Division IV, until the performance of the contract or subcontract ends.

Despite the second paragraph, an enterprise referred to in that paragraph must cease performing the public contract to which it is party, at the request of the public body concerned, if a decision is rendered under section 25.0.4.

The fact that an enterprise’s authorization expires while the enterprise is in the process of performing a public contract or subcontract for which such an authorization is required constitutes a failure of the enterprise to comply with this Act for which a monetary administrative penalty may be imposed under Division II of Chapter VIII.2.”

38. Section 21.42 of the Act is repealed.

39. Section 21.43 of the Act is renumbered 21.48.17.

40. Section 21.44 of the Act is renumbered 21.48.18 and is amended by replacing “second paragraph of section 21.8 or the first paragraph of section 21.17 or under section 21.42” in the first paragraph by “first paragraph of section 21.17 or section 21.48.16”.

41. Division II of Chapter V.2 of the Act is amended by replacing the portion before section 21.45 by the following:

“§2. — Register of enterprises authorized to contract”.

42. Section 21.45 of the Act is amended

(1) by replacing “this chapter” in the first paragraph by “this division”;

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

“In addition to the information determined by regulation of the Authority, the following information is entered in the register:

(1) the fact that an enterprise’s authorization has expired or is suspended, if the expiry or suspension occurs while the enterprise is performing a public contract or subcontract for which such an authorization is required; and

(2) the fact that an oversight or monitoring measure has been imposed under section 21.41.1 on an enterprise referred to in subparagraph 1.”

43. The Act is amended by inserting the following after section 21.48:

“DIVISION IV

“OVERSIGHT OF ENTERPRISES

“21.48.1. Any enterprise that is party to a public contract or subcontract and any enterprise that holds an authorization to contract, whether or not the latter is party to such a contract or subcontract, is subject to the oversight of the Autorité des marchés publics.

To ensure such oversight, the Authority may, at any time, conduct audits to ensure that an enterprise meets the standards of integrity; for that purpose, it has the powers set out in Division V. If need be, the Authority undertakes to examine the enterprise’s integrity and, if it concludes that the latter does not meet the standards of integrity, it imposes the applicable measures and penalties.

“21.48.2. The examination of an enterprise’s integrity covers all the elements that the Authority may consider in rendering a decision relating to an application for authorization to contract made under Division III.

Such an examination is initiated through a notice sent by the Authority to the enterprise concerned. The notice mentions the information that the enterprise must provide to the Authority and the time limit for doing so.

The notice also mentions, if applicable, any information the Authority already holds that could demonstrate that the enterprise does not meet the standards of integrity and the time granted to the enterprise to submit, as concerns that information, written observations and provide any document or information relevant to the examination.

“21.48.3. If, once the examination of an enterprise’s integrity is completed, the Authority is of the opinion that the enterprise does not meet the standards of integrity, it must, before rendering a decision, notify the enterprise in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the enterprise at least 10 days to submit written observations and provide additional documents to complete the file.

On the expiry of the time limit specified in the first paragraph and after examining the observations, if any, submitted by the enterprise, the Authority informs the enterprise of its decision.

Despite the first paragraph, the Authority may make a decision without complying with the prior obligations set out in that paragraph if urgent action is required or to prevent irreparable harm. In such a case, the enterprise concerned may, within the time specified in the decision, submit written observations and provide additional documents to complete the file for the purposes of a review of the decision by the Authority.

“21.48.4. If the Authority renders a decision concluding that an enterprise does not meet the standards of integrity, it must, at the same time, impose on the enterprise any corrective measure it considers conducive to enabling the enterprise to meet those standards. If no such measure is imposed, the decision rendered by the Authority mentions it and the enterprise, following that decision, is registered in the register of enterprises ineligible for public contracts referred to in section 21.6.

The Authority informs the enterprise of the terms and conditions, including the time limit, for implementing any corrective measure, and those for reporting to the Authority on that implementation.

If the enterprise fails to implement a corrective measure within the time granted, the Authority temporarily registers the enterprise in the register of enterprises ineligible for public contracts. If the enterprise remedies the failure to the Authority’s satisfaction, within three months after its temporary registration, the Authority withdraws the registration from the register. If the enterprise does not remedy the failure within that time, the Authority definitively registers the enterprise in the register, for a period of five years starting on the date it was temporarily registered. Before registering an enterprise in the register of enterprises ineligible for public contracts under this paragraph, the Authority must render a decision establishing the enterprise’s failure.

“21.48.5. An enterprise concerned by a decision of the Authority concluding that the enterprise does not meet the standards of integrity must continue to perform any public contract or subcontract to which it is party. However, it is required to submit to any oversight or monitoring measure the Authority may impose on it, until the performance of the contracts or subcontracts ends.

The Authority informs the enterprise of the terms and conditions, including the time limit, for implementing any oversight or monitoring measure, and those for reporting to the Authority on that implementation.

Despite the first paragraph, an enterprise referred to in that paragraph must cease performing the public contract to which it is party, at the request of the public body concerned, if a decision is rendered under section 25.0.4. The same applies if such an enterprise is registered, otherwise than temporarily, in the register of enterprises ineligible for public contracts; in such a case, the enterprise must cease performing the contract as of the effective date of the presumption of default provided for in section 21.5.4, if applicable.

“21.48.6. Any corrective measure or any oversight or monitoring measure imposed by the Authority under this chapter is determined taking into account the enterprise’s specific situation and after giving the enterprise the opportunity to submit observations. To determine an oversight or monitoring measure relating specifically to an enterprise’s performance of a public contract or subcontract, the Authority may require the enterprise to provide, within the time specified, a copy of the contract or subcontract or, if the subcontract is not evidenced in writing, the information relating to the subcontract that the Authority considers necessary.

The Authority develops a general framework for applying the corrective measures and the oversight or monitoring measures, which specifies, in addition to the types of measures the Authority may impose and the objective pursued by imposing each of those types, the elements it takes into account and the criteria that guide it in determining a measure to be imposed on an enterprise. The framework is published on the Authority’s website.

Despite the preceding paragraphs, only measures that have the effect of eliminating any control exercised by a director, officer or shareholder on the enterprise or, in the case of a shareholder who exercises such control, of restricting the latter to the extent the Authority considers necessary may constitute corrective measures in respect of an enterprise that is in the situation described in section 21.26.

“21.48.7. Any corrective measure or any oversight or monitoring measure imposed under this chapter is applied at the expense of the enterprise subject to it.

“DIVISION V

“POWERS OF THE AUTORITÉ DES MARCHÉS PUBLICS

“21.48.8. For the purposes of section 21.48.1, the Authority may, in order to verify whether an enterprise that does not hold an authorization to contract is party to a public contract or subcontract, require the enterprise to send to the Authority, within the time specified, a copy of any public contract or subcontract to which it is party, if applicable, or, if the enterprise is not party to such a contract or subcontract, to confirm that fact to the Authority in writing. That power may be exercised only if the Authority has reasonable grounds to suspect that the enterprise is party to a public contract or subcontract and does not meet the standards of integrity.

If a public subcontract is not evidenced in writing, the enterprise concerned by a request made under the first paragraph must send, in writing, the information determined by the Authority that is necessary for the purpose mentioned in that paragraph.

“21.48.9. The Authority may require any enterprise subject to its oversight to send it, within the time specified, any document or information enabling the Authority to verify whether it meets the standards of integrity. The Authority may do the same in respect of any director, partner, officer or shareholder of the enterprise or any other person or entity that has, directly or indirectly, legal or de facto control over the enterprise.

If the Authority has reasonable grounds to suspect that an enterprise subject to its oversight is the extension of, or is lending its name to, another enterprise, it may exercise its power under the first paragraph in respect of the other enterprise and of any person or entity that acts, in respect of the other enterprise, in any manner described in that paragraph.

Every person or entity that is subject to a request made under this section must, if the Authority so requires, confirm, in an affidavit, the authenticity of the documents or the veracity of the information communicated.

“21.48.10. For the purposes of an audit relating to the integrity of an enterprise subject to the oversight of the Authority, any person authorized by the latter may

(1) enter, at any reasonable hour, the establishment of the enterprise being audited or any other premises in which may be kept documents or information enabling the authorized person to verify whether the enterprise meets the standards of integrity;

(2) use any computer, equipment or other thing that is on the premises to access data contained in an electronic device, computer system or other medium or to audit, examine, process, copy or print out such data; and

(3) require from the persons present any information enabling the authorized person to verify whether the enterprise meets the standards of integrity, as well as the making available, for examination and reproduction, of any book, register, account, contract, record or other relevant document.

Any person who has custody, possession or control of documents referred to in this section must provide them to the person conducting the audit and facilitate their examination by that person.

The person conducting the audit must, on request, produce identification and, if applicable, show the document attesting his or her authorization.

“21.48.11. The Authority may, in writing, entrust the mandate of conducting any audit provided for in any of sections 21.48.8 to 21.48.10 to a person who is not a member of its staff and who meets the conditions set out in paragraphs 1 and 2 of section 6 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1). For that purpose, the Authority may delegate the exercise of its powers to that person.

Sections 74 to 76 of the Act respecting the Autorité des marchés publics apply to any person entrusted with a mandate under this section.

“21.48.12. The Authority may require the Associate Commissioners for Audits appointed in accordance with section 8 of the Anti-Corruption Act (chapter L-6.1), who exercise the function provided for in paragraph 1.1 of section 10 of that Act, to conduct, in respect of an enterprise subject to its oversight, any audit relating to the elements set out in sections 21.26 and 21.28 of this Act. To that end, the Authority sends them the relevant information it holds, including the information obtained from the enterprise or a public body or otherwise.

As soon as possible after such a request is sent, an Associate Commissioner provides to the Authority a report detailing the result of the audits conducted.

The audits required under this section may be conducted, in accordance with the Anti-Corruption Act, by the audit teams referred to in paragraph 1 of section 10 of that Act and by any person authorized for that purpose by an Associate Commissioner referred to in the first paragraph.

“21.48.13. The Authority may require any public body subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) to communicate to the Authority any information necessary for the audit of an enterprise’s integrity.

The Authority may, in addition, for the purposes of this chapter, require any public body to communicate to the Authority any information relating to its public contracts in progress and any information relating to the public subcontracts related to those contracts, if the body holds such information.

“DIVISION VI

“OTHER PROVISIONS

“21.48.14. For the purposes of this chapter, an agreement must be entered into under section 121 of the Act respecting the legal publicity of enterprises (chapter P-44.1) for the Authority to receive communication of the information contained in the enterprise register and any subsequent updates.

“21.48.15. The Authority may, on an application, review any decision it renders under this chapter if it is informed of a new fact which, had it been known in sufficient time, could have warranted a different decision.

An application for review made under this section must, to be considered by the Authority, be submitted within a reasonable time after the date of the decision or after the date the new fact is discovered.

“21.48.16. The Government may amend Schedules I and II.”

44. Section 25.0.4 of the Act is replaced by the following section:

“25.0.4. The Conseil du trésor may, at any time, on the recommendation of the Authority, require a public body that is party to a contract with an enterprise referred to in any of sections 21.5.1, 21.41.1 and 21.48.5 to have the enterprise cease performing the contract, immediately or after a period of time. Except as regards honouring the contract guarantees, the enterprise is deemed to have defaulted on performing the contract either as of the date of the decision of the Conseil du trésor or of the end of the time granted to have the enterprise cease performing the contract, as applicable.

If such a period of time is granted, the decision of the Conseil du trésor may be subject to conditions, such as the enterprise being subject, at its own expense, to oversight and monitoring measures.”

45. Section 25.0.5 of the Act is amended by replacing “permission is given by the Conseil du trésor” and “a website” by “the decision of the Conseil du trésor rendered” and “the website of the secretariat of the Conseil du trésor”, respectively.

46. Chapter VIII.2 of the Act is amended by replacing the portion before section 27.5 by the following:

“CHAPTER VIII.2

“SANCTIONS

“DIVISION I

“PENAL PROVISIONS”.

47. Section 27.5 of the Act is amended by replacing “authorizations” by “enterprises authorized to contract”.

48. Section 27.6 of the Act is amended by replacing “when submitting a bid under this Act” by “in the course of a tendering or awarding process for a public contract or of the performance of such a contract”.

49. Section 27.9 of the Act is amended by replacing “second paragraph of section 21.38” by “first paragraph of section 21.41.1”.

50. Section 27.10 of the Act is amended by replacing “notify the Authority, as required under section 21.40” by “carry out the annual update of documents and information referred to in section 21.40 or that fails to notify the Authority, in accordance with that section”.

51. The Act is amended by inserting the following section after section 27.10:

“27.10.0.1. Every person who hinders or attempts to hinder a person exercising audit functions, in particular by communicating any false or misleading document or information, by refusing to provide or make available a document or information the person must send or make available or by concealing or destroying a document or information relevant to an audit, is guilty of an offence and is liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case.”

52. The Act is amended by inserting the following section after section 27.13:

“27.13.1. In any penal proceedings relating to an offence under this division, proof that the offence was committed by an agent, mandatary or employee of any person is sufficient to establish that it was committed by that person, unless the person establishes that it exercised due diligence and took all necessary precautions to prevent the offence.”

53. Section 27.14 of the Act is amended by replacing “this chapter” by “this division”.

54. The Act is amended by inserting the following division after section 27.14.1:

“DIVISION II

“MONETARY ADMINISTRATIVE PENALTIES

“§1.—*Failures to comply*

“27.15. A monetary administrative penalty in an amount set under section 27.16 may be imposed by the Autorité des marchés publics on an enterprise

(1) that submits a bid for a public contract or subcontract or enters into such a contract or subcontract although it is ineligible for public contracts or does not hold the authorization to contract required to enter into such a contract or subcontract, unless the enterprise was given permission to enter into a contract or subcontract under section 25.0.3;

(2) that, in the course of the performance of a public contract with a public body or with a body referred to in section 7, enters into a public subcontract with an enterprise that is ineligible or does not hold the authorization to contract required to enter into such a subcontract, unless the enterprise was given permission to enter into that subcontract under section 25.0.3;

(3) whose authorization to contract expires while it is in the process of performing a public contract or subcontract for which such an authorization is required;

(4) that, while it is party to a public contract or subcontract or holds an authorization to contract, fails or refuses to send to the Authority, within the time and on the terms and conditions prescribed, any document or information required for the purposes of Chapter V.1;

(5) that fails or refuses to confirm, in an affidavit, the authenticity of documents or the veracity of information communicated to the Authority; or

(6) that fails to submit to an oversight or monitoring measure imposed on it by the Authority under Chapter V.1 or, if the measure was applied by the Authority, fails to pay to it the costs of such a measure.

A regulation of the Authority may provide that a failure to comply with a regulation made under Chapter V.1 may give rise to a monetary administrative penalty.

“27.16. A regulation of the Authority determines the amount of the monetary administrative penalty relating to each specific failure to comply provided for in or under section 27.15.

The amounts of the penalties are set based on the relative seriousness of the failures to comply compared to each other and may vary according to the types of enterprises referred to in section 21.23. Furthermore, different amounts may be set in respect of the failure to comply under paragraph 4 of section 27.15 in order to take into account the nature of the information or document the enterprise failed or refused to send.

The amount of a monetary administrative penalty may not exceed \$10,000.

“27.17. Any regulation made by the Authority under this subdivision is submitted for approval to the Government, which may approve it with or without amendment.

“27.18. If a failure to comply for which a monetary administrative penalty could be imposed continues for more than one day, it constitutes a new failure for each day it continues.

“27.19. Persons designated by the president and chief executive officer of the Authority may impose the monetary administrative penalties prescribed in section 27.15 or a regulation made under that section.

For the purposes of the first paragraph, the Authority develops and makes public a general framework for applying such administrative penalties, which specifies, in particular, the following elements:

- (1) the purpose of the penalties, such as urging an enterprise to take rapid measures to remedy a failure or deter its repetition;
- (2) the categories of functions held by the persons designated to impose penalties;
- (3) the criteria that must guide designated persons when a failure to comply has occurred, such as the type of failure, its repetitive nature and the measures taken by the enterprise to remedy it;
- (4) the circumstances in which priority will be given to any penal proceedings; and
- (5) the other procedures connected with such a penalty, such as the fact that it must be preceded by notification of a notice of non-compliance.

In addition, the general framework must set out the categories of administrative or penal sanctions as defined by the Act or the regulations.

“§2. — Notice of non-compliance and imposition

“27.20. In the event of a failure to comply referred to in subdivision 1, a notice of non-compliance may be notified to the enterprise urging it to immediately take the necessary measures to remedy the failure. Such a notice must mention that the failure may, in particular, give rise to a monetary administrative penalty and, if applicable, penal proceedings.

“27.21. The imposition of a monetary administrative penalty is prescribed by two years from the date of the failure to comply.

“27.22. The monetary administrative penalty for a failure to comply referred to in subdivision 1 may not be imposed on an enterprise if a statement of offence has already been served on the enterprise for a failure to comply with the same provision on the same day, based on the same facts.

No accumulation of monetary administrative penalties may be imposed on the same enterprise for failure to comply with the same provision if the failure occurs on the same day and is based on the same facts. In cases where more than one penalty would be applicable, the person imposing the penalty determines which one is most appropriate in light of the circumstances and the purpose of the penalties.

“27.23. A monetary administrative penalty is imposed on an enterprise by the notification of a notice of claim.

The notice must state

- (1) the amount of the claim;
- (2) the reasons for it;
- (3) the time from which it bears interest;
- (4) the right, under section 27.24, to obtain a review of the decision to impose the penalty and the time limit for exercising that right; and
- (5) the right to contest the review decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

The notice must also include information on the procedure for recovery of the amount claimed. The enterprise must also be informed that the facts on which the claim is founded may result in penal proceedings.

Unless otherwise provided, the amount owing bears interest at the rate determined under the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002), from the 31st day after notification of the notice.

“§3. — Review and contestation before the Administrative Tribunal of Québec

“27.24. Within 30 days after notification of the notice of claim, the enterprise may apply in writing to the Authority for a review of the decision to impose a monetary administrative penalty.

The persons responsible for the review are designated by the president and chief executive officer of the Authority; they must not come under the same administrative authority as the persons responsible for imposing such penalties.

“27.25. The application for review must be dealt with promptly. After giving the applicant an opportunity to submit observations and produce any documents to complete the record, the person responsible for the review renders a decision on the basis of the record, unless the person deems it necessary to proceed in some other manner.

“27.26. The review decision must be written in clear and concise terms, with reasons given, must be notified to the applicant and must state the applicant’s right to contest the decision before the Administrative Tribunal of Québec and the time limit for bringing such a proceeding.

If the review decision is not rendered within 30 days after receipt of the application or, if applicable, within the time granted to the applicant to submit observations or produce documents, the interest provided for in the fourth paragraph of section 27.23 on the amount owing ceases to accrue until the decision is rendered.

“27.27. A review decision that confirms the imposition of a monetary administrative penalty may be contested before the Administrative Tribunal of Québec by the enterprise concerned by the decision, within 60 days after notification of the review decision.

The Tribunal may only confirm or quash a contested decision. When rendering its decision, the Tribunal may make a ruling with respect to interest accrued on the penalty while the matter was pending before it.

“§4. — *Recovery*

“27.28. If an enterprise has defaulted on payment of a monetary administrative penalty, its directors and officers are solidarily liable with it for the payment of the penalty, unless they establish that they exercised due care and diligence to prevent the failure.

“27.29. The payment of a monetary administrative penalty is secured by a legal hypothec on the debtor’s movable and immovable property.

For the purposes of this division, “debtor” means the enterprise that is required to pay a monetary administrative penalty and, if applicable, each of its directors and officers who are solidarily liable with it for the payment of the penalty.

“27.30. The debtor and the Authority may enter into a payment agreement with regard to a monetary administrative penalty owing. Such an agreement, or the payment of such a penalty, does not constitute, for the purposes of any other administrative penalty under this Act, an acknowledgement of the facts giving rise to it.

“27.31. If the monetary administrative penalty owing is not paid in its entirety or the payment agreement is not adhered to, the Authority may issue a recovery certificate on the expiry of the time for applying for a review of the decision to impose the penalty, on the expiry of the time for contesting the review decision before the Administrative Tribunal of Québec or on the expiry of 30 days after the Tribunal’s final decision confirming the decision to impose the penalty or the review decision, as applicable.

However, a recovery certificate may be issued before the expiry of the time limit specified in the first paragraph if the Authority is of the opinion that the debtor is attempting to evade payment.

A recovery certificate must state the debtor’s name and address and the amount of the debt.

“27.32. Where the Minister of Revenue applies, once a recovery certificate has been issued and in accordance with section 31 of the Tax Administration Act (chapter A-6.002), a refund owed to a person under a fiscal law to the payment of the amount due referred to in the certificate, that application interrupts the prescription provided for in the Civil Code with regard to the recovery of that amount.

“27.33. On the filing of the recovery certificate at the office of the competent court, together with a copy of the final decision stating the amount of the debt, the decision becomes enforceable as if it were a final judgment of that court not subject to appeal, and has all the effects of such a judgment.

“27.34. The debtor is required to pay a recovery charge in the cases, on the conditions and in the amount determined by regulation of the Authority.

“27.35. The Authority may, by agreement, delegate to a department or other body all or some of the powers relating to the recovery of an amount owing under this Act or the regulations.

“§5.—Register

“27.36. The Authority keeps a register relating to monetary administrative penalties.

The register must contain at least the following information:

- (1) the date the penalty was imposed;
- (2) the date and nature of the failure for which, and the legislative or regulatory provisions under which, the penalty was imposed;
- (3) if the penalty is imposed on a natural person who operates a sole proprietorship, his or her name, the name of the proprietorship, the address of its principal establishment in Québec and, if it is registered, its Québec business number;
- (4) if the penalty is imposed on a legal person or a general, limited or undeclared partnership, its name, the address of its principal establishment in Québec and, if it is registered, its Québec business number;
- (5) the amount of the penalty imposed;
- (6) the date of receipt of an application for review and the date and conclusions of the decision;
- (7) the date a proceeding is brought before the Administrative Tribunal of Québec and the date and conclusions of the decision rendered by the Tribunal, as soon as the Authority is made aware of the information;

(8) the date a proceeding is brought against the decision rendered by the Administrative Tribunal of Québec, the nature of the proceeding and the date and conclusions of the decision rendered by the court concerned, as soon as the Authority is made aware of the information; and

(9) any other information the Authority considers of public interest.

The information contained in the register is public information as of the time the decision imposing the penalty becomes final. The information is withdrawn three years after being entered in the register.”

55. Schedule I to the Act is amended

(1) by replacing “(Sections 21.26, 21.28 and 21.42)” after “SCHEDULE I” by “(Sections 21.4, 21.5.2, 21.26, 21.26.1, 21.28 and 21.48.16)”;

(2) by inserting the following in alphabetical order:

“

Act respecting the Autorité des marchés publics (chapter A-33.2.1)	67.2	Knowingly communicating false or misleading information under section 56 or contravening section 63, or helping or inducing a person to commit either of those offences
Anti-Corruption Act (chapter L-6.1)	34	Taking or threatening to take reprisals against a person
	35	Helping or inducing a person to commit an offence under section 34
Act respecting the legal publicity of enterprises (chapter P-44.1)	154	Knowingly filing a false, incomplete or misleading declaration referred to in section 32, 38, 40 or 41, the first paragraph of section 42, or section 43, 45 or 46
	155 (2)	Knowingly filing, under section 55, a false, incomplete or misleading cancellation declaration

”;

(3) in the portion relating to offences under the Act respecting contracting by public bodies (chapter C-65.1):

(a) by replacing the summary description relating to section 27.5 by the following description:

“Making a false or misleading statement to the Autorité des marchés publics to obtain, renew or keep an authorization to contract or to have the name of an enterprise removed from the register of enterprises authorized to contract”;

(b) by replacing the summary description relating to section 27.6 by the following description:

“Making a false or misleading statement in the course of a tendering or awarding process for a public contract or of the performance of such a contract”;

(c) by inserting the following, by numerical order of the offences:

“27.10.0.1 Hindering or attempting to hinder a person exercising audit functions”;

(d) by replacing the summary description relating to section 27.13 by the following description:

“Helping or inducing a person to commit an offence under section 27.5, 27.6, 27.10.0.1, 27.10.1, 27.10.2 or 27.11”;

(4) by replacing the summary description relating to paragraph 4 of section 122 in the portion relating to offences under the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) by the following description:

“Having destroyed, altered or falsified any register, pay-list, registration system or document relating to the application of the Act, a collective agreement or a regulation or having forwarded any false or inaccurate information or report, or given a false designation to the position of an employee so as to pay a lower wage”;

(5) by replacing all occurrences of “Helping” in the summary descriptions of the offences referred to in the last six portions by “Helping or inducing”.

56. Schedule II to the Act is amended by replacing “(Section 21.8)” after “SCHEDULE II” by “(Sections 21.8 and 21.48.16)”.

ANTI-CORRUPTION ACT

57. Section 2 of the Anti-Corruption Act (chapter L-6.1) is amended

(1) by striking out paragraph 1.1;

(2) by striking out “, 1.1” in paragraph 3.

58. Section 10 of the Act is amended by replacing “the necessary audits so that the Associate Commissioner may provide to the Autorité des marchés publics the advisory opinions required under sections 21.31 and 21.32” in paragraph 1.1 by “the audits required under sections 21.30 and 21.48.12”.

59. Section 13.1 of the Act is amended by replacing “21.32” in the introductory clause by “21.48.12”.

60. Section 15 of the Act is amended by replacing “21.32” in paragraph 1 by “21.48.12”.

CHAPTER III

PROVISIONS RELATED TO THE MISSION, FUNCTIONS AND POWERS OF THE AUTORITÉ DES MARCHÉS PUBLICS

ACT RESPECTING THE AUTORITÉ DES MARCHÉS PUBLICS

61. Section 19 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) is amended, in the first paragraph,

(1) by replacing “concerning ineligibility for public contracts” in subparagraph 2 by “concerning the integrity of enterprises”;

(2) by striking out subparagraph 3;

(3) by inserting the following subparagraph before subparagraph 5:

“(4.1) to apply Division II of Chapter VIII.2 of that Act concerning monetary administrative penalties;”.

62. Section 20 of the Act is amended by inserting the following subparagraph after subparagraph 1 of the first paragraph:

“(1.1) “public subcontract” means a subcontract directly or indirectly related to a public contract;”.

63. Section 21 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 1:

“(1.1) to receive and process applications filed under Division V of Chapter IV;”;

(2) by inserting “and subcontracts” after “public contracts” in subparagraph 5;

(3) in subparagraph 6,

(a) by replacing “to V.3” by “, V.3 and VIII.2”;

(b) by replacing “enter into a public contract or subcontract” by “contract”.

64. Section 23 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The same applies to any bidder, contractor or subcontractor and any other person or partnership that holds such a document or such information.”;

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

“Anyone who is subject to a request made by the Authority under the first paragraph must, if the Authority so requests, confirm, in an affidavit, the authenticity of the documents or the veracity of the information communicated.”

65. Section 26 of the Act is amended

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

“The Authority may conduct an investigation into any matter relating to its oversight mission with respect to public contracts.”;

(2) by replacing “under section 28 or 66” in the second paragraph by “under Chapter VII.1 of this Act or Division I of Chapter VIII.2 of the Act respecting contracting by public bodies (chapter C-65.1)”;

(3) by replacing “For the purposes of the first paragraph” in the third paragraph by “For those purposes”.

66. Section 27 of the Act is replaced by the following section:

“**27.** The Authority may, in writing, entrust to a person who is not a member of its personnel and who meets the conditions set out in paragraphs 1 and 2 of section 6 the mandate of conducting an audit or an investigation. For that purpose, it may delegate the exercise of its powers to that person.”

67. Section 28 of the Act is repealed.**68.** Section 29 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 5:

“(5.1) order the public body to take corrective measures, perform appropriate follow-up or implement any other measures, such as oversight and support measures, to ensure that a public contract is performed in compliance with the requirements specified in the tender documents or other contractual documents, and require that it be informed in writing, within the time specified, of the measures taken by the public body to comply with such a decision; and”;

(2) by replacing subparagraph 6 by the following subparagraph:

“(6) suspend the performance of any public contract for the time it specifies or cancel such a contract if it is of the opinion that the seriousness of the breaches observed justifies suspending or cancelling the contract or if the public body has not complied with an order issued under subparagraph 5.1 to its satisfaction.”

69. Section 31 of the Act is amended, in subparagraph 7 of the first paragraph,

(1) by inserting “and subcontracts” after “public contracts”;

(2) by inserting “and subcontracts” after “on such contracts”.

70. Section 34 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “The same applies to any bidder, contractor or subcontractor and any other person or partnership that holds a document or information the Authority considers necessary for the exercise of its monitoring functions.”;

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

“Anyone who is subject to a request made by the Authority under the first paragraph must, if the Authority so requests, confirm, in an affidavit, the authenticity of the documents or the veracity of the information communicated.”

71. Section 36 of the Act is amended by replacing the second paragraph by the following paragraph:

“The Authority may, likewise, enter into an agreement with a public body with a view to facilitating the application of this Act. It may also, for the same purpose, enter into an agreement with any person or partnership provided that the person or partnership, as well as the person’s or partnership’s officers, directors, partners and employees who take part in achieving the object of the agreement, meet the conditions set out in paragraphs 1 and 2 of section 6.”

72. Section 49 of the Act is amended

(1) by replacing “10” in the first paragraph by “14”;

(2) by replacing “five” in the third paragraph by “seven”.

73. The Act is amended by inserting the following division after section 52:

“DIVISION V

**“PROVISIONS SPECIFIC TO THE AUTHORITY’S CONTRACTING
PROCESSES**

“52.1. In any case where it is permitted, under the provisions of Divisions I to III, to file a complaint with the Authority in relation to a public body’s contracting process, a person or partnership, or a group of persons or partnerships, covered by those provisions, as well as the person’s, partnership’s or group’s representative, may, on the same conditions and for the same reasons, apply to the Authority for it to re-evaluate the compliance of any of its own contracting processes with the normative framework or to reconsider its intention to enter into a contract by mutual agreement despite the interest that the person, partnership or group of persons or partnerships has shown in carrying out the contract.

Section 45 and section 46, except subparagraph 4 of the first paragraph and the third paragraph of that section, apply to an application made under the first paragraph, and sections 51 and 52 apply, with the necessary modifications, to a person, partnership or group that submits such an application.

“52.2. Each time an application referred to in section 52.1 is filed, the president and chief executive officer of the Authority designates a person or persons to be responsible for processing it. A person so designated must be from an administrative unit that is separate from any administrative unit the persons who exercise the Authority’s contractual activities, the persons responsible for processing complaints filed in respect of those persons, and the persons responsible for processing complaints filed under Divisions I and II are from. Moreover, the president and chief executive officer must ensure that all measures necessary to ensure that the application is processed with integrity and independence are put in place within the Authority.

“52.3. On receiving an application referred to in section 52.1 and if need be, the Authority defers the deadline for the submission of bids if the application concerns a tendering process, or the projected contract date if the application concerns an awarding process. In such a case, the Authority informs the applicant of the deferral and makes an entry to that effect on the electronic tendering system without delay.

“52.4. The Authority has 14 days from the time it receives the application to make its decision.

When the analysis of the application is concluded, the Authority sends its decision with reasons in writing to the applicant.

When the application concerns a tendering process and the Authority decides it will continue the process while amending the tender documents, the Authority must ensure that a period of at least seven days is granted for tendering a bid. The period must be of at least two days if no amendment is made to the tender documents. Where applicable, the Authority enters on the electronic tendering system a new tender closing date that allows for those time periods.”

74. Section 53 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “A single examination may concern more than one tendering or awarding process or the performance of more than one contract.”;

(2) by replacing “an ongoing tendering or awarding process” in the second paragraph by “one or more ongoing tendering or awarding processes”.

75. Section 55 of the Act is replaced by the following section:

“55. When the examination is concluded, the Authority sends its decision with reasons in writing to the public body concerned and the minister responsible for the body. Furthermore, if the intervention was requested by the Chair of the Conseil du trésor or the minister responsible for municipal affairs, the Authority must report to the Chair or that minister on its intervention, in addition to sending him or her its decision with reasons in writing.”

76. Section 58 of the Act is amended by inserting “or an investigation” after “audit”.

77. Section 59 of the Act is amended by adding the following paragraph at the end:

“A single examination may concern more than one tendering or awarding process or the performance of more than one contract.”

78. Section 62 of the Act is amended by inserting “or an investigation” after “audit”.

79. Section 63 of the Act is amended by inserting “or an investigation” after both occurrences of “audit”.

80. Section 66 of the Act is repealed.

81. The Act is amended by inserting the following chapter after section 67:

“CHAPTER VII.1

“PENAL PROVISIONS

“67.1. Anyone who

(1) hinders or attempts to hinder a person exercising audit or investigation functions, in particular by communicating any false or misleading document or information, by refusing to provide or make available any document or information they must send or make available, or by concealing or destroying any document or information relevant to an audit or an investigation,

(2) by an act or omission, helps a person to commit an offence under paragraph 1, or

(3) by encouragement, advice, consent, authorization or command, induces a person to commit an offence under paragraph 1

commits an offence and is liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case.

“67.2. Anyone who

(1) communicates information under section 56 that the person knows to be false or misleading,

(2) contravenes section 63,

(3) by an act or omission, helps another person to commit an offence under paragraph 1 or 2, or

(4) by encouragement, advice, consent, authorization or command, induces another person to commit an offence under paragraph 1 or 2

commits an offence and is liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$250,000 in any other case.

“67.3. For a subsequent offence, the minimum and maximum fines prescribed in this chapter are doubled.

“67.4. Penal proceedings must be instituted within three years after the time the prosecutor becomes aware of the commission of the offence. However, no proceedings may be instituted if more than seven years have elapsed since the date of the offence.”

82. The Act is amended by inserting the following section before section 68:

“67.5. The Authority may, on an application, review any decision it has made under this Act if it is informed of a new fact which, had it been known in sufficient time, could have warranted a different decision.

An application for review made under this section must, to be considered by the Authority, be submitted within a reasonable time after the date of the decision or after the date the new fact is discovered.”

83. Section 69 of the Act is amended by inserting “, as well as the provisions of Division V of Chapter IV insofar as they relate to a tendering process,” after “section 21”.

CHAPTER IV

MISCELLANEOUS AMENDING PROVISIONS

ACT RESPECTING THE ACCELERATION OF CERTAIN INFRASTRUCTURE PROJECTS

84. Section 10 of the Act respecting the acceleration of certain infrastructure projects (chapter A-2.001) is amended

(1) by replacing “\$4,000 to \$20,000” at the end of the first paragraph by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case”;

(2) by replacing “The fines are doubled” in the second paragraph by “The minimum and maximum fines prescribed in this section are doubled”.

TAX ADMINISTRATION ACT

85. Section 69.1 of the Tax Administration Act (chapter A-6.002) is amended by replacing “Chapters V.1 and V.2” in subparagraph z.3 of the second paragraph by “Chapter V.1”.

86. Section 69.4.1 of the Act is amended by replacing “V.2” by “V.1”.

87. Section 69.5.3 of the Act is amended by adding the following paragraph at the end:

“The Autorité des marchés publics may also, without the consent of the person concerned, communicate to an Associate Commissioner for Audits appointed under section 8 of the Anti-Corruption Act (chapter L-6.1), who exercises the function provided for in paragraph 1.1 of section 10 of that Act, information obtained under subparagraph z.3 of the second paragraph of section 69.1 where the information is necessary for the purposes of the first paragraph of section 21.48.12 of the Act respecting contracting by public bodies.”

BUILDING ACT

88. Section 65.1 of the Building Act (chapter B-1.1) is amended by inserting “except in the case of a temporary registration” at the end of subparagraph 5 of the second paragraph.

89. Section 65.1.0.1 of the Act is amended, in the first paragraph,

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

“(1) the offence or indictable offence that led to the conviction was previously considered by the Autorité des marchés publics in the course of an examination of the holder’s integrity conducted under Division III or Division IV of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) and, once the examination was completed, the holder was not registered, other than temporarily, in the register of enterprises ineligible for public contracts referred to in section 21.6 of that Act;”;

(2) by replacing subparagraph 2 by the following subparagraph:

“(2) the conviction concerns a holder whose integrity is under examination by the Authority under either of the divisions referred to in subparagraph 1, unless the examination is not completed.”

90. Section 65.1.0.2 of the Act is amended by replacing “in Chapter V.2” in the first paragraph by “in Division III of Chapter V.1”.

91. Section 65.2.1 of the Act is amended, in the fourth paragraph,

(1) by inserting, “, otherwise than temporarily,” after “public contracts”;

(2) by replacing “sections 21.3.1 and” by “the first paragraph of section 21.5.4 and section”.

CANNABIS REGULATION ACT

92. Section 26 of the Cannabis Regulation Act (chapter C-5.3) is amended

(1) by replacing “Chapter V.2 of that Act, except sections 21.17 to 21.17.2” in the first paragraph by “The provisions of Chapter V.1 of that Act to which an enterprise that submits an application for authorization to contract or that holds such an authorization is subject, except the first and second paragraphs of section 21.17 and sections 21.17.1 and 21.17.2”;

(2) by striking out “high” in the second paragraph.

**ACT RESPECTING THE CENTRE D'ACQUISITIONS
GOUVERNEMENTALES**

93. Section 4 of the Act respecting the Centre d'acquisitions gouvernementales (chapter C-7.01) is amended by inserting “, including the principles set out in section 2 of the Act respecting contracting by public bodies (chapter C-65.1)” at the end of the first paragraph.

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

94. Section 57.1.15 of the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended

(1) in the third paragraph,

(a) by replacing “\$2,000 to \$20,000” in subparagraph 1 by “\$5,000 to \$30,000”;

(b) by replacing “\$10,000” in subparagraph 2 by “\$15,000”;

(2) by replacing “the amounts are doubled” in the fourth paragraph by “the minimum and maximum fines prescribed in the third paragraph are doubled”.

95. Section 57.1.16 of the Charter is amended

(1) by replacing “\$4,000 to \$20,000” in the first paragraph by “\$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case”;

(2) by replacing “the amounts are doubled” in the second paragraph by “the minimum and maximum fines prescribed in the first paragraph are doubled”.

96. Section 57.1.18 of the Charter is amended by replacing “V.2” in the second paragraph by “V.1”.

CITIES AND TOWNS ACT

97. Section 573.3.3.2 of the Cities and Towns Act (chapter C-19) is amended

(1) in the first paragraph,

(a) by replacing “Division I of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) applies” by “The provisions of Divisions I, II and IV to VI of Chapter V.1 and Division II of Chapter VIII.2 of the Act respecting contracting by public bodies (chapter C-65.1) apply”;

(b) by inserting “as well as any subcontract that is directly or indirectly related to any of those contracts” after “services”;

(2) in the second paragraph,

(a) by replacing “For the purposes of the provisions of Chapter V.1 of that Act, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts” by “For the purposes of those provisions, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts, the subcontracts related to such contracts are deemed to be public subcontracts”;

(b) by replacing “contracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 and 25.0.3” by “public contracts and subcontracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 to 25.0.4”.

98. Section 573.3.3.3 of the Act is amended

(1) by replacing “21.3.1, 21.17 to 21.17.2, 21.18, 21.25, 21.34, 21.35, 21.38, 21.39, 21.41, 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.11, 27.13, 27.14 and 27.14.1” in the first paragraph by “21.17 to 21.17.2, 21.18, 21.39 to 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.10.0.1, 27.11 and 27.13 to 27.14.1 and Division II of Chapter VIII.2”;

(2) by replacing “V.2” in the third paragraph by “V.1”.

MUNICIPAL CODE OF QUÉBEC

99. Article 938.3.2 of the Municipal Code of Québec (chapter C-27.1) is amended

(1) in the first paragraph,

(a) by replacing “Division I of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) applies” by “The provisions of Divisions I, II and IV to VI of Chapter V.1 and Division II of Chapter VIII.2 of the Act respecting contracting by public bodies (chapter C-65.1) apply”;

(b) by inserting “as well as any subcontract that is directly or indirectly related to such a contract” after “services”;

(2) in the second paragraph,

(a) by replacing “For the purposes of the provisions of Chapter V.1 of that Act, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts” by “For the purposes of those provisions, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts, the subcontracts related to such contracts are deemed to be public subcontracts”;

(b) by replacing “contracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 and 25.0.3” by “public contracts and subcontracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 to 25.0.4”.

100. Article 938.3.3 of the Code is amended

(1) by replacing “21.3.1, 21.17 to 21.17.2, 21.18, 21.25, 21.34, 21.35, 21.38, 21.39, 21.41, 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.11, 27.13, 27.14 and 27.14.1” in the first paragraph by “21.17 to 21.17.2, 21.18, 21.39 to 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.10.0.1, 27.11 and 27.13 to 27.14.1 and Division II of Chapter VIII.2”;

(2) by replacing “V.2” in the third paragraph by “V.1”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE
MONTRÉAL

101. Section 118.1.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended

(1) in the first paragraph,

(a) by replacing “Division I of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) applies” by “The provisions of Divisions I, II and IV to VI of Chapter V.1 and Division II of Chapter VIII.2 of the Act respecting contracting by public bodies (chapter C-65.1) apply”;

(b) by inserting “as well as any subcontract that is directly or indirectly related to such a contract” after “services”;

(2) in the second paragraph,

(a) by replacing “For the purposes of the provisions of Chapter V.1 of that Act, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts” by “For the purposes of those provisions, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts, the subcontracts related to such contracts are deemed to be public subcontracts”;

(b) by replacing “contracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 and 25.0.3” by “public contracts and subcontracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 to 25.0.4”.

102. Section 118.1.2 of the Act is amended

(1) by replacing “21.3.1, 21.17 to 21.17.2, 21.18, 21.25, 21.34, 21.35, 21.38, 21.39, 21.41, 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.11, 27.13, 27.14 and 27.14.1” in the first paragraph by “21.17 to 21.17.2, 21.18, 21.39 to 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.10.0.1, 27.11 and 27.13 to 27.14.1 and Division II of Chapter VIII.2”;

(2) by replacing “V.2” in the third paragraph by “V.1”.

**ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE
DE QUÉBEC****103.** Section 111.1.1 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended

(1) in the first paragraph,

(a) by replacing “Division I of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) applies” by “The provisions of Divisions I, II and IV to VI of Chapter V.1 and Division II of Chapter VIII.2 of the Act respecting contracting by public bodies (chapter C-65.1) apply”;

(b) by inserting “as well as any subcontract that is directly or indirectly related to such a contract” after “services”;

(2) in the second paragraph,

(a) by replacing “For the purposes of the provisions of Chapter V.1 of that Act, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts” by “For the purposes of those provisions, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts, the subcontracts related to such contracts are deemed to be public subcontracts”;

(b) by replacing “contracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 and 25.0.3” by “public contracts and subcontracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 to 25.0.4”.

104. Section 111.1.2 of the Act is amended

(1) by replacing “21.3.1, 21.17 to 21.17.2, 21.18, 21.25, 21.34, 21.35, 21.38, 21.39, 21.41, 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.11, 27.13, 27.14 and 27.14.1” in the first paragraph by “21.17 to 21.17.2, 21.18, 21.39 to 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.10.0.1, 27.11 and 27.13 to 27.14.1 and Division II of Chapter VIII.2”;

(2) by replacing “V.2” in the third paragraph by “V.1”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

105. Section 4 of the Act respecting contracting by public bodies (chapter C-65.1) is amended

(1) by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) bodies other than budget-funded bodies listed in Schedule 2 to the Financial Administration Act, except Héma-Québec, as well as the Commission de la construction du Québec, the Cree-Québec Forestry Board and the Office franco-québécois pour la jeunesse;”;

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

“The public bodies referred to in this section are subject to this Act even when exercising the fiduciary functions assigned to them by law.”

106. Section 7 of the Act is amended

(1) by inserting the following sentence after the first sentence of the first paragraph: “The same applies to Héma-Québec.”;

(2) by inserting “and the requirements of Division V of Chapter II” at the end of the second paragraph;

(3) by replacing “, V.1 and V.2” in the last paragraph by “and V.1”.

107. The Act is amended by replacing the heading of Chapter II by the following heading:

“TENDERING AND AWARDING OF CONTRACTS”.

108. Section 13.2 of the Act is amended by replacing “file a complaint under section 38 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1)” in the second paragraph by “, as applicable, file a complaint under section 38 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or make an application under section 52.1 of that Act”.

109. Section 21.0.3 of the Act is amended by replacing “awarding” in the first paragraph by “tendering or awarding”.

110. Section 21.0.4 of the Act is amended by replacing “awarding process” in the first paragraph by “tendering process”.

III. The Act is amended by inserting the following chapter after section 21.48.18:

“CHAPTER V.2

**“PAYMENTS AND DISPUTE SETTLEMENT WITH REGARD TO
CONSTRUCTION WORK**

“DIVISION I

“PRELIMINARY PROVISIONS

“21.48.19. The purpose of this chapter is to ensure prompt payment of sums of money claimed by enterprises that take part in carrying out construction work on behalf of public bodies.

A further purpose of this chapter is to allow prompt settlement of disputes that may arise between such enterprises, or between such enterprises and such bodies.

“21.48.20. Any clause that has the effect of excluding the application of one or more of the provisions of this chapter is absolutely null.

The same applies to a clause that has the effect of excluding the application of one or more of the provisions of a regulation made under this chapter, unless otherwise provided by that regulation.

“DIVISION II

“PAYMENTS

“21.48.21. Any request for payment of a sum of money an enterprise considers is owed to it in connection with a public construction work contract referred to in subparagraph 2 of the first paragraph of section 3 or a related subcontract must be made in compliance with the terms and conditions determined by government regulation, such as the requirement to include in the request the contractor’s name and address, a description of the work, the period during which the work was carried out and the sum of money to be paid.

A request for payment so made is hereinafter called a “valid request for payment”.

“21.48.22. A debtor is deemed not to have defaulted on payment of a sum of money claimed from the debtor if no valid request for payment of the sum has been made.

That presumption lapses once such a request for payment is received.

“21.48.23. If a debtor considers that the debtor is not required to pay all or part of a sum of money claimed by means of a valid request for payment, the debtor must express refusal to pay within the time determined by government regulation and in compliance with any other terms and conditions determined by such a regulation, such as a requirement to include a description of the work covered by the refusal as well as the grounds justifying and the sum of money corresponding to the refusal.

“21.48.24. A debtor is required to pay, within the time determined by government regulation, any sum of money payment of which has been claimed by means of a valid request for payment and which the debtor has not refused to pay in accordance with section 21.48.23. Such a payment obligation is binding on the debtor even if the debtor has not claimed payment of the sum from the debtor’s own debtor.

Despite the first paragraph, a debtor may, in the cases and on the terms and conditions determined by government regulation, make a withholding or deduction from a sum of money payable.

The mere lapse of the time determined under the first paragraph has the effect of causing the debtor concerned to be in default of payment.

“21.48.25. A sum of money for which a debtor is in default of payment under section 21.48.24 bears interest at the rate determined by government regulation.

“DIVISION III

“DISPUTE SETTLEMENT

“21.48.26. Any party to a dispute determined by government regulation, such as a dispute that could affect the payment of a sum of money that a party owes to another party, may, on the conditions prescribed by that regulation, require that the dispute be decided by a third-person decider.

In such a case, the other party to the dispute is required to participate in the selection of a third-person decider and in the dispute settlement process before that third person; failing such participation, that selection or process may, in accordance with the rules determined by government regulation, be made or take place without the participation of that other party.

The disputes that may be submitted to a third-person decider under this section may, among other things, be determined according to their subject matter, or to the category of contracts or subcontracts from which they arise or any characteristic of those contracts or subcontracts, such as the manner in which the contract or subcontract is to be carried out.

“21.48.27. The decision rendered by a third-person decider is binding on the parties until, as applicable, a judgment by a court of general jurisdiction is made or an arbitration award is rendered on the same subject matter.

The parties to the dispute must comply with the decision so rendered on the terms and conditions indicated in the decision. Furthermore, the party that is required, under such a decision, to pay a sum of money must do so within the time determined by government regulation.

A sum that is unpaid at the expiry of the time limit bears interest at the rate determined by government regulation.

Any payment of a sum of money made in order to comply with a decision rendered by a third-person decider does not constitute an acknowledgement of debt, either as to its existence or as to its amount, nor does it constitute a waiver of the right to claim its total or partial reimbursement in legal proceedings or arbitration.

“21.48.28. In a case of failure by the debtor to comply with a decision rendered by a third-person decider within the time determined under the second paragraph of section 21.48.27, the creditor may file a copy of the decision with the office of the competent court, to obtain its forced execution.

Such forced execution is effected in accordance with the rules set out in the Code of Civil Procedure (chapter C-25.01), subject, as applicable, to the rules determined by government regulation.

“21.48.29. The Minister of Justice designates the persons, bodies or associations responsible for certifying the persons who may act as third-person deciders.

Only persons certified to act as third-person deciders may act as such.

“21.48.30. No legal proceedings may be brought against a third-person decider for acts performed in the exercise of his or her functions, unless he or she acted in bad faith or committed an intentional or gross fault.

Nor may such a third person be compelled, in a judicial proceeding or a proceeding before a person or body exercising adjudicative functions, to make a deposition on information obtained in the exercise of the third person’s functions or to produce a document containing such information.

“DIVISION IV

“MISCELLANEOUS PROVISIONS

“21.48.31. In addition to the other regulatory powers provided for in this chapter, the Government may, by regulation,

(1) exclude from the application of all or part of the provisions of Division II requests for payment based on certain grounds for claims and any contract or subcontract, including those with certain characteristics, such as a specific manner in which they are to be carried out;

(2) make public bodies and enterprises that are parties to contracts the Government determines subject to the application of all or part of the provisions of Division II, provided those contracts are related to contracts or subcontracts referred to in that division;

(3) determine, for the purposes of the provisions of Division III, the rules relating to the dispute settlement process before a third-person decider, including the selection of the third person and the latter's duties, obligations, functions and powers within the scope of such a process, and the rules relating to the decision rendered at the end of such a process and to the payment, by the parties to a dispute submitted to such a third person, of the latter's fees and expenses and those of the witnesses, experts or any other person involved in the process; and

(4) determine any other rule necessary for the application or the purposes of the provisions of this chapter, including, where applicable, rules relating to the effects and the end of the suretyship and to the existence, preservation and extinction of legal hypothecs in favour of persons having participated in the construction or renovation of an immovable.

“21.48.32. The provisions of a regulation made under this chapter may vary according to the categories and characteristics of the contracts or subcontracts concerned, the public bodies concerned and the characteristics of the enterprises that take part in carrying out construction work.”

II2. Section 23 of the Act is amended by striking out paragraph 16.

II3. Sections 24.3 to 24.7 of the Act are replaced by the following section:

“24.3. The Government may, by regulation,

(1) determine the standards with which the persons, bodies, and associations designated by the Minister of Justice under section 21.48.29 must comply;

(2) define the conditions a person must satisfy to be certified to act as a third-person decider for the purposes of Division III of Chapter V.2 and determine the standards with which such a third person must comply in the exercise of his or her functions, as well as the sanctions applicable for non-compliance; and

(3) define the rules relating to fees and other expenses that the parties to a dispute may be required to comply with where the dispute is referred to a third-person decider under Section III of Chapter V.2.”

114. Section 27.1 of the Act is amended by replacing “awarding” in the first paragraph by “tendering and awarding”.

115. Section 59 of the Act is amended by inserting “, except the first paragraph of section 21.48.29 and section 24.3, which are under the administration of the Minister of Justice” at the end.

ACT TO FACILITATE THE DISCLOSURE OF WRONGDOINGS RELATING TO PUBLIC BODIES

116. Section 5 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1) is amended by inserting “, except in the case of an alleged wrongdoing in relation to the Autorité des marchés publics” at the end of subparagraph 1 of the second paragraph.

117. Section 12 of the Act is amended by inserting “, except in the case of an alleged wrongdoing in relation to the Autorité des marchés publics” at the end of subparagraph 4.1 of the second paragraph.

118. Section 33 of the Act is replaced by the following section:

“33. Anyone who

(1) discloses information under section 6 that they know to be false or misleading, or

(2) contravenes section 30

is guilty of an offence and is liable to a fine of \$5,000 to \$30,000 in the case of a natural person and to a fine of \$15,000 to \$250,000 in other cases.

For a subsequent offence, the minimum and maximum fines prescribed in this section are doubled.”

119. Section 34 of the Act is amended

(1) by replacing “\$4,000 to \$20,000” in the first paragraph by “\$5,000 to \$30,000 in the case of a natural person and to a fine of \$15,000 to \$100,000 in other cases”;

(2) by replacing “The amounts are doubled for a subsequent offence” in the second paragraph by “For a subsequent offence, the minimum and maximum fines prescribed in this section are doubled”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

120. Section 648.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is replaced by the following section:

“648.1. The Chief Electoral Officer shall transmit to the Autorité des marchés publics the information that relates to any penal proceeding brought under this Title and applies to any offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1). The Chief Electoral Officer shall also transmit to the Autorité des marchés publics the information required under subparagraphs 1 to 3 and 5 of the first paragraph of section 21.7 of that Act concerning findings of guilty for the offences under this Title that are listed in Schedule I to that Act.

The information shall be transmitted in the manner determined in an agreement.”

ACT RESPECTING SCHOOL ELECTIONS TO ELECT CERTAIN MEMBERS OF THE BOARDS OF DIRECTORS OF ENGLISH- LANGUAGE SCHOOL SERVICE CENTRES

121. Section 223.5 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) is replaced by the following section:

“223.5. The Chief Electoral Officer shall transmit to the Autorité des marchés publics the information that relates to any penal proceeding brought under this Title and applies to any offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1). The Chief Electoral Officer shall also transmit to the Autorité des marchés publics the information required under subparagraphs 1 to 3 and 5 of the first paragraph of section 21.7 of that Act concerning findings of guilty for the offences under this chapter that are listed in Schedule I to that Act.

The information shall be transmitted in the manner determined in an agreement.”

ELECTION ACT

122. Section 569.1 of the Election Act (chapter E-3.3) is replaced by the following section:

“569.1. The Chief Electoral Officer shall transmit to the Autorité des marchés publics the information that relates to any penal proceeding brought under this Title and applies to any offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1). The Chief Electoral Officer shall also transmit to the Autorité des marchés publics the information

required under subparagraphs 1 to 3 and 5 of the first paragraph of section 21.7 of that Act concerning findings of guilty for the offences under this Title that are listed in Schedule I to that Act.

The information shall be transmitted in the manner determined in an agreement.”

MUNICIPAL ETHICS AND GOOD CONDUCT ACT

123. Section 36.6 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1) is amended

(1) in the portion after subparagraph 4 of the first paragraph,

(a) by replacing “\$2,000 to \$20,000” by “\$5,000 to \$30,000”;

(b) by replacing “\$10,000” by “\$15,000”;

(2) by replacing “the amounts are doubled” in the second paragraph by “the minimum and maximum fines prescribed in the first paragraph are doubled”.

124. Section 36.7 of the Act is amended

(1) by replacing “\$4,000 to \$20,000” at the end of the first paragraph by “\$5,000 to \$30,000 in the case of a natural person and to a fine of \$15,000 to \$100,000 in other cases”;

(2) by replacing “the amounts are doubled” in the second paragraph by “the minimum and maximum fines prescribed in the first paragraph are doubled”.

ACT RESPECTING ADMINISTRATIVE JUSTICE

125. Schedule IV to the Act respecting administrative justice (chapter J-3) is amended by inserting the following paragraph after paragraph 6:

“(6.1) section 27.27 of the Act respecting contracting by public bodies (chapter C-65.1);”.

ANTI-CORRUPTION ACT

126. Section 14.1 of the Anti-Corruption Act (chapter L-6.1) is amended

(1) by replacing “\$4,000 to \$20,000” in the first paragraph by “\$5,000 to \$30,000 in the case of a natural person and to a fine of \$15,000 to \$100,000 in other cases”;

(2) by replacing “the amounts” in the second paragraph by “the minimum and maximum fines prescribed in this section”.

127. Section 34 of the Act is amended

(1) in the first paragraph,

(a) by replacing “\$2,000 \$ to \$20,000” in subparagraph 1 by “\$5,000 to \$30,000”;

(b) by replacing “\$10,000” in subparagraph 2 by “\$15,000”;

(2) by replacing “the amounts” in the second paragraph by “the minimum and maximum fines prescribed in this section”.

128. Section 35.7 of the Act is amended

(1) by replacing “\$4,000 to \$20,000” at the end of the first paragraph by “\$5,000 to \$30,000 in the case of a natural person and to a fine of \$15,000 to \$100,000 in other cases”;

(2) by replacing “the amounts” in the second paragraph by “the minimum and maximum fines prescribed in this section”.

**ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING
AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION
INDUSTRY**

129. Section 7.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing “Chapter V.2” in the second paragraph by “Division III of Chapter V.1”.

130. Section 7.5 of the Act is amended, in subparagraph 3,

(1) by replacing “Chapter V.2” by “Division III of Chapter V.1”;

(2) by striking out “or 25.0.4”.

131. Section 123.4.4 of the Act is amended

(1) by replacing “the Associate Commissioners for Audits appointed under section 8 of the Anti-Corruption Act (chapter L-6.1), who exercise the function provided for in paragraph 1.1 of section 10 of that Act” by “the Autorité des marchés publics”;

(2) by replacing “V.2” by “V.1”.

**ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE
MUNICIPAL SECTOR**

132. Section 41.1 of the Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) is amended

(1) by replacing “sections 21.3.1, 21.17 to 21.17.2, 21.18, 21.25, 21.34, 21.35, 21.38, 21.39, 21.41, 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.11, 27.13, 27.14 and 27.14.1” in the first paragraph by “the provisions of Divisions I and II of Chapter V.1, sections 21.17 to 21.17.2, 21.18, 21.39 to 21.41.1, Divisions IV to VI of Chapter V.1, sections 25.0.2 to 25.0.5, 27.6 to 27.9, 27.10.0.1, 27.11 and 27.13 to 27.14.1 and Division II of Chapter VIII.2”;

(2) by replacing “V.2” in the third paragraph by “V.1”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

133. Section 108.1.1 of the Act respecting public transit authorities (chapter S-30.01) is amended

(1) in the first paragraph,

(a) by replacing “Division I of Chapter V.1 of the Act respecting contracting by public bodies (chapter C-65.1) applies” by “The provisions of Divisions I, II and IV to VI of Chapter V.1 and Division II of Chapter VIII.2 of the Act respecting contracting by public bodies (chapter C-65.1) apply”;

(b) by inserting “as well as any subcontract that is directly or indirectly related to such a contract” after “services”;

(2) in the second paragraph,

(a) by replacing “For the purposes of the provisions of Chapter V.1 of that Act, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts” by “For the purposes of these provisions, except section 21.8, the contracts referred to in the first paragraph are deemed to be public contracts, the subcontracts related to such contracts are deemed to be public subcontracts”;

(b) by replacing “contracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 and 25.0.3” by “public contracts and subcontracts, the responsibility conferred on the Conseil du trésor by sections 25.0.2 to 25.0.4”.

134. Section 108.1.2 of the Act is amended

(1) by replacing “21.3.1, 21.17 to 21.17.2, 21.18, 21.25, 21.34, 21.35, 21.38, 21.39, 21.41, 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.11, 27.13, 27.14 and 27.14.1” in the first paragraph by “21.17 to 21.17.2, 21.18, 21.39 to 21.41.1, 25.0.2 to 25.0.5, 27.6 to 27.9, 27.10.0.1, 27.11 and 27.13 to 27.14.1 and Division II of Chapter VIII.2”;

(2) by replacing “V.2” in the third paragraph by “V.1”.

**REGULATION OF THE AUTORITÉ DES MARCHÉS PUBLICS UNDER
AN ACT RESPECTING CONTRACTING BY PUBLIC BODIES**

135. Section 1 of the Regulation of the Autorité des marchés publics under an Act respecting contracting by public bodies (chapter C-65.1, r. 0.1) is amended by replacing “the authorization referred to under sections 21.17 to 21.17.3” by “or that hold the authorization to contract referred to in Division III of Chapter V.1”.

136. Section 3 of the Regulation is amended by striking out “or, whichever is latest, the date set out in the call for tender concerning the required authorization, as the case may be” in paragraph 2.

137. Section 7 of the Regulation is amended by replacing “Chapter V.2” in the second paragraph by “Division III of Chapter V.1”.

**REGULATION RESPECTING CERTAIN SUPPLY CONTRACTS OF
PUBLIC BODIES**

138. Section 9 of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2) is amended by replacing the second sentence of the first paragraph by the following sentences: “An addendum must contain the information relating to the deadline for filing complaints under section 21.0.4 of the Act or, as the case may be, for filing complaints under section 40 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or for making an application under section 52.1 of that Act. If the amendments to the tender documents result from a decision of the Autorité des marchés publics, the previously mentioned information is replaced by an indication to that effect.”

139. Section 9.5 of the Regulation is amended by replacing “file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1)” in the second paragraph by “, as applicable, file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or make an application under section 52.1 of that Act”.

**REGULATION RESPECTING CERTAIN SERVICE CONTRACTS OF
PUBLIC BODIES**

140. Section 9 of the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4) is amended by replacing the second sentence of the first paragraph by the following sentences: “An addendum must contain the information relating to the deadline for filing complaints under section 21.0.4 of the Act or, as the case may be, for filing complaints under section 40 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or for making an application under section 52.1 of that Act. If the amendments to the tender documents result from a decision of the Autorité des marchés publics, the previously mentioned information is replaced by an indication to that effect.”

141. Section 9.5 of the Regulation is amended by replacing “file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1)” in the second paragraph by “, as applicable, file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or make an application under section 52.1 of that Act”.

**REGULATION RESPECTING CONSTRUCTION CONTRACTS OF
PUBLIC BODIES**

142. Section 9 of the Regulation respecting construction contracts of public bodies (chapter C-65.1, r. 5) is amended by replacing the second sentence of the first paragraph by the following sentences: “An addendum must contain the information relating to the deadline for filing complaints under section 21.0.4 of the Act or, as the case may be, for filing complaints under section 40 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or for making an application under section 52.1 of that Act. If the amendments to the tender documents result from a decision of the Autorité des marchés publics, the previously mentioned information is replaced by an indication to that effect.”

143. Section 12.3 of the Regulation is amended by replacing “file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1)” in the second paragraph by “, as applicable, file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or make an application under section 52.1 of that Act”.

**REGULATION RESPECTING CONTRACTING BY PUBLIC BODIES IN
THE FIELD OF INFORMATION TECHNOLOGIES**

144. Section 11 of the Regulation respecting contracting by public bodies in the field of information technologies (chapter C-65.1, r. 5.1) is amended by replacing the second sentence of the first paragraph by the following sentences: “An addendum must contain the information relating to the deadline for filing complaints under section 21.0.4 of the Act or, as the case may be, for filing complaints under section 40 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or for making an application under section 52.1 of

that Act. If the amendments to the tender documents result from a decision of the Autorité des marchés publics, the previously mentioned information is replaced by an indication to that effect.”

145. Section 13.3 of the Regulation is amended by replacing “file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1)” in the second paragraph by “, as applicable, file a complaint under section 37 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) or make an application under section 52.1 of that Act”.

CHAPTER V

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

146. Any enterprise that holds an authorization to contract issued under the Act respecting contracting by public bodies (chapter C-65.1) on the date of coming into force of section 21.40 of that Act, enacted by section 35, must, in accordance with that section 21.40, update its information for the first time not later than 30 days after that date.

147. The validity period of an authorization to contract issued under the Act respecting contracting by public bodies and that is ongoing on the date of coming into force of section 21.41 of that Act, enacted by section 36, is extended by two years, subject to the authorization being revoked during that time.

148. Despite section 21.48.1 of the Act respecting contracting by public bodies, enacted by section 43, the contracts and subcontracts in progress on the date of coming into force of that section 21.48.1, as well as those resulting from a contract tendering process under way on that date, do not have the effect of making the enterprises that are or become parties to those contracts and subcontracts subject to the oversight of the Autorité des marchés publics or, consequently, to the measures and sanctions that may result from that oversight under Division IV of Chapter V.1 of that Act, enacted by section 43.

149. An Associate Commissioner for Audits appointed in accordance with section 8 of the Anti-Corruption Act (chapter L-6.1) must, not later than 60 days after the date of coming into force of section 28 of this Act, transfer to the Autorité des marchés publics any audit file the Associate Commissioner for Audits has established concerning an enterprise under section 21.30 or 21.32 of the Act respecting contracting by public bodies, as they read on 1 June 2022, if, on the date of coming into force of section 28 of this Act, the advisory opinion resulting from the audits conducted has not been provided to the Authority in accordance with sections 21.31 and 21.32 of that Act, as they read on 1 June 2022.

The information contained in audit files whose communication could interfere with a penal or criminal investigation or a resulting judicial proceeding or that could compromise legally recognized privileges, in particular those relating to the confidentiality of investigation methods and the identity of police informants, is excluded from the application of the first paragraph.

150. Any public contract of Héma-Québec whose tendering or awarding process, or performance, is in progress on the date of coming into force of paragraph 1 of section 106 of this Act is tendered or awarded, or continues to be performed, in accordance with the provisions of the Act respecting contracting by public bodies and the regulations made under that Act that were applicable to it before that date. Héma-Québec remains, with regard to those contracts, subject to the provisions of that Act and those regulations that were applicable to it before that date.

151. Any regulation made under Chapter V.2 of the Act respecting contracting by public bodies, enacted by section 111, may, despite section 71 of the Act respecting the acceleration of certain infrastructure projects (chapter A-2.001), provide that all or part of its provisions apply to public bodies and enterprises that are parties to the contracts and subcontracts referred to in that section 71.

152. This Act comes into force on 2 June 2022, except

(1) sections 1 to 3, section 4 insofar as it enacts sections 14.1 to 14.6, the first and second paragraphs of section 14.7, section 14.8 and the first and third paragraphs of section 14.9 of the Act respecting contracting by public bodies, sections 6 and 7, section 8 insofar as it enacts section 22.2 and the first sentence of the first paragraph and the second paragraph of section 22.3 of that Act, and paragraph 2 of section 106, which come into force on the date or dates to be set by the Government or not later than 2 December 2022;

(2) section 4 insofar as it enacts the third paragraph of section 14.7 and the second paragraph of section 14.9 of the Act respecting contracting by public bodies, section 8 as regards the second sentence of the first paragraph of section 22.3 of that Act, and sections 111 to 113 and 115, which come into force on the date or dates to be set by the Government;

(3) section 10 insofar as it enacts section 21.2 of the Act respecting contracting by public bodies, which comes into force on the date of coming into force of the first regulation made by the Government for the purposes of that section 21.2;

(4) section 21.5.1 of the Act respecting contracting by public bodies, except the words “except the third paragraph of section 21.48.4 and” in the first paragraph of that section, enacted by section 10, which comes into force on the date of coming into force of the first regulation made by the Autorité des marchés publics for the purposes of that section 21.5.1;

(5) section 10 insofar as it enacts the words “, unless such ineligibility results from a temporary registration in the register of enterprises ineligible for public contracts under the third paragraph of section 21.48.4” in subparagraph 3 of the first paragraph of section 21.4, the words “except the third paragraph of section 21.48.4 and” in the first paragraph of section 21.5.1, subparagraph 2 of the first paragraph of section 21.5.3 and the second paragraph of section 21.5.4 of the Act respecting contracting by public bodies, subparagraph *b* of paragraph 1 of section 13 insofar as it enacts the words “and, if applicable, a reference to the temporary nature of that registration” in subparagraph *c* of subparagraph 3 of the first paragraph of section 21.7 of the Act respecting contracting by public bodies, subparagraph *c* of paragraph 1 of section 13, subparagraph *c* of paragraph 2 of section 17, section 33 insofar as it enacts the second sentence of section 21.38 of the Act respecting contracting by public bodies, section 43 insofar as it enacts the third paragraph of section 21.48.4 and the words “, otherwise than temporarily,” in the third paragraph of section 21.48.5 of the Act respecting contracting by public bodies, section 88, section 89 insofar as it enacts the words “, otherwise than temporarily,” in subparagraph 1 of the first paragraph of section 65.1.0.1 of the Building Act (chapter B-1.1), and paragraph 1 of section 91, which come into force on 2 December 2022;

(6) sections 21.40 and 21.41 of the Act respecting contracting by public bodies, enacted respectively by sections 35 and 36, and paragraph 2 of section 42, which come into force on 2 June 2023;

(7) Division II of Chapter VIII.2 of the Act respecting contracting by public bodies, enacted by section 54, which comes into force on the date of coming into force of the first regulation made by the Autorité des marchés publics under section 27.16 of that Act, enacted by section 54.

2022, chapter 19

AN ACT TO REINFORCE THE GOVERNANCE OF STATE-OWNED ENTERPRISES AND TO AMEND OTHER LEGISLATIVE PROVISIONS

Bill 4

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 26 October 2021

Passed in principle 2 February 2022

Passed 3 June 2022

Assented to 3 June 2022

Coming into force: 3 June 2022, except

(1) the provisions of section 3 insofar as they enact section 3.7 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), those of section 4 insofar as they enact “or 3.7” in section 8, those of section 21 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 5 of section 38, those of section 75 insofar as they enact section 5.3.3 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2), those of section 76 insofar as they enact “or 5.3.3” in section 5.5.2, those of section 95 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 6 of section 46.1, those of section 143 insofar as they enact section 4.0.0.3 of the Hydro-Québec Act (chapter H-5), those of section 144 insofar as they enact “or 4.0.0.3” in section 4.0.10, those of section 158 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 5 of section 20.3, those of section 258 insofar as they enact section 3.3.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), those of section 264 insofar as they enact “or 3.3.3” in section 3.9.1, and those of section 275 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 6 of section 9.3, which come into force on the date of coming into force of the first policy established under subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act;

(2) the provisions of section 3 insofar as they enact the second and third paragraphs of section 3.4 of the Act respecting the governance of state-owned enterprises, which come into force on the date of coming into force of the first order made under those provisions;

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Coming into force: *(cont'd)*

(3) the provisions of section 29 insofar as they repeal section 19 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), those of section 47 insofar as they repeal the second paragraph of section 99 of the Act respecting parental insurance (chapter A-29.011), those of section 57 insofar as they repeal the second paragraph of section 96 of the Building Act (chapter B-1.1), those of section 65 insofar as they repeal section 11 of the Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2), those of section 99 insofar as they repeal the second paragraph of section 7 of the Act respecting the national capital commission (chapter C-33.1), those of section 110 insofar as they repeal the second paragraph of section 8 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02), those of section 113 insofar as they repeal the second and third paragraphs of section 139 of the Act respecting the conservation and development of wildlife (chapter C-61.1), those of section 124 insofar as they repeal section 28 of the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1), those of section 132 insofar as they repeal the second and third paragraphs of section 19.22 of the Act respecting the regulation of the financial sector (chapter E-6.1), those of sections 142, 167 and 186, those of section 198 insofar as they repeal the second paragraph of section 15 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1), those of section 201 insofar as they repeal section 41 of the Act respecting Investissement Québec (chapter I-16.0.1), those of section 212 insofar as they repeal the second paragraph of section 9 of the Act respecting La Financière agricole du Québec (chapter L-0.1), those of section 219 insofar as they repeal section 34 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1), those of section 230 insofar as they repeal section 16 of the National Museums Act (chapter M-44), those of section 244 insofar as they repeal section 16 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2), those of section 247 insofar as they repeal section 21 of the Police Act (chapter P-13.1), those of section 255, those of section 283 insofar as they repeal section 23 of the Act respecting Retraite Québec (chapter R-26.3), those of section 293 insofar as they repeal section 65 of the Fire Safety Act (chapter S-3.4), those of section 300 insofar as they repeal section 95 of the Act respecting pre-hospital emergency services (chapter S-6.2), those of section 306 insofar as they repeal section 7 of the Act respecting the Société d'habitation du Québec (chapter S-8), those of section 313 insofar as they repeal the second paragraph of section 11 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002), those of section 323 insofar as they repeal section 18 of the Act respecting the Société de développement et de mise en valeur du Parc olympique (chapter S-10.2), those of section 331 insofar as they repeal section 9 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011), those of section 341 insofar as they repeal the second paragraph of section 5 of the Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03), those of section 346 insofar as they repeal the second paragraph of section 12 of the Act respecting the Société de télédiffusion du Québec (chapter S-12.01), those of section 349 insofar as they repeal section 8 of the Act respecting the Société des alcools du

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Coming into force: *(cont'd)*

Québec (chapter S-13), those of section 366 insofar as they repeal section 11 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01), those of section 370 insofar as they repeal section 11 of the Act respecting the Société des loteries du Québec (chapter S-13.1), those of section 375 insofar as they repeal section 7 of the Act respecting the Société des Traversiers du Québec (chapter S-14), those of section 382 insofar as they repeal section 11 of the Act respecting the Société du Centre des congrès de Québec (chapter S-14.001), those of section 389 insofar as they repeal the second paragraph of section 5 of the Act respecting the Société du Grand Théâtre de Québec (chapter S-14.01), those of section 394 insofar as they repeal section 11.1 of the Act respecting the Société du Palais des congrès de Montréal (chapter S-14.1), those of section 403 insofar as they repeal section 13 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001), those of section 409 insofar as they repeal section 36 of the Act respecting the Société du Plan Nord (chapter S-16.011), those of section 416 insofar as they repeal section 4 of the Act respecting the Société québécoise d'information juridique (chapter S-20) and those of section 426 insofar as they repeal the second paragraph of section 10 of the Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01), which come into force on the date of coming into force of the first order made under the second and third paragraphs of section 3.4 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, to the extent that the provisions of that order apply to the state-owned enterprise.

Legislation amended:

Tax Administration Act (chapter A-6.002)
Act respecting the Agence du revenu du Québec (chapter A-7.003)
Act respecting parental insurance (chapter A-29.011)
Building Act (chapter B-1.1)
Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2)
Act respecting the Caisse de dépôt et placement du Québec (chapter C-2)
Act respecting the national capital commission (chapter C-33.1)
Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02)
Act respecting the conservation and development of wildlife (chapter C-61.1)
Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)
Act respecting the regulation of the financial sector (chapter E-6.1)
Act respecting the Fonds d'aide aux actions collectives (chapter F-3.2.0.1.1)
Act respecting the governance of state-owned enterprises (chapter G-1.02)
Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1)
Hydro-Québec Act (chapter H-5)
Public Infrastructure Act (chapter I-8.3)
Act respecting the Institut de la statistique du Québec (chapter I-13.011)
Act respecting the Institut de technologie agroalimentaire du Québec (chapter I-13.012)
Act respecting the Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02)
Act respecting the Institut national d'excellence en santé et en services sociaux (chapter I-13.03)
Act respecting Institut national de santé publique du Québec (chapter I-13.1.1)
Deposit Institutions and Deposit Protection Act (chapter I-13.2.2)
Act respecting Investissement Québec (chapter I-16.0.1)

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Legislation amended: (cont'd)

Act respecting La Financière agricole du Québec (chapter L-0.1)
Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)
Act respecting the Ministère des Finances (chapter M-24.01)
National Museums Act (chapter M-44)
Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2)
Police Act (chapter P-13.1)
Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)
Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)
Act respecting Retraite Québec (chapter R-26.3)
Act respecting occupational health and safety (chapter S-2.1)
Fire Safety Act (chapter S-3.4)
Act respecting pre-hospital emergency services (chapter S-6.2)
Act respecting the Société d'habitation du Québec (chapter S-8)
Act respecting the Société de développement des entreprises culturelles (chapter S-10.002)
Act respecting the Société de développement et de mise en valeur du Parc olympique (chapter S-10.2)
Act respecting the Société de financement des infrastructures locales du Québec (chapter S-11.0102)
Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011)
Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03)
Act respecting the Société de télédiffusion du Québec (chapter S-12.01)
Act respecting the Société des alcools du Québec (chapter S-13)
Act respecting the Société des établissements de plein air du Québec (chapter S-13.01)
Act respecting the Société des loteries du Québec (chapter S-13.1)
Act respecting the Société des Traversiers du Québec (chapter S-14)
Act respecting the Société du Centre des congrès de Québec (chapter S-14.001)
Act respecting the Société du Grand Théâtre de Québec (chapter S-14.01)
Act respecting the Société du Palais des congrès de Montréal (chapter S-14.1)
Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001)
Act respecting the Société du Plan Nord (chapter S-16.011)
Act respecting the Société québécoise d'information juridique (chapter S-20)
Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01)
Act to amend various legislative provisions mainly with respect to the financial sector (2021, chapter 34)

Regulation amended:

Regulation respecting applications for assistance for a class action (chapter F-3.2.0.1.1, r. 1)

Explanatory notes

This Act amends the Act respecting the governance of state-owned enterprises and makes several such enterprises subject to it. The Act establishes, in particular,

- (1) the rules relating to the appointment of members of the board of directors, the duration and renewal of their term of office, their remuneration and their continuation in office at the expiry of their term;
- (2) the requirement that the board of directors of a state-owned enterprise must be composed of at least 40% women, and include at least one member 35 years of age or under at the time of appointment and one member representative of the diversity of Québec society;

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Explanatory notes (cont'd)

(3) the validity of acts, documents and decisions of the board of directors even though certain requirements relating to the composition of the board are not met;

(4) the disclosure of conflict of interest situations involving the chair of the board of directors of a state-owned enterprise;

(5) the powers and responsibilities of the person who replaces the chair of the board of directors when the chair is absent or unable to act;

(6) the application of certain governance requirements to legal persons at least 90% of whose voting shares are held directly or indirectly by a state-owned enterprise; and

(7) the information that must be included in a state-owned enterprise's annual management report regarding, in particular, the members of the board of directors and the officers of the enterprise and of the legal persons at least 90% of whose voting shares are held directly or indirectly by the enterprise.

The Act amends most of the constituting Acts of state-owned enterprises, including those of the Caisse de dépôt et placement du Québec and of Hydro-Québec, to allow consistent and extensive application of the governance rules set out in the Act respecting the governance of state-owned enterprises, in some cases by modifying the composition of the board of directors so as to comply with the required proportion of independent members.

The Act also amends the Act establishing the Commission de la construction du Québec to integrate various governance rules, in particular concerning the functions of the board of directors, the content of the annual management report and the distinction between the office of the chairman of the board of directors and the office of the president and chief executive officer.

Under the Act, the power to appoint an external auditor that is provided for in particular in certain constituting Acts of state-owned enterprises may be exercised on special conditions following an invitation to tender.

The Act amends the Act respecting the Fonds d'aide aux actions collectives, mainly to eliminate the board of administrators of the Fonds d'aide aux actions collectives.

The Act amends the Act respecting the Institut de la statistique du Québec, in particular to give the Government the power to appoint one or more assistant chief statisticians.

The Act also amends the Act respecting the Institut de technologie agroalimentaire du Québec, the Act respecting the Institut de tourisme et d'hôtellerie du Québec and the Act respecting the Société du Centre des congrès de Québec so that the Auditor General of Québec may, in accordance with the Act establishing that office, assign to another auditor the audit of the books and accounts of those bodies.

The Act amends the Act respecting the Société de développement des entreprises culturelles to take into consideration changes in the areas of activities related to its mission.

The Act respecting the Société de financement des infrastructures locales du Québec is also amended, mainly to specify the constitution of the Société's board of directors, and to confer on the Minister of Finance the power to appoint all members of that board.

The Act respecting the Société des alcools du Québec is also amended to provide, in particular, that its investment and operating budget is now sent to the Minister of Finance rather than to the Conseil du trésor.

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Explanatory notes (*cont'd*)

The Act amends the Act respecting the Société des loteries du Québec to replace the requirement that the company and some of its subsidiaries obtain prior authorization from the Government to make certain contracts by a general requirement that authorization be obtained to make a financial commitment in excess of the limits or contrary to the terms and conditions determined by the Government.

The Act amends the Act respecting the Société du parc industriel et portuaire de Bécancour, mainly to provide it with share capital that only the Minister of Finance may subscribe.

Lastly, the Act contains the transitional and consequential provisions required for its application.



Chapter 19

AN ACT TO REINFORCE THE GOVERNANCE OF STATE-OWNED ENTERPRISES AND TO AMEND OTHER LEGISLATIVE PROVISIONS

[Assented to 3 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

1. Section 2 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by replacing “enterprises and agencies” by “enterprises”.

2. Section 3 of the Act is amended

(1) by replacing “of an enterprise referred to in section 2 means the president and chief executive officer, who is the most senior officer of the enterprise, or any person with management responsibilities who reports directly to the president and chief executive officer” in the definition of “officer” by “means the most senior officer of an enterprise or any person with management responsibilities who reports directly to the most senior officer”;

(2) by striking out the definition of “enterprise” and by inserting the following definitions in alphabetical order:

““enterprise” means a state-owned enterprise listed in Schedule I;

““president and chief executive officer” means the person who acts as the most senior officer of the enterprise;

““state-owned enterprise” means a legal person administered by a board of directors the majority of whose members are appointed by the Government, except legal persons qualified as budget-funded bodies, institutions in the health and social services network and institutions in the education network, including the Université du Québec and its constituent universities;”.

3. The Act is amended by inserting the following sections before section 4 in Division I of Chapter II:

“3.1. The members of an enterprise’s board of directors, other than the board chair and the president and chief executive officer, are appointed by the

Government, taking into consideration the expertise and experience profiles approved by the board. Board members are appointed for a term of up to four years.

“3.2. The chair of an enterprise’s board of directors is appointed by the Government. The chair is appointed for a term of up to five years.

“3.3. The president and chief executive officer of an enterprise is appointed by the Government, on the recommendation of the board of directors, taking into consideration the expertise and experience profile approved by the board. The president and chief executive officer is appointed for a term of up to five years.

If the board of directors does not recommend a candidate for the position of president and chief executive officer within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

“3.4. The Government determines the remuneration, employee benefits and other conditions of employment of an enterprise’s president and chief executive officer.

The other members of the board of directors are remunerated by the enterprise on the conditions and to the extent determined by the Government.

Board members are also entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“3.5. The number of women on the board of directors must correspond to a proportion of at least 40% of the total number of persons sitting on the board.

“3.6. The board of directors must include at least one member 35 years of age or under at the time of appointment.

“3.7. The board of directors must include at least one member who, in the opinion of the Government, is representative of the diversity of Québec society.”

4. Section 8 of the Act is amended by inserting “or because the requirements prescribed in sections 3.5, 3.6 and 3.7 are not met” at the end.

5. Section 9 of the Act is amended by inserting “or, in the case of the chair, to the Minister and the person designated under section 13” after “chair of the board” in the second paragraph.

6. The Act is amended by inserting the following section after section 11:

“11.1. At the expiry of their term, board members remain in office until they are reappointed or replaced.”

7. Section 12 of the Act is amended

(1) by inserting “mandat du” before “président” in the second paragraph in the French text;

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

“Despite the first paragraph, the term of the president and chief executive officer is renewable.”

8. Section 13 of the Act is amended by adding the following paragraph at the end:

“When replacing the chair of the board, the person so designated exercises the same responsibilities and has the same powers as the chair.”

9. Section 15 of the Act is amended

(1) by replacing “annual report” in paragraph 2 by “annual management report”;

(2) by replacing “of its wholly-owned subsidiaries” in paragraph 4 by “of the legal persons at least 90% of whose voting shares are held directly or indirectly by the enterprise”;

(3) by replacing “comité de vérification” in paragraph 9 in the French text by “comité d’audit”;

(4) by replacing “La Financière agricole du Québec, Investissement Québec, the Régie de l’assurance maladie du Québec” in paragraph 15 by “the Agence du revenu du Québec, La Financière agricole du Québec, Investissement Québec, the Régie de l’assurance maladie du Québec, Retraite Québec”.

10. Section 19 and the heading of Division III of Chapter III of the Act are amended by replacing “comité de vérification” in the French text by “comité d’audit”.

11. Section 22 of the Act is amended by replacing “and its wholly-owned subsidiaries” in subparagraph 2 of the first paragraph by “and of the legal persons at least 90% of whose voting shares are held directly or indirectly by the enterprise”.

12. Section 23 of the Act is amended by replacing “comité de vérification” in the French text by “comité d’audit”.

13. Section 24 of the Act is amended

(1) by replacing “comité de vérification” in the introductory clause in the French text by “comité d’audit”;

(2) by replacing “de vérification interne” in paragraph 1 in the French text by “d’audit interne”;

(3) by replacing “le vérificateur interne” in paragraph 5 in the French text by “l’auditeur interne”;

(4) by replacing “le vérificateur externe” in paragraph 6 in the French text by “l’auditeur externe”.

14. Section 25 of the Act is amended by replacing “comité de vérification” in the French text and “its wholly-owned subsidiaries” by “comité d’audit” and “the legal persons at least 90% of whose voting shares are held directly or indirectly by the enterprise”, respectively.

15. Section 26 of the Act is amended

(1) by replacing “la vérification interne” and “comité de vérification” in the first paragraph in the French text by “l’audit interne” and “comité d’audit”, respectively;

(2) by replacing “la vérification interne” in the second paragraph in the French text by “l’audit interne”.

16. Section 27 of the Act is amended by replacing “, and making recommendations to the board regarding the remuneration of the president and chief executive officer” in paragraph 3 by “and, where, despite section 3.4, the enterprise’s constituting Act confers on the board the responsibility for setting the remuneration of the president and chief executive officer, making recommendations to the board in that respect”.

17. Section 33 of the Act is repealed.

18. Section 34 of the Act is replaced by the following section:

“34. An enterprise that is not subject to Chapter II of the Public Administration Act (chapter A-6.01) must establish a strategic plan that includes, with the necessary modifications, the elements provided for in the first paragraph of section 9 of that Act. The strategic plan is established for the time and in accordance with the form and content determined by the Conseil du trésor under the second paragraph of that section. The plan must also be reviewed at the intervals determined by the Conseil du trésor.”

19. Section 35 of the Act is amended by inserting “, then tabled by the Minister in the National Assembly” at the end.

20. Section 36 of the Act is amended, in the first paragraph,

(1) by replacing “annual report” in the introductory clause by “annual management report”;

(2) by replacing “comité de vérification” in subparagraph 2 in the French text by “comité d’audit”.

21. Section 38 of the Act is amended

(1) by replacing “annual report” in the introductory clause by “annual management report”;

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

“(5) a status report on compliance with the requirements relating to the independence of board members, the proportion of women, the presence of a board member 35 years of age or under at the time of appointment and the presence of a board member representative of the diversity of Québec society and, if the composition of the board of directors did not meet those requirements at the end of the fiscal year, the reasons for that situation.”

22. Section 39 of the Act is replaced by the following sections:

“39. The annual management report of an enterprise must include

(1) the remuneration and benefits paid to each member of the board of directors;

(2) in respect of each of the five most highly remunerated officers of the enterprise and of any person with management responsibilities who does not report directly to the most senior officer and who is more highly remunerated than one of those officers:

(a) the basic remuneration paid;

(b) the variable pay paid, where applicable, including under a long-term profit sharing plan;

(c) the signing bonus paid, where applicable;

(d) the contribution to pension plans borne by the enterprise for the year concerned;

(e) the other benefits paid or granted, including those related to group insurance or the use of a vehicle, as applicable; and

- (f) the severance pay paid, where applicable;
- (3) the elements referred to in subparagraphs *a* to *f* of subparagraph 2 that concern each of the five most highly remunerated officers of all the legal persons at least 90% of whose voting shares are held directly or indirectly by the enterprise;
- (4) the fees granted to the external auditor under the contract for the audit of the financial statements and, where applicable, those granted for all the other contracts performed by the auditor for the enterprise; and
- (5) any other element or information determined by the Minister responsible for the administration of this Act.

For the purposes of subparagraphs 2 and 3 of the first paragraph, the value of the remuneration corresponds to the sum of the elements referred to in subparagraphs *a* to *f* of that subparagraph 2 and of any other elements relating to remuneration that are determined under subparagraph 5 of that paragraph.

In addition, the annual management report must indicate the parameters regulating the remuneration of the persons referred to in subparagraphs 2 and 3 of the first paragraph, in particular the parameters related to the elements listed in subparagraphs *a* to *f* of that subparagraph 2.

“39.1. Where a person was an officer in the enterprise for part of the period covered by the annual management report, the elements referred to in subparagraph 2 of the first paragraph of section 39, the elements relating to remuneration that are determined under subparagraph 5 of that paragraph and the annualized value of the latter elements and of those referred to in subparagraphs *a* and *c* to *f* of that subparagraph 2 must be disclosed in that report with regard to that person if the total of the annualized value of those elements and the variable pay places the person among the five most highly remunerated officers of the enterprise. In such a case, the information disclosed in the annual report will concern more than five of the enterprise’s officers.

“39.2. For the purposes of this division, severance pay must be disclosed in full in the annual management report covering the date of the officer’s departure, regardless of whether payment of the severance pay has been deferred in whole or in part.

“39.3. The Minister responsible for the administration of this Act may specify the scope of the elements, parameters and information referred to in sections 39 and 39.1 as well as the form in which they must be presented in the annual management report, in particular by publishing a template for that purpose on the website of the Minister’s department.”

23. Section 43 of the Act is amended

(1) in the first paragraph,

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

“(1) that the boards of directors of the enterprises as a group be composed, in particular, of members representative of the diversity of Québec society;”;

(b) by striking out subparagraph 3;

(2) in the second paragraph,

(a) by striking out “and bodies”;

(b) by inserting “, the Commission de la construction du Québec” after “Caisse de dépôt et placement du Québec”.

24. Schedule I to the Act is amended

(1) by striking out “AND AGENCIES” in the heading;

(2) by inserting the following enterprises in alphabetical order: “Agence du revenu du Québec”, “Bibliothèque et Archives nationales du Québec”, “Commission de la capitale nationale du Québec”, “Conseil de gestion de l’assurance parentale”, “Conservatoire de musique et d’art dramatique du Québec”, “Corporation d’urgences-santé”, “École nationale de police du Québec”, “École nationale des pompiers du Québec”, “Fondation de la faune du Québec”, “Fonds de recherche du Québec—Nature et technologies”, “Fonds de recherche du Québec—Santé”, “Fonds de recherche du Québec—Société et culture”, “Héma-Québec”, “Institut national de santé publique du Québec”, “Institut national d’excellence en santé et en services sociaux”, “Musée d’Art contemporain de Montréal”, “Musée de la Civilisation”, “Musée national des beaux-arts du Québec”, “Office Québec-Monde pour la jeunesse”, “Régie du bâtiment du Québec”, “Société du parc industriel et portuaire de Bécancour” and “Société québécoise d’information juridique”.

TAX ADMINISTRATION ACT

25. Section 94.9 of the Tax Administration Act (chapter A-6.002) is amended by replacing “management report” in the third paragraph by “annual management report”.

ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

26. Section 9 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended

(1) by inserting “appointed by the Government” in the first paragraph after “15 members”;

(2) by striking out the second paragraph.

27. Sections 11 to 13 of the Act are repealed.

28. Section 14 of the Act is amended

(1) by replacing “eight” in the first paragraph by “six”;

(2) by replacing “four” in the second paragraph by “three”.

29. Sections 15, 16 and 18 to 20 of the Act are repealed.

30. Section 21 of the Act is amended by striking out the last sentence of the second paragraph.

31. Section 25 of the Act is repealed.

32. Section 26 of the Act is amended

(1) by striking out the first paragraph;

(2) in the second paragraph,

(a) by striking out “For those purposes,” in the introductory clause;

(b) by striking out “adopting the strategic plan and” in subparagraph 1;

(c) by striking out subparagraphs 2, 4 to 8 and 13.

33. Sections 27, 28, 30 and 33 of the Act are repealed.

34. Section 34 of the Act is amended

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

“The Government appoints the number of vice-presidents it determines to assist the president and chief executive officer.”;

(2) by replacing “Ils” at the beginning of the third paragraph in the French text by “Le président-directeur général et les vice-présidents”.

35. Section 35 of the Act is amended by striking out “of the president and chief executive officer and”.

36. Section 36 of the Act is repealed.

37. The heading of Chapter V of the Act is amended by striking out “STRATEGIC PLAN AND”.

38. Sections 70 and 71 of the Act are repealed.

39. Section 72 of the Act is amended by striking out “également” in the first paragraph in the French text.

40. Section 75 of the Act is amended

(1) by replacing “a management report” in the first paragraph by “an annual management report”;

(2) by replacing “management report” in the second paragraph by “annual management report”;

(3) by striking out the third paragraph.

41. Section 76 of the Act is amended by replacing “management report” by “annual management report”.

ACT RESPECTING PARENTAL INSURANCE

42. Section 94 of the Act respecting parental insurance (chapter A-29.011) is amended by replacing the first paragraph by the following paragraph:

“The affairs of the Conseil de gestion shall be administered by a board of directors composed of the following members appointed by the Government:

(1) the chair of the board of directors;

(2) the president and chief executive officer;

(3) four members from the employer community, appointed after consultation with the bodies representing employers;

(4) three members from the labour sector, appointed after consultation with the labour unions representing workers;

(5) one member from the non-unionized sector, appointed after consultation with bodies representing non-union workers and bodies representing women; and

(6) one member from the labour sector whose income is derived from a business or corresponds to the member’s eligible remuneration.”

43. Section 95 of the Act is repealed.

44. Section 96 of the Act is replaced by the following section:

“**96.** The office of president and chief executive officer is a full-time position.”

- 45.** Section 97 of the Act is repealed.
- 46.** Section 98 of the Act is amended by replacing “set out in section 94,” in the first paragraph by “to the board”.
- 47.** Section 99 of the Act is repealed.
- 48.** Section 100 of the Act is amended by striking out the second paragraph.
- 49.** Division II.1 of Chapter VI of the Act, comprising sections 110.1 to 110.3, is repealed.
- 50.** Section 117 of the Act is amended by replacing “a management report on” in the first paragraph by “an annual management report showing, among other things,”.
- 51.** Section 118 of the Act is amended by replacing “management report and” by “annual management report and the”.

BUILDING ACT

- 52.** Section 90 of the Building Act (chapter B-1.1) is amended by replacing “including a president and chief executive officer” by “appointed by the Government, including a chair of the board of directors and a president and chief executive officer”.
- 53.** Section 91 of the Act is amended
- (1) by striking out the first paragraph;
 - (2) in the second paragraph,
 - (a) by replacing subparagraph 1 by the following subparagraph:
“(1) one chosen from among persons identified as building contractors;”;
 - (b) by replacing “one” in subparagraph 2 by “three”;
 - (c) by replacing “two chosen from among persons identified with consumer associations or persons” in subparagraph 3 by “three chosen from among persons”;
 - (d) by striking out subparagraph 4;
 - (e) by replacing “two” in subparagraph 5 by “one”;
 - (f) by replacing “two” in subparagraph 6 by “three”;

(3) by replacing the third paragraph by the following paragraph:

“The Government shall designate the chair of the board from among the members of the board appointed in accordance with the first paragraph who qualify as independent members.”

54. Sections 91.1 to 91.3 of the Act are repealed.

55. Section 91.4 of the Act is replaced by the following section:

“**91.4.** The president and chief executive officer shall, among other things, see that the decisions of the board of directors are carried out.”

56. Section 93 of the Act is amended by inserting “the chair of the board or” after “other than” in the third paragraph.

57. Section 96 of the Act is amended

(1) by striking out “the president and chief executive officer and” in the first paragraph;

(2) by striking out the second paragraph;

(3) by inserting “and section 3.4 of the Act respecting the governance of state-owned enterprises (chapter G-1.02)” after “this section” in the third paragraph.

58. Section 100 of the Act is amended by striking out the last sentence of the second paragraph.

59. Section 101 of the Act is amended by replacing the first paragraph by the following paragraph:

“The Board shall adopt internal by-laws. The by-laws must, among other things, provide for the establishment of the committees referred to in section 19 of the Act respecting the governance of state-owned enterprises (chapter G-1.02).”

60. Section 149 of the Act is amended

(1) by replacing “un autre vérificateur” in the first paragraph in the French text by “un autre auditeur”;

(2) by replacing “du vérificateur désigné” in the second paragraph in the French text by “de l’auditeur désigné” and by replacing “activities report” in that paragraph by “annual management report”.

ACT RESPECTING BIBLIOTHÈQUE ET ARCHIVES NATIONALES
DU QUÉBEC

61. Section 4 of the Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2) is amended by striking out “, appointed in accordance with the rules set out in this division”.

62. Section 4.1 of the Act is amended, in the first paragraph,

(1) by striking out subparagraph 3;

(2) by striking out “, such as the book, film or music industry” in subparagraph 4;

(3) by replacing “three” in subparagraph 5 by “four”.

63. Sections 4.2 and 4.3 of the Act are repealed.

64. Section 4.4 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “Un d’entre eux” in the second paragraph in the French text by “Un membre du conseil d’administration”.

65. Sections 4.5 to 6 and 8 to 13.1 of the Act are repealed.

66. Section 13.2 of the Act is replaced by the following section:

“**13.2.** In addition to the committees it must establish under the Act respecting the governance of state-owned enterprises (chapter G-1.02), the board of directors must establish a users’ committee.

Subject to the provisions of this Act, the board shall determine the composition of that committee, its functions, duties and powers, the rules governing the administration of its affairs and any other measure useful for its operation.”

67. Sections 13.3 to 13.5 of the Act are repealed.

68. Section 13.7 of the Act is amended by striking out the third paragraph.

69. Sections 13.10, 13.11 and 13.13 of the Act are repealed.

70. Section 25 of the Act is replaced by the following section:

“**25.** The strategic plan of Bibliothèque et Archives nationales must take into consideration the policy directions and objectives given by the Minister and include any element determined by the Minister.

The plan must be submitted on or before the date set by the Minister.”

71. Section 27 of the Act is amended

(1) by replacing “a report on its activities” in the first paragraph by “an annual management report”;

(2) in the second paragraph,

(a) by inserting “, among other things,” after “contain”;

(b) by replacing “particularly as regards” by “including that related to”;

(3) by striking out the third paragraph.

72. Sections 29.1 and 29.2 of the Act are repealed.

ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT
DU QUÉBEC

73. Section 5 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2) is amended

(1) by replacing “five years” in the first paragraph by “four years”;

(2) by replacing “may be renewed for up to a combined total of ten years” in the second paragraph by “may be renewed twice for service in that capacity only, for a consecutive or non-consecutive term”.

74. Section 5.1 of the Act is amended by replacing “renewable term of up to five years” in the second paragraph by “term of up to five years which may be renewed twice, consecutively or otherwise, for service in that capacity”.

75. The Act is amended by inserting the following sections after section 5.3:

“**5.3.1.** The number of women on the board of directors must correspond to a proportion of at least 40% of the total number of persons sitting on the board.

“**5.3.2.** The board of directors must include at least one member 35 years of age or under at the time of appointment.

“**5.3.3.** The board of directors must include at least one member who, in the opinion of the Government, is representative of the diversity of Québec society.”

76. Section 5.5 of the Act is replaced by the following sections:

“5.5. At least two thirds of the members of the board of directors, including the chair, must qualify as independent directors in the opinion of the Government.

Board members qualify as independent directors if they have no direct or indirect relationships or interests, for example of a financial, commercial, professional or philanthropic nature, which are likely to interfere with the quality of their decisions as regards the interests of the Fund.

The following are deemed not to be independent directors:

(1) a person who is in the employ of the Fund, or of one of its wholly-owned subsidiaries, or has been in such employ in the three years preceding appointment to office;

(2) a person who is in the employ of the Government or a government agency within the meaning of section 4 of the Auditor General Act (chapter V-5.01); or

(3) a person whose immediate family member is a senior officer of the Fund or one of its wholly-owned subsidiaries.

“5.5.1. For a board member having the status of independent director, the sole fact of being in a limited and specific conflict of interest situation does not disqualify the board member as an independent director.

“5.5.2. No act or document of the Fund or decision of its board of directors is invalid because less than two thirds of the board members are independent directors, or because the requirements prescribed in sections 5.3.1, 5.3.2 and 5.3.3 are not met.”

77. Section 5.6 of the Act is replaced by the following section:

“5.6. In addition to the president and chief executive officer, board members other than the chair are chosen in light of the expertise and experience profiles established by the board of directors.”

78. The Act is amended by inserting the following section after section 5.7:

“5.7.1. The chair of the board of directors shall assess the performance of the other board members according to criteria established by the board.”

79. Section 5.9 of the Act is replaced by the following section:

“5.9. The board of directors shall designate the chair of one of the committees established under section 13.3 to act as a replacement when the chair of the board is absent or unable to act.

When replacing the chair of the board, the person so designated exercises the same responsibilities and has the same powers as the chair of the board.”

80. Section 5.12 of the Act is amended by inserting the following sentence after the second sentence in the first paragraph: “The president and chief executive officer shall propose strategic directions to the board of directors.”

81. Section 13.1 of the Act is amended

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

“(7.1) approve rules pertaining to the Fund’s governance;”;

(2) by replacing the first occurrence of “its wholly-owned subsidiaries” and the second occurrence of “its wholly-owned subsidiaries” in paragraph 8 by “of the legal persons, other than those referred to in section 37.1, at least 90% of whose common shares are held directly or indirectly by the Fund” and “of those legal persons”, respectively;

(3) by replacing “vérificateur” in paragraph 9 in the French text by “auditeur”;

(4) by adding the following paragraphs at the end:

“(11) approve the expertise and experience profiles required for appointment of members to the board as a whole;

“(12) approve the criteria for assessing the performance of the board;

“(13) approve the criteria for assessing members of the board of directors and those applicable to the president and chief executive officer;

“(14) approve the succession planning program for officers appointed by the Fund; and

“(15) adopt measures to assess the effectiveness and performance of the Fund, including benchmarking against similar enterprises; the measures are to be carried out every three years by an independent firm.”

82. Section 13.2 of the Act is amended by replacing “comité de vérification” in the third paragraph in the French text by “comité d’audit”.

83. The Act is amended by inserting the following section after section 13.2:

“13.2.1. The board of directors shall see that initiation and ongoing training programs for board members are implemented.”

84. Section 13.3 of the Act is amended

(1) by replacing paragraph 1 in the French text by the following paragraph:

“1° un comité d’audit;”;

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

“(4) an investment and risk management committee.”

85. Section 13.4 of the Act is amended

(1) by replacing “The audit committee, the human resources committee and the governance and ethics committee” in the first paragraph by “The committees established under section 13.3”;

(2) in the second paragraph,

(a) by replacing “comité de vérification” in the French text by “comité d’audit”;

(b) by adding the following sentence at the end: “At least one member of that committee must be a member of the professional order of accountants mentioned in the Professional Code (chapter C-26).”

86. Section 13.8 of the Act is amended

(1) by replacing “comité de vérification” in the introductory clause in the French text by “comité d’audit”;

(2) by striking out paragraph 2;

(3) in paragraph 5, by replacing “le vérificateur” in the French text by “l’auditeur” and by replacing “1 to 3” by “1 and 3”;

(4) by replacing “le vérificateur” in paragraph 6 in the French text by “l’auditeur”;

(5) by replacing “plan de vérification” in paragraph 7 in the French text by “plan d’audit”;

(6) by replacing “le vérificateur externe” in paragraph 8 in the French text by “l’auditeur externe”.

87. Section 13.9 of the Act is amended by replacing “comité de vérification” in the French text and “its wholly-owned subsidiaries” by “comité d’audit” and “the legal persons, other than those referred to in section 37.1, at least 90% of whose common shares are held directly or indirectly by the Fund”, respectively.

88. The Act is amended by inserting the following section after section 13.9:

“13.9.1. The internal audit department operates under the authority of the audit committee.”

89. Section 13.10 of the Act is amended

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

“(2) establishing the expertise and experience profile for the purposes of the appointment of the president and chief executive officer;

“(2.1) proposing criteria for evaluating the performance of the president and chief executive officer, and making recommendations to the board of directors with regard to his remuneration;”;

(2) by adding the following at the end:

“(4) establishing a succession planning program for officers appointed by the Fund.

The human resources committee must produce a report on remuneration annually; the report must disclose the remuneration of the president and chief executive officer, the five most highly remunerated officers who assume or have assumed management responsibilities in the Fund and the five most highly remunerated officers from among all the legal persons at least 90% of whose common shares are held directly or indirectly by the Fund, except those referred to in section 37.1.

For the purposes of the report, the disclosure of the remuneration covers, for each person concerned, the following elements and any corresponding parameters:

(1) the basic remuneration paid;

(2) the variable pay paid, the co-invested amounts granted, and the amounts paid under a long-term profit sharing plan, where applicable;

(3) the signing bonus paid, where applicable;

(4) the contribution to pension plans borne by the Fund for the year concerned;

(5) the other benefits paid or granted, including those related to group insurance and the use of a vehicle, as applicable;

(6) the severance pay paid, where applicable; and

(7) any other element relating to remuneration that is determined by the Minister of Finance.

For the purposes of the second paragraph, the value of the remuneration corresponds to the sum of the elements referred to in subparagraphs 1 to 7 of the third paragraph. Likewise, the severance pay must be disclosed in full in the annual report covering the date of the officer's departure, regardless of whether payment of the severance pay has been deferred in whole or in part.

The Minister of Finance may specify the scope of the elements and parameters referred to in the third paragraph as well as the form in which they must be presented in the annual report, in particular by publishing a template for that purpose on the website of the Minister's department."

90. Section 13.11 of the Act is amended

(1) by inserting "and a code of ethics for the conduct of the operations of the Fund" at the end of paragraph 1;

(2) by replacing "its wholly-owned subsidiaries" in paragraph 4 by "the legal persons, other than those referred to in section 37.1, at least 90% of whose common shares are held directly or indirectly by the Fund";

(3) by adding the following at the end:

"(5) developing expertise and experience profiles to be used in appointing members of the board of directors, except the chair and the president and chief executive officer; the profiles must include management experience that is relevant to the position;

"(6) formulating criteria for evaluating the members of the board;

"(7) formulating criteria for assessing the performance of the board; and

"(8) developing initiation and ongoing training programs for board members.

The committee conducts the assessment referred to in subparagraph 7 of the first paragraph in accordance with the criteria approved by the board of directors."

91. The Act is amended by inserting the following section after section 13.11:

"13.12. The functions of the investment and risk management committee include

(1) making sure that a risk identification and management process is put in place;

(2) examining the risk management guidelines and policies;

(3) examining the investment policies, standards and procedures, including the investment policies for specialized portfolios; and

(4) examining the investment strategies and proposed transactions.”

92. Section 15.1 of the Act is repealed.

93. Section 15.2 of the Act is amended by replacing the first paragraph by the following paragraph:

“The following apply to the officers and other employees of the Fund:

(a) the Act respecting the Pension Plan of Management Personnel (chapter R-12.1); and

(b) the Act respecting the Government and Public Employees Retirement Plan (chapter R-10).”

94. Section 46 of the Act is amended

(1) by replacing “comité de verification” in paragraph *j* in the French text by “comité d’audit”;

(2) by replacing “report of the human resources committee on the remuneration of the chief executive officer and the five most highly remunerated officers reporting directly to the chief executive officer of the Fund and its wholly-owned subsidiaries” in paragraph *k* by “human resources committee’s report on remuneration referred to in the second paragraph of section 13.10”;

(3) by adding the following paragraphs at the end:

“(m) the report of the investment and risk management committee on the discharge of its mandate;

“(n) the results obtained from the implementation of the benchmarking measures adopted by the board of directors; and

“(o) the fees granted to the external auditor under the contract for the audit of the financial statements and, where applicable, those granted for all the other contracts performed by the auditor for the Fund.”

95. The Act is amended by inserting the following sections after section 46:

“46.1. The Fund’s annual report shall also contain a section pertaining to the Fund’s governance, including the following information concerning the members of the board of directors:

(1) the dates of appointment and expiry of term of each board member, and whether they have independent member status;

(2) the identification of any other board of directors on which a member sits;

(3) a summary of the expertise and experience profile of each member of the board of directors and a statement of the board members' attendance at board and committee meetings;

(4) the rules of professional conduct applicable to members of the board of directors;

(5) the remuneration and benefits paid to each member of the board of directors; and

(6) a status report on compliance with the requirements relating to the independence of board members, the proportion of women, the presence of a board member 35 years of age or under at the time of appointment and the presence of a board member representative of the diversity of Québec society and, if the composition of the board of directors did not meet those requirements at the end of the fiscal year, the reasons for that situation.

“46.2. The Fund shall make public the rules of ethics and professional conduct applicable to the employees.”

96. Section 48 of the Act is amended by replacing “vérificateur externe” in the first paragraph in the French text by “auditeur externe”.

97. Section 51.1 of the Act is amended by inserting the following paragraph after the first paragraph:

“The report shall contain an assessment of the effectiveness and performance of the Fund, including benchmarking measures.”

ACT RESPECTING THE NATIONAL CAPITAL COMMISSION

98. Section 5 of the Act respecting the national capital commission (chapter C-33.1) is amended

(1) by inserting “and a president and chief executive officer” after “including a chairman” in the first paragraph;

(2) by inserting “of the board” after “chairman” in the second paragraph.

99. Sections 6 to 8 of the Act are repealed.

100. The Act is amended by inserting the following sections after section 8:

“8.1. The office of president and chief executive officer is a full-time position.

“8.2. If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the Commission's personnel to temporarily exercise the functions of that position.”

101. Section 11 of the Act is amended

- (1) in the first paragraph,
 - (a) by replacing “chairman” by “president and chief executive officer”;
 - (b) by inserting “or, in the case of the chairman, to the Minister and the person designated under section 9” after “writing to the chairman”;
- (2) by replacing “chairman” in the second paragraph by “president and chief executive officer”.

102. Section 12 of the Act is amended by inserting “of the board” after “chairman” in subparagraph 1 of the second paragraph.**103.** Section 24 of the Act is amended

- (1) by replacing “chairman or” in the first paragraph by “chairman of the board of directors, by the president and chief executive officer or”;
- (2) by replacing “chairman” at the end of the second paragraph by “president and chief executive officer”.

104. Section 25 of the Act is amended by inserting “of the board” after “chairman”.**105.** Section 27 of the Act is amended

- (1) by replacing “report of activities” in the first paragraph by “annual management report”;
- (2) by replacing “chairman” in the second paragraph by “president and chief executive officer”.

**ACT RESPECTING THE CONSEIL DES ARTS ET DES LETTRES
DU QUÉBEC****106.** Section 5 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02) is replaced by the following section:

“5. The council is administered by a board of directors composed of 15 members appointed by the Government, including the chair of the board and the president and chief executive officer.

Board members, other than the chair and the president and chief executive officer, are appointed after consultation with bodies that the Minister considers representative of the artistic and literary communities. The majority of the

board members must come from the cultural fields in which the council is competent to act. At least three of the members must come from various regions of Québec other than the Montréal and Capitale-Nationale regions.”

107. Section 5.1 of the Act is repealed.

108. Section 5.2 of the Act is replaced by the following section:

“**5.2.** The office of president and chief executive officer is a full-time position.”

109. Section 5.3 of the Act is repealed.

110. Sections 5.5 to 8 of the Act are repealed.

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

111. Sections 134 to 136 of the Act respecting the conservation and development of wildlife (chapter C-61.1) are repealed.

112. Section 138 of the Act is replaced by the following section:

“**138.** The office of president and chief executive officer is a full-time position.”

113. Sections 139 and 142 of the Act are repealed.

114. Section 143 of the Act is amended by striking out the third paragraph.

115. Section 144.1 of the Act is repealed.

116. Section 146 of the Act is amended by replacing “three-year plan of its activities” in the first paragraph by “strategic plan”.

ACT RESPECTING THE CONSERVATOIRE DE MUSIQUE ET D’ART DRAMATIQUE DU QUÉBEC

117. Section 15 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1) is amended

(1) by replacing “17” in the introductory clause by “15”;

(2) by replacing “and one principal of a Conservatoire institution providing instruction in dramatic art, elected, respectively, by a majority of the votes cast by their peers” in paragraph 5 by “or in dramatic art, elected by a majority of the votes cast by his peers”;

(3) by replacing “and one teacher from a Conservatoire institution providing instruction in dramatic art, elected, respectively, by a majority of the votes cast by their peers” in paragraph 6 by “or in dramatic art, elected by a majority of the votes cast by his peers”.

118. Section 16 of the Act is repealed.

119. Section 17 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “eight members” in the second paragraph by “seven members of the board of directors”.

120. Sections 18 and 19 of the Act are repealed.

121. Section 20 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “the board members referred to in paragraphs 3 and 5” and “a teacher referred to in paragraph 6” in the second paragraph by “the principal referred to in paragraph 5” and “the teacher referred to in paragraph 6”, respectively.

122. Sections 21 and 22 of the Act are repealed.

123. Section 24 of the Act is replaced by the following section:

“**24.** The academic director may not have a direct or indirect interest in a body, enterprise or association that places his personal interests in conflict with the Conservatoire’s interests. If such an interest devolves to the academic director, including by succession or gift, it must be renounced or disposed of with dispatch.”

124. Sections 26 to 28 of the Act are repealed.

125. Section 29 of the Act is amended by striking out the first and second paragraphs.

126. Sections 30 to 36 of the Act are repealed.

127. Section 38 of the Act is amended by striking out the third paragraph.

128. Sections 39.2, 39.3 and 39.5 of the Act are repealed.

129. Section 51.1 of the Act is replaced by the following section:

“**51.1.** The strategic plan of the Conservatoire must take into consideration the policy directions and objectives given by the Minister and contain, among other things, any element determined by the Minister.

The plan must be submitted on or before the date set by the Minister.”

130. Section 59 of the Act is amended

(1) by replacing “a report of its activities” in the second paragraph by “an annual management report”;

(2) by striking out the third paragraph.

131. Sections 65.1 and 65.2 of the Act are repealed.

ACT RESPECTING THE REGULATION OF THE FINANCIAL SECTOR

132. Sections 19.19 to 19.23 and 19.25 of the Act respecting the regulation of the financial sector (chapter E-6.1) are repealed.

ACT RESPECTING THE FONDS D’AIDE AUX ACTIONS COLLECTIVES

133. Section 8 of the Act respecting the Fonds d’aide aux actions collectives (chapter F-3.2.0.1.1) is amended

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

“The Fonds shall be composed of three members, including a president, appointed for terms of not more than three years by the Government, after consultation with the Barreau du Québec and the Commission des services juridiques.”;

(2) by replacing “administrators” in the second paragraph by “members”.

134. Section 12 of the Act is amended

(1) by replacing “An administrator” in the second paragraph by “A member”;

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

“However, if such an interest results solely from the fact that the member is part of the group on behalf of which an application for assistance is made to the Fonds, the member may participate in the decision but must declare his interest.”

135. The Act is amended by replacing all occurrences of “administrator” and “administrators” by “member” and “members”, respectively, with the necessary modifications.

ACT RESPECTING HÉMA-QUÉBEC AND THE BIOVIGILANCE
COMMITTEE

136. Section 7 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1) is amended

(1) by inserting “appointed by the Government, including the chair of the board and the president and chief executive officer” after “members” in the first paragraph;

(2) in the second paragraph,

(a) by replacing “Eleven of these members are identified with the following categories” in the introductory clause by “Ten of those members other than the chair of the board and the president and chief executive officer are identified with the following categories”;

(b) by striking out subparagraph 2;

(3) by replacing the third paragraph by the following paragraph:

“There must be at least one but not more than three of the members referred to in the second paragraph per category. They are appointed after consultation with the persons or sectors in that category.”;

(4) by striking out the fifth paragraph.

137. Section 9 of the Act is repealed.

138. Section 10 of the Act is amended by striking out the first paragraph.

139. Section 11 of the Act is repealed.

140. Section 12 of the Act is amended by striking out the second paragraph.

141. Section 14 of the Act is replaced by the following section:

“**14.** The office of president and chief executive officer is a full-time position.”

142. Section 16 of the Act is amended by striking out the second paragraph.

HYDRO-QUÉBEC ACT

143. The Hydro-Québec Act (chapter H-5) is amended by inserting the following sections after section 4:

“**4.0.0.1.** The number of women on the board of directors must correspond to a proportion of at least 40% of the total number of persons sitting on the board.

“**4.0.0.2.** The board of directors must include at least one member 35 years of age or under at the time of appointment.

“**4.0.0.3.** The board of directors must include at least one member who, in the opinion of the Government, is representative of the diversity of Québec society.”

144. Section 4.0.10 of the Act is amended by inserting “or because the requirements prescribed in sections 4.0.0.1, 4.0.0.2 and 4.0.0.3 are not met” at the end.

145. Section 5 of the Act is amended by adding the following paragraph at the end:

“When replacing the chair of the board of directors, the person so designated exercises the same responsibilities and has the same powers as the chair of the board.”

146. Section 7.2 of the Act is amended

(1) by replacing “annual report” in paragraph 2 by “annual management report”;

(2) by replacing “of its wholly-owned subsidiaries” in paragraph 4 by “of the legal persons at least 90% of whose voting shares are held directly or indirectly by the Company”;

(3) by replacing “comité de vérification” in paragraph 9 in the French text by “comité d’audit”.

147. Section 7.6 of the Act is amended by replacing subparagraph 2 of the first paragraph in the French text by the following subparagraph:

“2° un comité d’audit”.

148. Section 7.9 of the Act is amended by replacing “its wholly-owned subsidiaries” in paragraph 2 of the first paragraph by “the legal persons at least 90% of whose voting shares are held directly or indirectly by the Company”.

149. Section 7.10 of the Act is amended by replacing “comité de vérification” in the first paragraph in the French text by “comité d’audit”.

150. Section 7.11 of the Act is amended, in the French text,

(1) by replacing “comité de vérification” in the introductory clause by “comité d’audit”;

(2) by replacing “plan annuel de vérification interne” in paragraph 1 by “plan annuel d’audit interne”;

(3) by replacing “le vérificateur interne” in paragraph 5 by “l’auditeur interne”;

(4) by replacing “le vérificateur externe” in paragraph 6 by “l’auditeur externe”.

151. Section 7.12 of the Act is amended by replacing “comité de vérification” in the French text and “its wholly-owned subsidiaries” by “comité d’audit” and “of the legal persons at least 90% of whose voting shares are held directly or indirectly by the Company”, respectively.

152. Section 7.13 of the Act is amended, in the French text,

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

“Les activités d’audit interne s’exercent sous l’autorité du comité d’audit.”;

(2) by replacing “la verification interne” in the second paragraph by “l’audit interne”.

153. Section 11.6 of the Act is amended by inserting “renewable” after “appointed for a” in the second paragraph.

154. Section 11.13 of the Act is amended by inserting “, then tabled by the Minister in the National Assembly” at the end.

155. Section 19 of the Act is amended by inserting “or, in the case of the chair, to the Minister and the person designated under section 5” after “board of directors” in the second paragraph.

156. The heading of Division II.6 of the Act is amended by inserting “MANAGEMENT” after “ANNUAL”.

157. Section 20.1 of the Act is amended, in the first paragraph,

(1) by replacing “annual report” in the introductory clause by “annual management report”;

(2) by replacing “comité de vérification” in subparagraph 2 in the French text by “comité d’audit”.

158. Section 20.3 of the Act is amended

(1) by replacing “annual report” in the introductory clause by “annual management report”;

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

“(5) a status report on compliance with the requirements relating to the independence of board members, the proportion of women, the presence of a board member 35 years of age or under at the time of appointment and the presence of a board member representative of the diversity of Québec society and, if the composition of the board of directors did not meet those requirements at the end of the fiscal year, the reasons for that situation.”

159. Section 20.4 of the Act is replaced by the following sections:

“**20.4.** The annual management report of the Company must include

(1) the remuneration and benefits paid to each member of the board of directors;

(2) in respect of each of the five most highly remunerated officers of the Company and of any person with management responsibilities who does not report directly to the most senior officer and who is more highly remunerated than one of those officers:

(a) the basic remuneration paid;

(b) the variable pay paid, where applicable, including under a long-term profit sharing plan;

(c) the signing bonus paid, where applicable;

(d) the contribution to pension plans borne by the Company for the year concerned;

(e) the other benefits paid or granted, including those related to group insurance or the use of a vehicle, as applicable; and

(f) the severance pay paid, where applicable;

(3) the elements referred to in subparagraphs *a* to *f* of subparagraph 2 that concern each of the five most highly remunerated officers of all the legal persons at least 90% of whose voting shares are held directly or indirectly by the Company;

(4) the fees granted to the external auditor under the contract for the audit of the financial statements and, where applicable, those granted for all the other contracts performed by the auditor for the Company; and

(5) any other element or information determined under subparagraph 5 of the second paragraph of section 39 of the Act respecting the governance of state-owned enterprises (chapter G-1.02).

For the purposes of subparagraphs 2 and 3 of the first paragraph, the value of the remuneration corresponds to the sum of the elements referred to in subparagraphs *a* to *f* of that subparagraph 2 and of any other element relating to remuneration that is determined under subparagraph 5 of the first paragraph.

In addition, the annual management report must indicate the parameters regulating the remuneration of the persons referred to in subparagraphs 2 and 3 of the first paragraph, in particular the parameters related to the elements listed in subparagraphs *a* to *f* of that subparagraph 2.

“20.5. Where a person was an officer in the Company for part of the period covered by the annual management report, the elements referred to in subparagraph 2 of the first paragraph of section 20.4, the elements relating to remuneration that are referred to in subparagraph 5 of that paragraph and the annualized value of the latter elements and of those referred to in subparagraphs *a* and *c* to *f* of that subparagraph 2 must be disclosed in that report with regard to that person if the total of the annualized value of those elements and of the paid variable pay places the person among the five most highly remunerated officers of the Company. In such a case, the information disclosed in the annual report will concern more than five of the Company’s officers.

“20.6. For the purposes of this division, severance pay must be disclosed in full in the annual management report covering the date of the officer’s departure, regardless of whether payment of the severance pay has been deferred in whole or in part.

“20.7. The specifications made under section 39.3 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) with respect to the elements, parameters and information referred to in sections 39 and 39.1 of that Act apply, with the necessary modifications, to the elements, parameters and information referred to in sections 20.4 and 20.5.

Those elements, parameters and information must be included in the Company’s annual management report in the form determined under section 39.3 of the Act respecting the governance of state-owned enterprises.”

160. The heading of Division II.7 of the Act is replaced by the following heading in the French text:

“AUDIT”.

161. Section 21.5 of the Act is amended

(1) by replacing “vérificateur externe” in the French text by “auditeur externe” and by replacing “annual report” by “annual management report”;

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

“Despite the Act respecting contracting by public bodies (chapter C-65.1), the power to appoint the external auditor provided for in the first paragraph may be exercised on special conditions following an invitation to tender.”

162. Section 61.2 of the Act is amended by inserting the following paragraph after the first paragraph:

“The report shall contain an assessment of the effectiveness and performance of the Company, including benchmarking measures.”

PUBLIC INFRASTRUCTURE ACT

163. Section 62 of the Public Infrastructure Act (chapter I-8.3) is amended by striking out the third paragraph.**164.** Section 63 of the Act is repealed.**165.** Section 64 of the Act is amended

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

“The Government appoints the number of vice-presidents it determines to assist the president and chief executive officer.”;

(2) by replacing “Ils” in the third paragraph in the French text by “Le président-directeur général et les vice-présidents”.

166. Section 65 of the Act is amended by striking out “the president and chief executive officer and”.**167.** Section 67 of the Act is amended by striking out the first and second paragraphs.**168.** Section 68 of the Act is amended by striking out “the board members and”.**169.** Section 71 of the Act is repealed.**170.** Section 72 of the Act is amended by striking out the last sentence of the second paragraph.

171. Section 90 of the Act is amended

(1) by replacing “activity report” in the first paragraph by “annual management report”;

(2) by replacing “activity report must contain” in the second paragraph by “annual management report must contain”.

ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

172. Section 14 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011) is amended by adding the following paragraph at the end:

“The Chief Statistician shall be assisted by one or more assistant chief statisticians appointed by the Government.”

173. Section 15 of the Act is replaced by the following section:

“**15.** The Chief Statistician shall be appointed for a term of five years and the assistant chief statisticians for terms of up to five years. At the end of their terms, they shall remain in office until replaced or reappointed.”

174. Section 16 of the Act is amended by inserting “or an assistant chief statistician” after “the Chief Statistician” and by replacing “an acting Chief Statistician” by “an interim replacement”.**175.** Section 17 of the Act is amended by inserting “and the assistant chief statisticians” after “the Chief Statistician”.**176.** Section 18 of the Act is amended by replacing the second paragraph by the following paragraph:

“The office of Chief Statistician and that of Assistant Chief Statistician are full-time positions, and, except where authorized by the Government, the attention of the Chief Statistician and of the assistant chief statisticians must be devoted exclusively to the duties of their office.”

177. Section 19 of the Act is replaced by the following section:

“**19.** The Chief Statistician and the assistant chief statisticians shall not, under pain of forfeiture of office, have any direct or indirect interest in an enterprise that puts their interest in conflict with that of the Institut.

However, forfeiture is not incurred if such an interest devolves to them by succession or gift, provided they renounce or dispose of it with dispatch.”

178. Section 21 of the Act is amended

- (1) by inserting “an assistant chief statistician,” after “Chief Statistician,”;
- (2) by replacing “two” by “three”.

179. Section 25 of the Act is amended by inserting “assistant chief statisticians,” after “The Chief Statistician,”.ACT RESPECTING THE INSTITUT DE TECHNOLOGIE
AGROALIMENTAIRE DU QUÉBEC**180.** Section 59 of the Act respecting the Institut de technologie agroalimentaire du Québec (chapter I-13.012) is replaced by the following section:

“59. The Institute’s books and accounts are audited by the Auditor General every year and whenever so ordered by the Government.

The Auditor General’s report must be submitted with the Institute’s activity report and financial statements.”

ACT RESPECTING THE INSTITUT DE TOURISME ET D’HÔTELLERIE
DU QUÉBEC**181.** Section 32 of the Act respecting the Institut de tourisme et d’hôtellerie du Québec (chapter I-13.02) is replaced by the following section:

“32. The institute’s books and accounts are audited by the Auditor General every year and whenever so ordered by the Government.

The Auditor General’s report must be submitted with the institute’s activity report and financial statements.”

ACT RESPECTING THE INSTITUT NATIONAL D’EXCELLENCE EN
SANTÉ ET EN SERVICES SOCIAUX**182.** Sections 16 to 19 of the Act respecting the Institut national d’excellence en santé et en services sociaux (chapter I-13.03) are repealed.**183.** The Act is amended by striking out the following heading before section 20:

“§1. — *Members of the board*”.

184. Section 20 of the Act is amended

(1) by striking out “and based on the expertise and experience profiles adopted by the board” in the first paragraph;

(2) by striking out the second paragraph.

185. Section 21 of the Act is amended by striking out the first and second paragraphs.

186. Section 22 of the Act is repealed.

187. Subdivision 2 of Division I of Chapter III of the Act, comprising sections 23 to 27, is repealed.

188. The Act is amended by striking out the following heading before section 28:

“§3. — *President and chief executive officer*”.

189. Section 28 of the Act is replaced by the following section:

“**28.** The office of president and chief executive officer is a full-time position.”

190. Sections 29, 31 and 32 of the Act are repealed.

191. Section 33 of the Act is replaced by the following section:

“**33.** The functions of the board of directors include

(1) adopting the three-year plan of activities and its annual updates;

(2) adopting the code of ethics applicable to outside experts the board calls upon in the exercise of its functions;

(3) making sure the governance and ethics committee, the human resources committee and the other committees exercise their functions properly; and

(4) adopting measures to evaluate the institute’s effectiveness, efficiency and performance.”

192. Sections 35 and 36 of the Act are repealed.

193. Division III of Chapter III of the Act, comprising sections 38 and 39, is repealed.

194. Section 45 of the Act is amended by striking out “and an account of the attendance of the members of the board of directors at board meetings and of their remuneration, if applicable” in the second paragraph.

ACT RESPECTING INSTITUT NATIONAL DE SANTÉ PUBLIQUE
DU QUÉBEC

195. Section 9 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1) is replaced by the following section:

“**9.** The affairs of the Institute are administered by a board of directors composed of 15 members appointed by the Government, including the chair of the board and the president and chief executive officer.”

196. Sections 10 to 12 of the Act are repealed.

197. Section 13 of the Act is amended by striking out “and the attention of the chief executive officer must, except with the authorization of the Government, be devoted exclusively to the affairs of the institute and the duties of chief executive officer” in the first paragraph.

198. Sections 14 and 15 of the Act are repealed.

199. Section 16 of the Act is amended

(1) by replacing “, where applicable, the vice-chair” in the first paragraph by “the chair”;

(2) by striking out the second paragraph.

DEPOSIT INSTITUTIONS AND DEPOSIT PROTECTION ACT

200. Section 40.8 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) is amended by replacing “section 19.21 of the Act respecting the regulation of the financial sector (chapter E-6.1)” in the first paragraph by “section 3.3 of the Act respecting the governance of state-owned enterprises (chapter G-1.02)”.

ACT RESPECTING INVESTISSEMENT QUÉBEC

201. Sections 37 to 39 and 41 of the Act respecting Investissement Québec (chapter I-16.0.1) are repealed.

202. Section 42 of the Act is amended by striking out the first and second paragraphs.

203. Section 43 of the Act is repealed.

204. Section 45 of the Act is amended by striking out the last sentence of the second paragraph.

205. Section 54 of the Act is amended by replacing “comité de vérification” in the second paragraph in the French text by “comité d’audit”.

206. Section 69 of the Act is amended

(1) by striking out “, according to the form, content and timetable determined by the Government,” in the first paragraph;

(2) by replacing “The Minister submits the strategic plan to the Government for approval,” in the second paragraph by “The strategic plan is submitted to the Government for approval,”.

207. Section 74 of the Act is amended

(1) by inserting “the information provided for in Chapter VI of the Act respecting the governance of state-owned enterprises (chapter G-1.02) and” after “The report must also contain” in the fourth paragraph;

(2) by replacing “a report of its activities”, both occurrences of “activity report” and “and report” by “an annual management report”, “annual management report” and “and the annual management report”, respectively.

208. Section 77 of the Act is amended

(1) by replacing “vérificateur externe” in the first paragraph in the French text by “auditeur externe” and by replacing “report of its activities” by “annual management report”;

(2) by replacing “la vérification” and “le vérificateur externe” in the second paragraph in the French text by “l’audit” and “l’auditeur externe”, respectively;

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

“The power to appoint the external auditor provided for in this section may, despite the Act respecting contracting by public bodies (chapter C-65.1), be exercised under special conditions following an invitation to tender.”

ACT RESPECTING LA FINANCIÈRE AGRICOLE DU QUÉBEC

209. Section 6 of the Act respecting La Financière agricole du Québec (chapter L-0.1) is amended

(1) by striking out the last sentence of the first paragraph;

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

“The Government shall appoint the members of the board of directors, other than the Deputy Minister of Agriculture, Fisheries and Food. Three of the members are appointed from among the persons identified by the association certified under the Farm Producers Act (chapter P-28).”

210. Sections 6.2 to 6.4 of the Act are repealed.

211. Section 6.5 of the Act is replaced by the following section:

“**6.5.** The office of president and chief executive officer is a full-time position.”

212. Sections 6.6, 9 and 47 of the Act are repealed.

ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE
LA TECHNOLOGIE

213. Section 25 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) is amended by inserting “the chair of the board,” after “including” in the first paragraph.

214. Section 26 of the Act is amended by replacing the first sentence of the third paragraph by the following sentence: “The chief scientist acts as president and chief executive officer of each fund.”

215. Sections 28 and 29 of the Act are repealed.

216. Section 30 of the Act is replaced by the following section:

“**30.** The scientific director is appointed for a term of not more than five years.”

217. Section 31 of the Act is amended

(1) by striking out the first paragraph;

(2) by striking out “; the appointment of the other members may be renewed only once” in the second paragraph.

218. Section 32 of the Act is amended by replacing “in accordance with the mode of appointment prescribed in section 25, 26, 27 or 28, as applicable” in the first paragraph by “in accordance with the rules of appointment provided with regard to the board member to be replaced”.

219. Sections 34 and 35 of the Act are repealed.

220. Section 36 of the Act is amended by striking out the third paragraph.

221. Section 42 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “plan” in the second paragraph by “strategic plan established by each fund”;

(3) by striking out the third paragraph.

222. Section 48 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “Each fund must adopt” in the second paragraph by “A fund must establish”.

223. Section 58 of the Act is amended

(1) by replacing “a report of its activities” in the first paragraph by “an annual management report”;

(2) in the second paragraph,

(a) by inserting “, among other things,” after “contain”;

(b) by replacing “three-year plan approved under section 42” by “strategic plan”.

224. Section 60 of the Act is amended by replacing “annual report” in the second paragraph by “annual management report”.

ACT RESPECTING THE MINISTÈRE DES FINANCES

225. Section 4.1 of the Act respecting the Ministère des Finances (chapter M-24.01) is amended by replacing “legal persons the majority of whose members or directors are appointed by the Government, except legal persons qualified as budget-funded bodies, institutions in the health and social services network and institutions in the education network, including Université du Québec and its constituent universities” in the third paragraph by “those referred to in the definition provided for in section 3 of the Act respecting the governance of state-owned enterprises (chapter G-1.02)”.

NATIONAL MUSEUMS ACT

226. Section 7 of the National Museums Act (chapter M-44) is amended by striking out the second paragraph.

227. Sections 8 and 9 of the Act are repealed.

228. Section 10 of the Act is replaced by the following section:

“**10.** Appointments of members of the board of directors must be representative of Québec society, including by ensuring the presence of persons from a variety of communities.”

229. Section 11 of the Act is amended by striking out the first and second paragraphs.

230. Sections 12 to 14 and 16, subdivisions 1 and 2 of Division II of Chapter III, comprising sections 17 to 22, and sections 22.1, 22.3 and 22.4 of the Act are repealed.

231. Section 22.5 of the Act is amended by replacing the first paragraph by the following paragraph:

“The board of directors may establish committees, in particular to advise it on the acquisition of property.”

232. Section 22.6 of the Act is amended by replacing “Committee members” by “Members of committees established under section 22.5 who are not members of the board of directors”.

233. Section 22.8 of the Act is amended by striking out the third paragraph.

234. Sections 22.11, 22.12 and 22.14 of the Act are repealed.

235. Section 31 of the Act is replaced by the following section:

“**31.** The strategic plan that a museum shall establish must, in particular, take into consideration the policy directions and objectives given by the Minister and include any element that the Minister determines.

The plan must be submitted to the Minister not later than the date set by the Minister.”

236. Section 33 of the Act is amended

(1) by replacing “a report of its activities” in the first paragraph by “an annual management report”;

(2) by replacing “report of activities” in the second paragraph by “annual management report”;

(3) by striking out the third paragraph.

237. Sections 38.1 and 38.2 of the Act are repealed.

ACT TO ESTABLISH THE OFFICE QUÉBEC-MONDE POUR
LA JEUNESSE

238. Section 8 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2) is amended, in the second paragraph,

- (1) by inserting “, in particular,” after “must” in the introductory clause;
- (2) by striking out subparagraphs 1 and 3.

239. Section 9 of the Act is amended

- (1) by striking out the first paragraph;
- (2) by striking out “However,” in the second paragraph.

240. Section 10 of the Act is amended

- (1) by striking out the first and second paragraphs;
- (2) by inserting “of directors” after “board” in the third paragraph.

241. Section 11 of the Act is replaced by the following section:

“**11.** The chair of the board of directors assumes, in particular, any responsibility assigned by the board.”

242. Section 12 of the Act is repealed.

243. Section 13 of the Act is replaced by the following section:

“**13.** The president and chief executive officer exercises the functions of office on a full-time basis and assumes, in particular, any responsibility assigned by the Minister.”

244. Sections 15 and 16 of the Act are repealed.

245. Section 17 of the Act is amended by striking out the last sentence of the second paragraph.

POLICE ACT

246. Section 18 of the Police Act (chapter P-13.1) is replaced by the following section:

“**18.** The board of directors of the school shall be composed of 15 members appointed by the Government, including the chair of the board and the executive director of the school.”

247. Sections 19 to 21 of the Act are repealed.

248. Section 22 of the Act is amended by striking out “or vice-chair” and the last sentence in the second paragraph.

249. Section 23 of the Act is amended by replacing “an executive director for a term not exceeding five years and, where required, assistant executive directors” in the first paragraph by “, where required, assistant executive directors for terms not exceeding five years”.

250. Section 27 of the Act is amended

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

“(1.1) to determine the functions and powers of the chair and the executive director, in addition to those provided for in the Act respecting the governance of state-owned enterprises (chapter G-1.02);”;

(2) by striking out “the chair and vice-chair of the governing board and of the executive director,” in paragraph 2.

ACT RESPECTING THE RÉGIE DE L’ASSURANCE MALADIE DU QUÉBEC

251. Section 7 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5) is replaced by the following section:

“7. The Board is administered by a board of directors composed of 15 members appointed by the Government, including the chair of the board and the president and chief executive officer.

The board members, other than the chair of the board and the president and chief executive officer, include the following:

(1) three appointed from among professionals in the field of health within the meaning of the Health Insurance Act (chapter A-29), including one general practitioner and one medical specialist, after consultation with the professional order of each class of health professionals that has entered into an agreement under that Act;

(2) one appointed from among the president and executive directors of an institution referred to in the Act respecting health services and social services (chapter S-4.2); and

(3) nine who are independent members, including three users of the health sector and persons from the various fields of activity meeting the expertise and experience profiles approved by the board.”

252. Section 7.0.1 of the Act is replaced by the following section:

“7.0.1. The term of a member of the board of directors ends when the member loses the qualifications required for appointment.”

253. Sections 7.0.2 to 7.0.4 and 7.0.8 of the Act are repealed.

254. Section 7.1 of the Act is amended by striking out “the president and chief executive officer and”.

255. Section 7.2 of the Act is repealed.

256. Section 25 of the Act is amended by replacing “a report of its activities” in the first paragraph by “an annual management report”.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING
AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION
INDUSTRY

257. Section 3.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended

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

“The Commission is composed of a board of directors consisting of 17 members, including the chairman of the board of directors and the president and chief executive officer.”;

(2) in the second paragraph,

(a) by replacing the introductory clause by the following:

“Other than the chairman of the board and the president and chief executive officer, the members are appointed in the following manner”;

(b) by replacing “four independent members” in subparagraph 4 by “five independent members”;

(3) by inserting the following paragraph after the second paragraph:

“For the purposes of the consultations provided for in subparagraphs 1 to 3 of the second paragraph, each association consulted is invited to propose at least three candidates, including one woman. If an association fails to comply with that invitation within a reasonable time, the Government may appoint the member concerned after notifying the association.”

258. Section 3.3 of the Act is replaced by the following sections:

“3.3. The chairman of the board of directors and the president and chief executive officer are appointed by the Government for terms of not more than five years. The other members of the board are appointed for terms of not more than three years.

The chairman of the board must qualify as an independent director.

At the end of their terms, the members of the board shall remain in office until they are replaced or reappointed.

The terms of the board members are renewable. However, members other than the president and chief executive officer may not be reappointed more than three times, whether the terms are consecutive or not.

“3.3.1. The number of women on the board of directors must correspond to a proportion of at least 40% of the total number of persons sitting on the board.

“3.3.2. The board of directors must include at least one member 35 years of age or under at the time of appointment.

“3.3.3. The board of directors must include at least one member who, in the opinion of the Government, is representative of the diversity of Québec society.”

259. Section 3.5 of the Act is replaced by the following section:

“3.5. The board of directors shall designate one of the chairmen of a committee established under section 3.13 to act as a replacement when the chairman of the board is absent or unable to act.

When replacing the chairman of the board, the person so designated exercises the same responsibilities and has the same powers as the chairman.

If a member other than the chairman of the board is unable to act, the Government may appoint, in accordance with the prescribed mode of appointment applicable to that member, a person to replace that member in the interim, on such conditions as it may determine.”

260. Section 3.6 of the Act is amended

(1) by replacing “chairman” in the first paragraph by “president and chief executive officer”;

(2) by replacing “The chairman is *ex officio* the chief executive officer of the Commission and” in the second paragraph by “The president and chief executive officer”.

261. Section 3.7 of the Act is amended by replacing “chairman” in the first paragraph by “president and chief executive officer”.

262. Section 3.8 of the Act is amended

(1) by replacing “chairman” in the first paragraph by “president and chief executive officer”;

(2) by replacing “Every member of the board of directors, other than the chairman,” and “to the chairman in writing and” in the third paragraph by “Every other member of the board of directors” and “in writing to the chairman of the board of directors or, in the chairman’s case, to the Minister and the person designated under section 3.5 and, where applicable,” respectively.

263. Section 3.9 of the Act is amended

(1) by replacing “chairman” in the first paragraph by “chairman of the board or the president and chief executive officer”;

(2) by replacing “chairman” in the second paragraph by “chairman of the board”.

264. The Act is amended by inserting the following section after section 3.9:

“3.9.1. No act or document of the Commission or decision of its board of directors is invalid because the requirements prescribed in sections 3.3.1, 3.3.2 and 3.3.3 are not met.”

265. The Act is amended by inserting the following sections after section 3.12:

“3.12.1. The board of directors must determine the Commission’s strategic directions, see to their implementation and inquire into any matter it considers important.

The board is accountable to the Government, and its chairman is answerable to the Minister, for the Commission’s decisions.

“3.12.2. The functions of the board of directors also include

(1) adopting the strategic plan;

(2) approving the capital plan, the operating plan, the financial statements, the annual management report and the annual budget of the Commission;

(3) approving the governance rules of the Commission;

(4) approving the code of ethics applicable to the members of the board of directors and those applicable to the officers appointed by the Commission and to the employees of the Commission, subject to a regulation made under sections 3.0.1 and 3.0.2 of the Act respecting the Ministère du Conseil exécutif (chapter M-30);

(5) approving the expertise and experience profiles to be used in appointing the independent members of the board;

(6) approving the criteria for evaluating members of the board of directors other than the president and chief executive officer;

(7) approving the criteria for assessing the performance of the board;

(8) establishing the policies for managing the risks associated with conducting the operations of the Commission;

(9) seeing to it that the audit committee exercises its functions properly;

(10) determining delegations of authority;

(11) approving, in accordance with the law, human resources policies, as well as the standards and scales of remuneration and other conditions of employment of employees and officers appointed by the Commission;

(12) approving the succession planning program for officers appointed by the Commission; and

(13) approving the appointment of officers other than the president and chief executive officer.

“3.12.3. The board of directors must appraise the integrity of internal controls, information disclosure controls and information systems, and approve a financial disclosure policy.

“3.12.4. The board of directors must make sure that initiation and ongoing training programs for board members are implemented.”

266. Section 3.13 of the Act is amended by replacing “and an audit committee” in the first paragraph by “, a human resources committee and an audit committee”.

267. Section 3.14 of the Act is amended by replacing “chair” in subparagraph 4 of the first paragraph by “president and chief executive officer”.

268. Section 3.16 of the Act is amended, in the first paragraph,

(1) by replacing “Comité de vérification” in the introductory clause in the French text by “Comité d’audit”;

(2) by replacing “plan annuel de vérification” in subparagraph 1 in the French text by “plan annuel d’audit”;

(3) by replacing “le vérificateur” in subparagraph 5 in the French text by “l’auditeur”.

269. The Act is amended by inserting the following section after section 3.16:

“3.16.1. The functions of the human resources committee include

(1) making sure that human resources policies are put in place;

(2) assisting in the selection of officers; and

(3) establishing a succession planning program for officers appointed by the Commission.”

270. Section 3.17 of the Act is amended

(1) by replacing “The audit committee is composed” in the introductory clause by “The human resources committee and the audit committee are composed”;

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

“In addition, at least one of the independent members of the audit committee must be a member of the professional order of accountants mentioned in the Professional Code (chapter C-26).”

271. Section 3.18 of the Act is amended by replacing the first paragraph by the following paragraph:

“Three members, including the chair of the committee, constitute a quorum at meetings of each of the committees referred to in section 3.13.”

272. Section 5 of the Act is amended by replacing “chairman” in the third paragraph by “president and chief executive officer”.

273. Section 6 of the Act is amended by replacing both “chairman or by the secretary” and “chairman or secretary” by “chairman of the board, the president and chief executive officer or the secretary”.

274. Section 9 of the Act is amended

(1) by replacing “a report of its activities” in the first paragraph by “an annual management report”;

(2) by replacing “It may, in addition,” in the third paragraph by “In addition to the elements provided for in sections 9.1 to 9.5, it may also”.

275. The Act is amended by inserting the following sections after section 9:

“9.1. The annual management report must contain a summary of the following reports, submitted to the board of directors:

(1) the report of the governance and ethics committee on its activities during the fiscal year, including a summary of its assessment of the performance of the board of directors;

(2) the report of the audit committee on the discharge of its mandate and on the optimal resource utilization plan; and

(3) the report of the human resources committee on the discharge of its mandate.

“9.2. The Commission shall make public the code of ethics applicable to its employees.

“9.3. The annual management report must comprise a section on the governance of the Commission, including the following information concerning the board members:

(1) the dates of appointment and expiry of term of all board members, as well as the identification of those with the status of independent director;

(2) the identification of any other board of directors on which a board member sits;

(3) a summary of the expertise and experience profile of each of the board’s independent members;

(4) a statement of each board member’s attendance at board and committee meetings;

(5) the code of ethics and rules of professional conduct applicable to board members; and

(6) a status report on compliance with the requirements relating to the independence of board members, the proportion of women, the presence of a board member 35 years of age or under at the time of appointment and the presence of a board member representative of the diversity of Québec society and, if the composition of the board of directors did not meet those requirements at the end of the fiscal year, the reasons for that situation.

“9.4. The annual management report must include

(1) the remuneration and benefits paid to each member of the board of directors;

(2) in respect of each of the five officers who are the most highly remunerated officers of the Commission and of any person with management responsibilities who does not report directly to the president and chief executive officer and who is more highly remunerated than one of those officers:

- (a) the basic remuneration paid;
- (b) the signing bonus paid, where applicable;
- (c) the contribution to pension plans borne by the Commission for the year concerned;
- (d) the other benefits paid or granted, including those related to group insurance or the use of a vehicle, as applicable;
- (e) the severance pay paid, where applicable; and

(3) any other element or information determined under subparagraph 5 of the second paragraph of section 39 of the Act respecting the governance of state-owned enterprises (chapter G-1.02).

For the purposes of subparagraph 2 of the first paragraph, the value of the remuneration corresponds to the sum of the elements referred to in subparagraphs *a* to *e* of that subparagraph and of any other element relating to remuneration that is referred to in subparagraph 3 of the first paragraph.

In addition, the annual management report must indicate the parameters regulating the remuneration of the persons referred to in subparagraph 2 of the first paragraph, in particular the parameters related to the elements listed in subparagraphs *a* to *e* of that subparagraph.

“9.5. Where a person was an officer in the Commission for part of the period covered by the annual management report, the elements referred to in subparagraph 2 of the first paragraph of section 9.4, those relating to remuneration that are referred to in subparagraph 3 of that paragraph and the annualized value of those elements must be disclosed in the report with regard to that person if the total of the annualized value of those elements places the person among the five most highly remunerated officers of the Commission. In such a case, the information disclosed in the annual report will concern more than five of the Commission’s officers.

“9.6. For the purposes of sections 9.4 and 9.5, severance pay must be disclosed in full in the annual management report covering the date of the officer’s departure, regardless of whether payment of the severance pay has been deferred in whole or in part.

“9.7. The specifications respecting the elements, parameters and information made under section 39.3 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) and referred to in sections 39 and 39.1 of that Act apply with the necessary modifications to the elements, parameters and information referred to in sections 9.4 and 9.5.

The elements, parameters and information must be included in the Commission’s annual management report in the form specified under section 39.3 of the Act respecting the governance of state-owned enterprises.”

276. The Act is amended by inserting the following section after section 15:

“15.0.1. The Minister may issue directives on the direction and general objectives to be pursued by the Commission.

The directives must be approved by the Government, and they come into force on the day of their approval. Once approved, they are binding on the Commission and the Commission must comply with them.

The directives must be tabled in the National Assembly within 15 days after they are approved by the Government or, if the Assembly is not sitting, within 15 days of resumption.”

277. Section 15.4 of the Act is amended

(1) by replacing “chairman of the Commission, in the chairman’s capacity as chief executive officer of the Commission” and “The chairman of the Commission” in the first paragraph by “president and chief executive officer” and “The latter”, respectively;

(2) by replacing “chairman of the Commission” in the second paragraph by “president and chief executive officer”.

278. Section 18.4 of the Act is amended by replacing “the chairman of the Commission from among the personnel of the Commission” in the first paragraph by “the president and chief executive officer from among the latter’s personnel”.

279. Section 18.14.4 of the Act is amended by replacing “chair of the Commission or by a person the chair” in the first paragraph by “president and chief executive officer or by a person the latter”.

280. The Act is amended by inserting the following section after section 126.0.5:

“126.0.6. At least once every 10 years, the Minister must report to the Government on the carrying out of the provisions of this Act concerning the Commission. The report must include recommendations concerning the updating of the mission of the Commission and its governance.

The Minister shall table the report in the National Assembly.”

ACT RESPECTING RETRAITE QUÉBEC

281. Section 11 of the Act respecting Retraite Québec (chapter R-26.3) is amended

- (1) by striking out the last sentence of the first paragraph;
- (2) by replacing the second paragraph by the following paragraph:

“The members of the board of directors, other than the chair of the board and the president and chief executive officer, include

(1) two members appointed after consultation, for one of them, with the unions and associations referred to in subparagraph 1 of the first paragraph of section 164 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) and, for the other, with the associations referred to in subparagraph 1 of the first paragraph of section 196.3 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

(2) one member appointed after consultation with the associations that are the most representative of the pensioners under the pension plans administered by Retraite Québec under section 4, unless a different consultation process is determined by the Government;

(3) eight members appointed as follows after consultation with bodies the Minister considers representative of the following sectors and persons:

- (a) four for the business sector;
- (b) two for the labour sector;
- (c) one for the socio-economic sector; and
- (d) one for retired persons.”

282. Section 12 of the Act is amended by replacing “In addition to being required to comply with the independence rules prescribed by the Act respecting the governance of state-owned enterprises (chapter G-1.02), an independent member may not” by “An independent member of the board of directors may not, in particular,”.

283. Sections 15, 21, 23 and 24 of the Act are repealed.

284. Section 25 of the Act is amended by replacing “for the remainder of the term of office in accordance with the rules of appointment provided in this Act” in the first paragraph by “in accordance with the rules of appointment to the board”.

285. Section 27 of the Act is amended by replacing the introductory clause by “The responsibilities of the board of directors include”.

286. Section 28 of the Act is amended by striking out the last sentence of the second paragraph.

287. Section 33 of the Act is replaced by the following section:

“**33.** The board of directors establishes, among other things, an investment policy committee and a client services committee.

Those committees must be chaired by an independent member and the president and chief executive officer cannot be a committee member.”

288. Section 36 of the Act is amended

(1) by replacing the introductory clause of the first paragraph by “The functions of the audit committee include”;

(2) by replacing “comité de vérification” in the second paragraph in the French text by “comité d’audit”.

289. Section 46 of the Act is amended by striking out “the president and chief executive officer and”.

290. Section 68 of the Act is amended by replacing “prepared under section 24 of the Public Administration Act (chapter A-6.01)” in the first paragraph by “prepared, in particular, under the provisions of Chapter VI of the Act respecting the governance of state-owned enterprises (chapter G-1.02)”.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

291. Section 156.1 of the Act respecting occupational health and safety (chapter S-2.1) is amended by replacing “39” by “39.3”.

FIRE SAFETY ACT

292. Section 62 of the Fire Safety Act (chapter S-3.4) is replaced by the following section:

“**62.** The board of directors of the school shall be composed of 13 members appointed by the Government, including the chair of the board and the director general of the school.”

293. Sections 63 to 65 of the Act are repealed.

294. Section 66 of the Act is amended by striking out “or vice-chair” and the last sentence in the second paragraph.

295. Section 67 of the Act is amended by replacing “a director general for a term not exceeding five years and, where required, assistant director generals” in the first paragraph by “, where required, assistant director generals for terms not exceeding five years”.

296. Section 71 of the Act is amended

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

“(1.1) to determine the functions and powers of the chair and the director general, other than those provided for in the Act respecting the governance of state-owned enterprises (chapter G-1.02);”;

(2) by striking out “the chair and vice-chair of the governing board and of the director general,” in paragraph 2.

ACT RESPECTING PRE-HOSPITAL EMERGENCY SERVICES

297. Section 91 of the Act respecting pre-hospital emergency services (chapter S-6.2) is replaced by the following section:

“**91.** The Corporation is administered by a board of directors of 12 members appointed by the Government. The board is composed of the following members:

- (1) the president and chief executive officer;
- (2) the chair of the board of directors;
- (3) one member appointed from among the president and chief executive officers of local institutions;
- (4) one member appointed from among the physicians in charge of a local emergency room or who direct or coordinate such an emergency room’s activities;
- (5) one member appointed from among the Corporation’s employees;
- (6) one member appointed from among the persons having used the Corporation’s services during the 48 months preceding their appointment;
- (7) one member with experience in the local municipal sector;
- (8) one member with experience in the local business sector;
- (9) one member with expertise in emergency measures and civil protection;
- (10) one member with expertise in auditing;

- (11) one member with expertise in governance and risk management; and
- (12) one member with expertise in human resources management.”

298. Section 92 of the Act is repealed.

299. Section 93 of the Act is replaced by the following section:

“**93.** The term of office of a member of the board of directors ends when the member loses the qualifications required for appointment.”

300. Sections 94 and 95 of the Act are repealed.

301. Section 96 of the Act is replaced by the following section:

“**96.** The functions of the president and chief executive officer shall be exercised on a full-time basis.”

302. Section 97 of the Act is amended by replacing “director general is unable” and “functions of the director general while the director general” by “president and chief executive officer is unable” and “functions of that office while the president and chief executive officer”, respectively.

303. Section 98 of the Act is amended by replacing both occurrences of “director general” by “president and chief executive officer”.

304. Section 105 of the Act is repealed.

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

305. Section 6 of the Act respecting the Société d’habitation du Québec (chapter S-8) is amended

(1) by inserting “appointed by the Government” after “members” in the first paragraph;

(2) by striking out the second paragraph.

306. Sections 6.0.1 to 7 of the Act are repealed.

307. Section 13 of the Act is replaced by the following section:

“**13.** The office of president and chief executive officer is a full-time position.”

308. Section 13.0.1 of the Act is repealed.

309. Section 25 of the Act is amended by replacing “annual report” by “annual management report”.

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT DES
ENTREPRISES CULTURELLES

310. Section 5 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002) is replaced by the following section:

“**5.** The Société is administered by a board of directors composed of 15 members appointed by the Government, including the chair of the board and the president and chief executive officer.

The members of the board, other than the chair and the president and chief executive officer, are appointed after consultation with bodies considered by the Minister to be representative of the sectors concerned by the activities of the Société. Four of those members include

- (1) one person active in the audiovisual industry;
- (2) one person active in the music or entertainment industries;
- (3) one person active in the book or publishing industries; and
- (4) one person active in the field of fine crafts or in the art market.”

311. Section 5.1 of the Act is repealed.

312. Section 5.2 of the Act is replaced by the following section:

“**5.2.** The office of president and chief executive officer is a full-time position.”

313. Sections 5.3, 5.5, 7 and 11 of the Act are repealed.

314. Section 12 of the Act is amended by replacing “to the fields of the cinema and of television production and the other to the fields of sound recording, variety shows, books, specialized publishing and fine crafts.” in the first paragraph by “to the audiovisual industry and the other to the music, entertainment, book and publishing industries, fine crafts and the art market.”

315. Section 19 of the Act is amended by replacing “to the cinema and television production, sound recording and variety shows, book and specialized publishing, and fine crafts” in the second paragraph by “to the audiovisual works, music and entertainment, books, publishing, fine crafts and the art market”.

316. Section 21 of the Act is amended

(1) by replacing “the cinema, television production, sound recording, variety shows, books, specialized publishing or fine crafts” in the first paragraph by “audiovisual works, music, entertainment, books, publishing, fine crafts or the art market”;

(2) by replacing “In the fields of the cinema and of television production” in the second paragraph by “In the audiovisual industry”.

317. Section 28 of the Act is replaced by the following section:

“28. A council under the name of “Conseil national de l’audiovisuel” and commissions under the names of “Commission de la musique et du spectacle”, “Commission du livre et de l’édition” and “Commission des métiers d’art et du marché de l’art” are established within the Société.”

318. Section 32 of the Act is amended

(1) by replacing “the fields of the cinema and television production” in the first paragraph by “the audiovisual industry”;

(2) by replacing “the fields of sound recording, variety shows, books, specialized publishing and fine crafts” in the second paragraph by “the fields of music, entertainment, books, publishing, fine crafts and the art market”.

319. Section 36 of the Act is amended by replacing “the fields of the cinema and of television production” by “the audiovisual industry”.**320.** Section 42 of the Act is amended

(1) by replacing “a report of its activities” in the first paragraph by “an annual management report”;

(2) by replacing both occurrences of “report” in the second paragraph by “annual management report”.

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT ET DE MISE EN VALEUR DU PARC OLYMPIQUE

321. Section 15 of the Act respecting the Société de développement et de mise en valeur du Parc olympique (chapter S-10.2) is amended by inserting “appointed by the Government” after “members”.

322. Section 16 of the Act is amended by replacing the first and second paragraphs by the following paragraph:

“The members of the board of directors include, other than the chair of the board and the president and chief executive officer, one member appointed after consultation with Ville de Montréal and the councils of the boroughs adjacent to the Olympic Park and at least two other members appointed after consultation with bodies the Minister considers representative of the sectors concerned by the Société’s mission.”

323. Sections 17 and 18 of the Act are repealed.

324. Section 19 of the Act is amended by striking out the first and second paragraphs.

325. Sections 20, 21 and 23 of the Act are repealed.

326. Section 25 of the Act is amended by striking out the last sentence of the second paragraph.

ACT RESPECTING THE SOCIÉTÉ DE FINANCEMENT DES INFRASTRUCTURES LOCALES DU QUÉBEC

327. Section 8 of the Act respecting the Société de financement des infrastructures locales du Québec (chapter S-11.0102) is amended by striking out the second paragraph.

328. Section 12 of the Act is amended by replacing the first paragraph by the following paragraphs:

“The affairs of the Société are administered by a board of directors of seven members, all appointed by the Minister, composed of the following persons:

(1) five members from among the persons holding a position as associate deputy minister or assistant deputy minister in the public service, of which two are from the Ministère des Finances, one from the Ministère des Transports and one from the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire; and

(2) two members from among the members of the council of a municipality appointed after consultation with representatives of the municipal sector, including representatives of the Union des municipalités du Québec and of the Fédération québécoise des municipalités locales et régionales (FQM).

The members referred to in subparagraph 1 of the first paragraph who do not exercise their functions within the Ministère des Finances are appointed on the recommendation of the minister to whom they are responsible.”

329. Section 15 of the Act is amended by replacing “by the Government” in the first paragraph by “in accordance with the rules of appointment to the board”.

ACT RESPECTING THE SOCIÉTÉ DE L’ASSURANCE AUTOMOBILE
DU QUÉBEC

330. Section 7 of the Act respecting the Société de l’assurance automobile du Québec (chapter S-11.011) is amended

(1) by striking out “, and based on the expertise and experience profiles approved by the board” in the introductory clause of the second paragraph;

(2) by striking out the third paragraph.

331. Sections 8, 8.1 and 9 of the Act are repealed.

332. Section 10 of the Act is amended by striking out the first and second paragraphs.

333. Section 10.1 of the Act is repealed.

334. Section 19 of the Act is amended by replacing the third paragraph by the following paragraph:

“The reports of the Société must contain, among other things, any information required by the Minister.”

335. Section 20 of the Act is amended

(1) by replacing “vérificateur externe” in the French text by “auditeur externe”;

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

“The power to appoint the external auditor provided for in the first paragraph may, despite the Act respecting contracting by public bodies (chapter C-65.1), be exercised under special conditions following an invitation to tender.”

336. Section 23.0.13.1 of the Act is amended by replacing “Paragraph 5 of section 34” by “Subparagraph 6 of the first paragraph of section 9 of the Public Administration Act (chapter A-6.01)”.

337. Section 23.0.18 of the Act is amended

(1) by replacing “vérificateur externe” in the first paragraph in the French text by “auditeur externe”;

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

“The power to appoint the external auditor provided for in the first paragraph may, despite the Act respecting contracting by public bodies (chapter C-65.1), be exercised under special conditions following an invitation to tender.”

ACT RESPECTING THE SOCIÉTÉ DE LA PLACE DES ARTS DE MONTRÉAL

338. Section 4 of the Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03) is amended

(1) by inserting “appointed by the Government” after “11 members” in the first paragraph;

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

“The board members, other than the chair and the president and chief executive officer, are appointed after consultation with Ville de Montréal and with socio-economic and cultural bodies active throughout Québec or at a regional level.”

339. Section 4.1 of the Act is repealed.

340. Section 4.2 of the Act is replaced by the following section:

“**4.2.** The office of president and chief executive officer is a full-time position.”

341. Sections 4.3, 5 and 7 of the Act are repealed.

342. Section 26 of the Act is amended by replacing “be consistent with” by “take into consideration, in particular,”.

ACT RESPECTING THE SOCIÉTÉ DE TÉLÉDIFFUSION DU QUÉBEC

343. Section 5 of the Act respecting the Société de télédiffusion du Québec (chapter S-12.01) is amended

(1) by striking out “, taking into consideration the expertise and experience profiles approved by the board” in the second paragraph;

(2) by striking out the third paragraph.

344. Section 5.1 of the Act is repealed.

345. Section 5.2 of the Act is replaced by the following section:

“**5.2.** The office of president and chief executive officer is a full-time position.”

346. Sections 5.3, 7 and 12 of the Act are repealed.

347. Section 26 of the Act is amended

(1) by replacing “a report of its activities” in the first paragraph by “an annual management report”;

(2) by inserting “annual management” before “report” in the second paragraph.

ACT RESPECTING THE SOCIÉTÉ DES ALCOOLS DU QUÉBEC

348. Section 7 of the Act respecting the Société des alcools du Québec (chapter S-13) is amended

(1) by inserting “appointed by the Government” after “members” in the first paragraph;

(2) by striking out the second paragraph.

349. Sections 7.2 to 9 of the Act are repealed.

350. Section 12 of the Act is amended by striking out the first and second paragraphs.

351. Section 12.1 of the Act is repealed.

352. Section 23.6 of the Act is amended

(1) by inserting “appointed by the Société” after “members” in the first paragraph;

(2) by striking out the first sentence of the second paragraph;

(3) by striking out the third paragraph.

353. Sections 23.9 and 23.11 of the Act are repealed.

354. Section 23.13 of the Act is amended by striking out the first and second paragraphs.

355. Section 23.14 of the Act is repealed.

356. Section 23.16 of the Act is amended by inserting “sections 3.1, 3.2 and 3.3,” after “for the purposes of” in paragraph 2.

357. Section 23.41 of the Act is amended by replacing “annual report” in the first paragraph by “annual management report”.

358. Section 23.42 of the Act is amended

(1) by replacing “le vérificateur externe” in the French text by “l’auditeur externe” and by replacing “annual report” by “annual management report”;

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

“The power to appoint the external auditor provided for in the first paragraph may, despite the Act respecting contracting by public bodies (chapter C-65.1), be exercised under special conditions following an invitation to tender.”

359. Section 57 of the Act is amended by replacing “Conseil du trésor” by “Minister of Finance”.

360. Section 59 of the Act is amended

(1) by replacing both occurrences of “annual report” in the first paragraph by “annual management report”;

(2) by replacing both occurrences of “annual report” in the second paragraph by “annual management report”.

361. Section 60 of the Act is amended

(1) by replacing “vérificateur externe” in the French text by “auditeur externe” and by replacing “annual report” by “annual management report”;

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

“The power to appoint the external auditor provided for in the first paragraph may, despite the Act respecting contracting by public bodies (chapter C-65.1), be exercised under special conditions following an invitation to tender.”

ACT RESPECTING THE SOCIÉTÉ DES ÉTABLISSEMENTS DE PLEIN AIR DU QUÉBEC

362. Section 4 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01) is amended

(1) by inserting “appointed by the Government” after “members” in the first paragraph;

(2) by striking out the second paragraph.

363. Section 6 of the Act is repealed.

364. Section 8 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “set out in this Act” in the second paragraph by “to the board”.

365. Section 10 of the Act is replaced by the following section:

“**10.** The office of president and chief executive officer is a full-time position.”

366. Sections 10.1 and 11 of the Act are repealed.

ACT RESPECTING THE SOCIÉTÉ DES LOTERIES DU QUÉBEC

367. Section 6.1 of the Act respecting the Société des loteries du Québec (chapter S-13.1) is amended by inserting “appointed by the Government,” after “members”.

368. Sections 6.2, 8 and 9 of the Act are repealed.

369. Section 9.1 of the Act is amended by striking out the first and second paragraphs.

370. Sections 9.2 and 11 of the Act are repealed.

371. Section 15 of the Act is amended

(1) by striking out “by-law of” in the first paragraph;

(2) by striking out “, by by-law,” in the second paragraph.

372. Section 17 of the Act is amended, in the first paragraph,

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

“(d) make a financial commitment in excess of the limits or contrary to the terms and conditions determined by the Government; or”;

(2) by striking out “equipment or” in subparagraph *e*.

373. Section 24 of the Act is amended

(1) by replacing “vérificateur externe” in the French text by “auditeur externe” and by replacing “annual report” by “annual management report”;

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

“The power to appoint the external auditor provided for in the first paragraph may, despite the Act respecting contracting by public bodies (chapter C-65.1), be exercised under special conditions following an invitation to tender.”

ACT RESPECTING THE SOCIÉTÉ DES TRAVERSIERS DU QUÉBEC**374.** Section 6 of the Act respecting the Société des Traversiers du Québec (chapter S-14) is replaced by the following section:

“**6.** The Société is administered by a board of directors composed of nine to eleven members appointed by the Government, including the chair of the board and the president and chief executive officer.”

375. Sections 7 to 8.1.1 of the Act are repealed.**376.** Section 9 of the Act is amended by striking out the first paragraph.**377.** Section 12 of the Act is amended by striking out the second paragraph.**378.** Section 19 of the Act is amended by replacing “report to the Minister of Transport on its activities” in the first paragraph by “submit to the Minister of Transport an annual management report”.**ACT RESPECTING THE SOCIÉTÉ DU CENTRE DES CONGRÈS DE QUÉBEC****379.** Section 5 of the Act respecting the Société du Centre des congrès de Québec (chapter S-14.001) is amended

(1) by inserting “appointed by the Government” after “members” in the first paragraph;

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

“At least three members of the board, other than the chair and the president and chief executive officer, are appointed after consultation with bodies representative of the sector.”

380. Section 7 of the Act is repealed.**381.** Section 8 of the Act is amended by replacing “appointment rules set out in this Act” in the first paragraph by “rules of appointment to the board”.

382. Sections 9, 9.1 and 11 of the Act are repealed.

383. Section 24 of the Act is amended

(1) by replacing “annual report” in the first paragraph by “annual management report”;

(2) by replacing “annual report” in the second paragraph by “annual management report”.

384. Section 25 of the Act is amended by replacing “annual report” by “annual management report”.

385. Section 28 of the Act is replaced by the following section:

“28. The books and accounts of the Société shall be audited by the Auditor General each year and whenever so ordered by the Government.

The report of the Auditor General must accompany the annual management report and the financial statements of the Société.”

ACT RESPECTING THE SOCIÉTÉ DU GRAND THÉÂTRE DE QUÉBEC

386. Section 4 of the Act respecting the Société du Grand Théâtre de Québec (chapter S-14.01) is amended

(1) by inserting “appointed by the Government” after “members” in the first paragraph;

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

“The board members, other than the chair and the president and chief executive officer, are appointed after consultation with Ville de Québec and with socio-economic and cultural bodies active throughout Québec or at a regional level.”

387. Section 4.1 of the Act is repealed.

388. Section 4.2 of the Act is replaced by the following section:

“4.2. The office of president and chief executive officer is a full-time position.”

389. Sections 4.3 and 4.5 to 7 of the Act are repealed.

390. Section 26 of the Act is amended by replacing “be consistent with” by “take into consideration, in particular,”.

ACT RESPECTING THE SOCIÉTÉ DU PALAIS DES CONGRÈS
DE MONTRÉAL

391. Section 5 of the Act respecting the Société du Palais des congrès de Montréal (chapter S-14.1) is amended

(1) by inserting “appointed by the Government” after “members” in the first paragraph;

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

“At least three of the members, other than the chair of the board and the president and chief executive officer, are appointed after consultation with bodies representative of the sector.”

392. Section 6 of the Act is repealed.

393. Section 7 of the Act is amended by replacing “appointment rules set out in this Act” in the first paragraph by “rules of appointment to the board”.

394. Sections 8, 9 and 11.1 of the Act are repealed.

395. Section 28 of the Act is amended by inserting “management” after “annual”.

ACT RESPECTING THE SOCIÉTÉ DU PARC INDUSTRIEL ET
PORTUAIRE DE BÉCANCOUR

396. Section 2 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001) is amended by inserting “with share capital” after “legal person”.

397. The Act is amended by inserting the following sections after section 4:

“**4.1.** The authorized share capital of the Société is \$500,000,000. It is divided into 500,000 shares of a par value of \$1,000 each.

Only the Minister of Finance may, with the authorization of the Government, subscribe shares in the Société.

“**4.2.** The shares issued by the Société are allotted to the Minister of Finance and form part of the domain of the State.

“**4.3.** The Minister of Finance shall pay, out of the Consolidated Revenue Fund, the par value of the shares allotted to him; he is then issued the certificates.

“**4.4.** The dividends payable by the Société are set by the Government.

The Société shall send the Minister of Finance the financial information necessary to set the dividends.

“4.5. The provisions of Part II of the Companies Act (chapter C-38) that are not inconsistent with this Act, except sections 142, 159 to 162, 179, 184, 188 and 189, apply to the Société.

No by-law of the Société is subject to ratification by the shareholder.”

398. Section 5 of the Act is amended by replacing “seven members appointed by the Government for a term not exceeding three years” in the first paragraph by “nine members appointed by the Government, including the chair and the president and chief executive officer of the Société”.

399. Section 6 of the Act is replaced by the following section:

“6. The duties assumed by the chairman of the board of directors shall include the duties assigned to him by by-law of the Société.”

400. Section 7 of the Act is repealed.

401. Section 8 of the Act is amended

(1) by striking out the first paragraph;

(2) by replacing “by appointment for a specified term, as provided for in section 5” in the second paragraph by “in accordance with the mode of appointment prescribed for the member to be replaced”.

402. Section 11 of the Act is amended

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

“The office of the president and chief executive officer is a full-time position.”;

(2) by replacing both occurrences of “president and general manager” in the second paragraph by “president and chief executive officer”.

403. Sections 12 to 14 and 39 of the Act are repealed.

ACT RESPECTING THE SOCIÉTÉ DU PLAN NORD

404. Section 14 of the Act respecting the Société du Plan Nord (chapter S-16.011) is amended by replacing “, in accordance with the form, content and schedule determined by the Government, a strategic plan setting out the objectives it is pursuing and the priorities it has established in accordance with the Government’s policy directions relating to the Northern Plan” in the first paragraph by “a strategic plan in accordance with section 34 of the Act

respecting the governance of state-owned enterprises (chapter G-1.02) setting out, in particular, the objectives it is pursuing and the priorities it has established in accordance with the Government's policy directions relating to the Northern Plan".

405. Section 29 of the Act is amended

(1) by inserting "appointed by the Government" after "members" in the first paragraph;

(2) by replacing the fourth and fifth paragraphs by the following paragraph:

"The board members, other than the chair and the president and chief executive officer, are appointed taking into consideration, in particular, their interest in and knowledge of the northern environment."

406. Section 30 of the Act is replaced by the following section:

"30. The chair of the board of directors must reside in the area covered by the Northern Plan."

407. Section 31 of the Act is repealed.

408. Section 33 of the Act is replaced by the following section:

"33. The office of president and chief executive officer is a full-time position."

409. Sections 34 and 36 of the Act are repealed.

410. Section 37 of the Act is amended by striking out the last sentence of the second paragraph.

411. Section 45 of the Act is amended by inserting "or because the requirements prescribed in sections 3.5, 3.6 and 3.7 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) are not met" after "this Act".

412. Section 46 of the Act is repealed.

413. Section 48 of the Act is amended by replacing "The Company adopts standards of ethics and professional conduct for its personnel. The standards" by "The standards of ethics and professional conduct applicable to the Company's personnel".

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE D'INFORMATION JURIDIQUE

414. Section 2 of the Act respecting the Société québécoise d'information juridique (chapter S-20) is replaced by the following section:

“2. The affairs of the company shall be administered by a board of directors composed of 13 members appointed by the Government, including the chair of the board and the president and chief executive officer.”

415. Section 3 of the Act is replaced by the following section:

“3. The members of the company's board of directors, other than the president and chief executive officer, shall be as follows:

(1) two judges appointed on the recommendation of the chief justices of the courts;

(2) one academic appointed on the recommendation of the deans of the law faculties;

(3) two advocates appointed after consultation with the Barreau du Québec;

(4) one notary appointed after consultation with the Chambre des notaires du Québec;

(5) two public servants from the Ministère de la Justice appointed on the recommendation of the Minister of Justice;

(6) one public servant appointed on the recommendation of the Chair of the Conseil du trésor; and

(7) three other members, including one who is a member of the professional order of accountants.”

416. Sections 4 to 8 of the Act are repealed.

417. Section 9 of the Act is amended

(1) by replacing “The general manager and the other members of the personnel” in the first paragraph by “The members of the personnel”;

(2) by striking out “, including the general manager,” in the second paragraph.

418. The Act is amended by inserting the following section after section 9:

“**9.1.** If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the company’s personnel to temporarily exercise the functions of that position.”

419. Section 13 of the Act is amended by replacing “approved by the company” and “president, the vice-president or the general manager” by “of the board of directors that it has approved” and “chair of the board or the president and chief executive officer”, respectively.

420. Section 15 of the Act is amended by inserting “of the board of directors” after “member”.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE DE RÉCUPÉRATION
ET DE RECYCLAGE

421. Section 5 of the Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01) is amended

(1) by inserting “appointed by the Government,” after “members” in the first paragraph;

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

“At least three of the board members, other than the chair of the board and the president and chief executive officer, must be representative of or come from different sectors concerned by the activities of the Société.”

422. Section 6 of the Act is repealed.

423. Section 7 of the Act is replaced by the following section:

“**7.** The office of president and chief executive officer is a full-time position.”

424. Sections 7.1 and 8 of the Act are repealed.

425. Section 9 of the Act is amended by replacing “set out in this Act” in the first paragraph by “to the board”.

426. Section 10 of the Act is repealed.

ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS MAINLY
WITH RESPECT TO THE FINANCIAL SECTOR

427. Section 147 of the Act to amend various legislative provisions mainly with respect to the financial sector (2021, chapter 34) is amended by replacing “of subparagraph 3 of the first paragraph of section 43” by “of section 3.6”.

428. Section 154 of the Act is repealed.

429. Section 155 of the Act is amended by inserting “or the date of coming into force of section 130.1 of the Act to reinforce the governance of state-owned enterprises and to amend other legislative provisions (2022, chapter 19) insofar as it repeals the second and third paragraphs of section 19.22, whichever occurs first,” after “enacted by section 83,”.

REGULATION RESPECTING APPLICATIONS FOR ASSISTANCE FOR
A CLASS ACTION

430. The Regulation respecting applications for assistance for a class action (chapter F-3.2.0.1.1, r. 1) is amended by replacing both occurrences of “an administrator” by “a member”.

OTHER AMENDING PROVISIONS

431. The following provisions are amended by replacing all occurrences of “activity report”, “activities report”, “report of activities”, “report of its activities”, “report of the activities”, “report on its activities”, “annual report”, “report of operations” and “report of its operations” by “annual management report”, with the necessary modifications:

- (1) section 120 of the Act respecting parental insurance (chapter A-29.011);
- (2) section 147 of the Building Act (chapter B-1.1);
- (3) section 29 of the Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2);
- (4) sections 26 and 29 of the Act respecting the national capital commission (chapter C-33.1);
- (5) sections 33 and 35 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02);
- (6) sections 159 to 161 of the Act respecting the conservation and development of wildlife (chapter C-61.1);
- (7) section 60 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);

- (8) sections 22 and 23 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1);
- (9) section 20 of the Hydro-Québec Act (chapter H-5);
- (10) sections 91 and 92 of the Public Infrastructure Act (chapter I-8.3);
- (11) sections 25 and 26 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1);
- (12) sections 23, 35.9 and 76 of the Act respecting Investissement Québec (chapter I-16.0.1);
- (13) sections 43 to 45 of the Act respecting La Financière agricole du Québec (chapter L-0.1);
- (14) section 37 of the National Museums Act (chapter M-44);
- (15) sections 33 and 34 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2);
- (16) section 46 of the Police Act (chapter P-13.1);
- (17) section 79 of the Fire Safety Act (chapter S-3.4);
- (18) section 103 of the Act respecting pre-hospital emergency services (chapter S-6.2);
- (19) section 24 of the Act respecting the Société d'habitation du Québec (chapter S-8);
- (20) section 44 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002);
- (21) sections 39 and 40 of the Act respecting the Société de développement et de mise en valeur du Parc olympique (chapter S-10.2);
- (22) sections 27, 28 and 31 of the Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03);
- (23) section 28 of the Act respecting the Société de télédiffusion du Québec (chapter S-12.01);
- (24) sections 33, 34 and 35 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01);
- (25) section 25 of the Act respecting the Société des loteries du Québec (chapter S-13.1);

(26) sections 27, 28 and 31 of the Act respecting the Société du Grand Théâtre de Québec (chapter S-14.01);

(27) section 27 of the Act respecting the Société du Palais des congrès de Montréal (chapter S-14.1);

(28) sections 36 to 38 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001);

(29) sections 67 and 68 of the Act respecting the Société du Plan Nord (chapter S-16.011);

(30) section 16 of the Act respecting the Société québécoise d'information juridique (chapter S-20);

(31) sections 28, 29 and 30 of the Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01).

432. The following provisions are amended by replacing all occurrences of “president and director general”, “chief executive officer” and “president and general manager” by “president and chief executive officer”:

(1) sections 104, 105, 115.18, 117 and 118.1 of the Act respecting parental insurance (chapter A-29.011);

(2) sections 133 and 156 of the Act respecting the conservation and development of wildlife (chapter C-61.1);

(3) sections 13, 16, 17 and 42 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1);

(4) sections 15, 20 and 44 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001).

433. The following provisions are amended by replacing all occurrences of “governing board” and “board of governors” by “board of directors”:

(1) the heading of Division II of Chapter I and section 4 of the Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2);

(2) sections 7, 12, 13, 15 to 17, 32, 34 and 54.5 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1);

(3) section 17 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1);

(4) sections 14, 22, 25, 26, 29, 30 and 33 of the Police Act (chapter P-13.1);

(5) sections 59, 66 and 70 of the Fire Safety Act (chapter S-3.4).

TRANSITIONAL AND FINAL PROVISIONS

434. Despite any inconsistent provision and subject to sections 437 to 443 of this Act, the members of the board of directors or, as the case may be, of the governing board or the board of governors of the state-owned enterprises listed in Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02), as amended by section 24 of this Act, including the president and chief executive officer, the president and director general and the chief executive officer or, as the case may be, the director general, the general manager or the executive director, in office on 3 June 2022 continue in office, for the unexpired portion of their term, until those members are replaced or reappointed.

435. Despite any inconsistent provision, the members of the board of directors of the Caisse de dépôt et placement du Québec, including the president and chief executive officer, in office on 3 June 2022 continue in office, for the unexpired portion of their term, until those members are replaced or reappointed.

436. Despite any inconsistent provision, the members of the board of directors of Hydro-Québec, including the president and chief executive officer, in office on 3 June 2022 continue in office, for the unexpired portion of their term, until they are replaced or reappointed.

437. The president and director general of the Conseil de gestion de l'assurance parentale in office on 3 June 2022 continues in office on the same terms, for the unexpired portion of the term, until replaced or reappointed.

The president and director general assumes the office of chair of the board of directors of the Conseil until 3 June 2024 or until that office is filled in accordance with section 3.2 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, whichever occurs first.

438. The director general of the Commission de la capitale nationale du Québec in office on 3 June 2022 continues in office, on the same terms, as president and chief executive officer of the Commission, for the unexpired portion of the term, until replaced or reappointed.

The director general assumes the office of chairman of the board of directors of the Commission until 3 June 2024 or until that office is filled in accordance with section 3.2 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, whichever occurs first.

439. The chief executive officer of the Commission de la construction du Québec in office on 3 June 2022 continues in office, on the same terms, as president and chief executive officer of the Commission, for the unexpired portion of the term, until replaced or reappointed.

The chief executive officer assumes the office of chairman of the board of directors of the Commission until 3 June 2024 or until that office is filled in accordance with section 3.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), enacted by section 258 of this Act, whichever occurs first.

440. The chief executive officer of the Institut national de santé publique du Québec in office on 3 June 2022 continues in office, on the same terms, for the unexpired portion of the term, until replaced or reappointed.

The chief executive officer assumes the office of chair of the board of directors of the institute until 3 June 2024 or until that office is filled in accordance with section 3.2 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, whichever occurs first.

441. The chief scientist in office on 3 June 2022 on the board of directors of the Fonds de recherche du Québec—Nature et technologies, the Fonds de recherche du Québec—Santé and the Fonds de recherche du Québec—Société et culture continues in office, on the same terms, for the unexpired portion of the term, until replaced or reappointed.

The chief scientist assumes the office of chair of the board of directors of each of those enterprises until 3 June 2024 or until those offices are filled in accordance with section 3.2 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, whichever occurs first.

442. The director general of the Corporation d’urgences-santé in office on 3 June 2022 continues in office, on the same terms, as president and chief executive officer of the Corporation, for the unexpired portion of the term, until replaced or reappointed.

The director general assumes the office of chair of the board of directors of the Corporation until 3 June 2024 or until that office is filled in accordance with section 3.2 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, whichever occurs first.

443. The president and the other members of the Société québécoise d’information juridique in office on 3 June 2022 continue in office as chair and as members of the board of directors of the company, respectively, for the unexpired portion of their terms, until they are replaced or reappointed.

The general manager of the company in office on 3 June 2022 also continues in office on the same terms as president and chief executive officer of the company, for the unexpired portion of the term, until replaced or reappointed.

The provisions of a by-law or a policy adopted by the members of the company that is in force on 3 June 2022 continue to apply until they are repealed, replaced or amended by the company’s board of directors.

444. The state-owned enterprises listed in Schedule I to the Act respecting the governance of state-owned enterprises, as amended by section 24 of this Act, except the Agence du revenu du Québec, Bibliothèque et Archives nationales du Québec, the Conservatoire de musique et d'art dramatique du Québec, the Institut national d'excellence en santé et en services sociaux, the Musée d'Art contemporain de Montréal, the Musée de la Civilisation, the Musée national des beaux-arts du Québec and the Office Québec-Monde pour la jeunesse, have until 3 June 2024 to comply with section 3.5 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act.

445. The state-owned enterprises entered in Schedule I to the Act respecting the governance of state-owned enterprises under section 24 of this Act, except the Musée d'Art contemporain de Montréal, the Musée de la Civilisation, the Musée national des beaux-arts du Québec and the Office Québec-Monde pour la jeunesse, have until 3 June 2024 to comply with section 3.6 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act.

446. The state-owned enterprises listed in Schedule I to the Act respecting the governance of state-owned enterprises, as amended by section 24 of this Act, have two years after the date of coming into force of the first policy established by the Government under subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act, to comply with section 3.7 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act.

447. The Caisse de dépôt et placement du Québec has until 3 June 2024 to comply with sections 5.3.1 and 5.3.2 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2), enacted by section 75 of this Act.

The Fund has two years after the date of coming into force of the first policy established by the Government under subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act, to comply with section 5.3.3 of the Act respecting the Caisse de dépôt et placement du Québec, enacted by section 75 of this Act.

448. Hydro-Québec has until 3 June 2024 to comply with sections 4.0.0.1 and 4.0.0.2 of the Hydro-Québec Act (chapter H-5), enacted by section 143 of this Act.

Hydro-Québec has two years after the date of coming into force of the first policy established by the Government under subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act, to comply with section 4.0.0.3 of the Hydro-Québec Act, enacted by section 143 of this Act.

449. The Commission de la construction du Québec has until 3 June 2024 to comply with sections 3.3.1 and 3.3.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry, enacted by section 258 of this Act.

The Commission has two years after the date of coming into force of the first policy established by the Government under subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act, to comply with section 3.3.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry, enacted by section 258 of this Act.

450. For the purposes of section 12 of the Act respecting the governance of state-owned enterprises, the terms of the members of the board of directors, the governing board or the board of governors, as the case may be, of the state-owned enterprises entered in Schedule I to that Act under section 24 of this Act, served or in progress on the date of assent to this Act, are taken into account for their renewal.

The same applies to the terms of the members of the Société québécoise d'information juridique.

451. For the purposes of the fourth paragraph of section 3.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry, enacted by section 258 of this Act, the terms of the members of the board of directors of the Commission de la construction du Québec, served or in progress on the date of assent to this Act, are taken into account for their renewal.

452. The state-owned enterprises entered in Schedule I to the Act respecting the governance of state-owned enterprises under section 24 of this Act for which the proportion of members of the board of directors, the governing board or the board of governors, as the case may be, qualifying as independent directors is, on the date of assent to this Act, less than the proportion established in the first paragraph of section 4 of the Act respecting the governance of state-owned enterprises have until 3 June 2024 to comply with that requirement.

The same applies to the Conseil des arts et des lettres du Québec, La Financière agricole du Québec, the Régie de l'assurance maladie du Québec, Retraite Québec and the Société de développement des entreprises culturelles.

453. The Government may, in accordance with the Act respecting the governance of state-owned enterprises, determine that a member of the board of directors, the governing board or the board of governors, as the case may be, of an enterprise entered in Schedule I to that Act under section 24 of this Act, in office on 3 June 2022, has the status of independent director.

454. Despite section 19 of the Act respecting the governance of state-owned enterprises, a member of the board of directors, the governing board or the board of governors, as the case may be, of a state-owned enterprise entered in Schedule I to that Act under section 24 of this Act, in office on 3 June 2022, may, until 3 June 2024, be a member of a committee referred to in section 19 of that Act even though the member does not have the status of independent director.

The same applies to members of the board of directors of the Conseil des arts et des lettres du Québec, La Financière agricole du Québec, the Régie de l'assurance maladie du Québec, Retraite Québec and the Société de développement des entreprises culturelles.

455. The state-owned enterprises entered in Schedule I to the Act respecting the governance of state-owned enterprises under section 24 of this Act, of which none of the members of the board of directors, the governing board or the board of governors, as the case may be, is a member of the professional order of accountants mentioned in the Professional Code (chapter C-26), on 3 June 2022, have until 3 June 2024 to comply with section 23 of the Act respecting the governance of state-owned enterprises.

456. Despite any inconsistent provision, for the purposes of section 34 of the Act respecting the governance of state-owned enterprises, replaced by section 18 of this Act, a state-owned enterprise listed in Schedule I to the Act respecting the governance of state-owned enterprises, as amended by section 24 of this Act, that is not subject to Chapter II of the Public Administration Act (chapter A-6.01) and that has a strategic plan in place on 3 June 2022 must, not later than on the plan's expiry date, meet the requirements of sections 34 and 35 of the Act respecting the governance of state-owned enterprises in relation to the subsequent strategic plan. If no strategic plan is in place on 3 June 2022, the enterprise must meet those requirements not later than 31 March 2023.

457. Sections 39 to 39.3 of the Act respecting the governance of state-owned enterprises, as replaced or enacted by section 22 of this Act, sections 20.4 to 20.7 of the Hydro-Québec Act, as replaced or enacted by section 159 of this Act, and sections 9.1 to 9.7 of the Act respecting labour relations, vocational training and workforce management in the construction industry, as enacted by section 275 of this Act, apply to the annual management reports produced by, respectively, a state-owned enterprise listed in Schedule I to the Act respecting the governance of state-owned enterprises, Hydro-Québec and the Commission de la construction du Québec regarding any fiscal year ending after 31 March 2022.

The provisions of section 13.10 of the Act respecting the Caisse de dépôt et placement du Québec relating to the report on remuneration, as amended by section 89 of this Act, and section 46 of that Act, as amended by section 94 of this Act, apply, respectively, to the annual audit committee report of the Caisse de dépôt et placement du Québec and to the annual management report of the Caisse produced regarding any fiscal year ending after 31 March 2022.

458. The Government must, not later than 3 June 2023, establish the policy respecting diversity prescribed in subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act.

459. Until the coming into force of the first order made under the second and third paragraphs of section 3.4 of the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, that applies to a state-owned enterprise governed by any of the following provisions, the following provisions are to be read as if “the other board members”, “the other members of the board”, “the other members of the board of directors”, “board members”, “the other members of the governing board” and “the members of the board of directors”, as the case may be, were replaced by “the members of the board of directors other than the president and chief executive officer”:

(1) the second paragraph of section 99 of the Act respecting parental insurance (chapter A-29.011);

(2) the second paragraph of section 96 of the Building Act (chapter B-1.1);

(3) the second paragraph of section 7 of the Act respecting the national capital commission (chapter C-33.1);

(4) the second paragraph of section 8 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02);

(5) section 28 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1);

(6) the second paragraph of section 19.22 of the Act respecting the regulation of the financial sector (chapter E-6.1);

(7) the second paragraph of section 15 of the Act respecting Institut national de santé publique du Québec (chapter I-13.1.1);

(8) the second paragraph of section 9 of the Act respecting La Financière agricole du Québec (chapter L-0.1);

(9) section 16 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2);

(10) the second paragraph of section 3.7 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);

(11) section 7 of the Act respecting the Société d'habitation du Québec (chapter S-8);

(12) the second paragraph of section 11 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002);

(13) the second paragraph of section 5 of the Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03);

(14) the second paragraph of section 12 of the Act respecting the Société de télédiffusion du Québec (chapter S-12.01);

(15) the second paragraph of section 5 of the Act respecting the Société du Grand Théâtre de Québec (chapter S-14.01);

(16) section 13 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001);

(17) the second paragraph of section 10 of the Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01).

460. Order in Council 1329-2000 (2000, G.O. 2, 7277, French only) continues to apply to Loto-Québec and to each of its subsidiaries in which it holds more than 50% of the shares or stocks except as regards the provisions concerning the acquisition or disposal of equipment.

461. In addition to the transitional provisions provided for in this Act, the Government may, by a regulation made before 3 June 2023, enact any other transitional provision or measure required for the carrying out of this Act.

A regulation made under the first paragraph is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date set in the regulation. The regulation may also, if it so provides, have effect from any date not prior to 3 June 2022.

462. The Minister responsible for the application of the Act respecting the governance of state-owned enterprises must, not later than 3 June 2029, report to the Government on the application of the amendments made by this Act to the Act respecting the governance of state-owned enterprises and on the advisability of maintaining or amending those provisions.

The report is tabled in the National Assembly within 15 days or, if it is not sitting, within 15 days of resumption.

463. The provisions of this Act come into force on 3 June 2022, except

(1) the provisions of section 3 insofar as they enact section 3.7 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), those of section 4 insofar as they enact “or 3.7” in section 8, those of section 21 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 5 of section 38, those of section 75 insofar as they enact section 5.3.3 of the Act respecting the Caisse de dépôt et placement du Québec (chapter C-2), those of section 76 insofar as they enact “or 5.3.3” in section 5.5.2, those of section 95 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 6 of section 46.1, those of section 143 insofar as they enact section 4.0.0.3 of the Hydro-Québec Act (chapter H-5), those of section 144 insofar as they enact “or 4.0.0.3” in section 4.0.10, those of section 158 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 5 of section 20.3, those of section 258 insofar as they enact section 3.3.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), those of section 264 insofar as they enact “or 3.3.3” in section 3.9.1, and those of section 275 insofar as they enact “and the presence of a member representative of the diversity of Québec society” in paragraph 6 of section 9.3, which come into force on the date of coming into force of the first policy established under subparagraph 1 of the first paragraph of section 43 of the Act respecting the governance of state-owned enterprises, as amended by section 23 of this Act;

(2) the provisions of section 3 insofar as they enact the second and third paragraphs of section 3.4 of the Act respecting the governance of state-owned enterprises, which come into force on the date of coming into force of the first order made under those provisions;

(3) the provisions of section 29 insofar as they repeal section 19 of the Act respecting the Agence du revenu du Québec (chapter A-7.003), those of section 47 insofar as they repeal the second paragraph of section 99 of the Act respecting parental insurance (chapter A-29.011), those of section 57 insofar as they repeal the second paragraph of section 96 of the Building Act (chapter B-1.1), those of section 65 insofar as they repeal section 11 of the Act respecting Bibliothèque et Archives nationales du Québec (chapter B-1.2), those of section 99 insofar as they repeal the second paragraph of section 7 of the Act respecting the national capital commission (chapter C-33.1), those of section 110 insofar as they repeal the second paragraph of section 8 of the Act respecting the Conseil des arts et des lettres du Québec (chapter C-57.02), those of section 113 insofar as they repeal the second and third paragraphs of section 139 of the Act respecting the conservation and development of wildlife (chapter C-61.1), those of section 124 insofar as they repeal section 28 of the Act respecting the Conservatoire de musique et d’art dramatique du Québec (chapter C-62.1), those of section 132 insofar as they repeal the second and third paragraphs of section 19.22 of the Act respecting the regulation of the financial sector (chapter E-6.1), those of sections 142, 167 and 186, those of section 198 insofar as they repeal the second paragraph of section 15 of the

Act respecting Institut national de santé publique du Québec (chapter I-13.1.1), those of section 201 insofar as they repeal section 41 of the Act respecting Investissement Québec (chapter I-16.0.1), those of section 212 insofar as they repeal the second paragraph of section 9 of the Act respecting La Financière agricole du Québec (chapter L-0.1), those of section 219 insofar as they repeal section 34 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1), those of section 230 insofar as they repeal section 16 of the National Museums Act (chapter M-44), those of section 244 insofar as they repeal section 16 of the Act to establish the Office Québec-Monde pour la jeunesse (chapter O-5.2), those of section 247 insofar as they repeal section 21 of the Police Act (chapter P-13.1), those of section 255, those of section 283 insofar as they repeal section 23 of the Act respecting Retraite Québec (chapter R-26.3), those of section 293 insofar as they repeal section 65 of the Fire Safety Act (chapter S-3.4), those of section 300 insofar as they repeal section 95 of the Act respecting pre-hospital emergency services (chapter S-6.2), those of section 306 insofar as they repeal section 7 of the Act respecting the Société d'habitation du Québec (chapter S-8), those of section 313 insofar as they repeal the second paragraph of section 11 of the Act respecting the Société de développement des entreprises culturelles (chapter S-10.002), those of section 323 insofar as they repeal section 18 of the Act respecting the Société de développement et de mise en valeur du Parc olympique (chapter S-10.2), those of section 331 insofar as they repeal section 9 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011), those of section 341 insofar as they repeal the second paragraph of section 5 of the Act respecting the Société de la Place des Arts de Montréal (chapter S-11.03), those of section 346 insofar as they repeal the second paragraph of section 12 of the Act respecting the Société de télédiffusion du Québec (chapter S-12.01), those of section 349 insofar as they repeal section 8 of the Act respecting the Société des alcools du Québec (chapter S-13), those of section 366 insofar as they repeal section 11 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01), those of section 370 insofar as they repeal section 11 of the Act respecting the Société des loteries du Québec (chapter S-13.1), those of section 375 insofar as they repeal section 7 of the Act respecting the Société des Traversiers du Québec (chapter S-14), those of section 382 insofar as they repeal section 11 of the Act respecting the Société du Centre des congrès de Québec (chapter S-14.001), those of section 389 insofar as they repeal the second paragraph of section 5 of the Act respecting the Société du Grand Théâtre de Québec (chapter S-14.01), those of section 394 insofar as they repeal section 11.1 of the Act respecting the Société du Palais des congrès de Montréal (chapter S-14.1), those of section 403 insofar as they repeal section 13 of the Act respecting the Société du parc industriel et portuaire de Bécancour (chapter S-16.001), those of section 409 insofar as they repeal section 36 of the Act respecting the Société du Plan Nord (chapter S-16.011), those of section 416 insofar as they repeal section 4 of the Act respecting the Société québécoise d'information juridique (chapter S-20) and those of section 426 insofar as they repeal the second paragraph of section 10 of the Act respecting the Société québécoise de récupération et de recyclage (chapter S-22.01), which come into force on the date of coming into force of the first order made under the second and third paragraphs of section 3.4 of

the Act respecting the governance of state-owned enterprises, enacted by section 3 of this Act, to the extent that the provisions of that order apply to the state-owned enterprise.

2022, chapter 20

AN ACT TO HARMONIZE AND MODERNIZE THE RULES RELATING TO THE PROFESSIONAL STATUS OF ARTISTS

Bill 35

Introduced by Madam Nathalie Roy, Minister of Culture and Communications

Introduced 27 April 2022

Passed in principle 10 May 2022

Passed 3 June 2022

Assented to 3 June 2022

Coming into force: 3 June 2022

Legislation amended:

Municipal Powers Act (chapter C-47.1)

Taxation Act (chapter I-3)

Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Act respecting the professional status and conditions of engagement of performing, recording and film artists (chapter S-32.1)

Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Legislation repealed:

Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01)

Explanatory notes

The purpose of this Act is to bring together in the same Act the provisions governing the professional status of artists who work in the fields of the visual arts, film, the recording arts, literature, arts and crafts and the performing arts. It is also designed to harmonize the rules applicable in all of those artistic fields as regards the recognition of artists' associations and the negotiation of group agreements.

To that end, the Act respecting the professional status and conditions of engagement of performing, recording and film artists is amended to make the artists in the visual arts, arts and crafts and literature and the presenters who enter into contracts with them or who retain their professional services subject to that Act. In addition, the title of that Act is replaced and the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters is repealed.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act also establishes the duty of fair representation incumbent on any recognized artists' association. It provides for the maintenance of the conditions of employment after the expiry of a group agreement and specifies that the prior notice required before engaging in concerted action must mention the date on which certain pressure tactics are to begin.

The Act introduces provisions relating to psychological harassment, including behaviour that manifests itself in the form of verbal comments, actions or gestures of a sexual nature. Producers and presenters are also prohibited from endeavouring to compel an artist to refrain from or to cease exercising a right arising from the Act through intimidation, discrimination or reprisals, among other things.

The Act also provides that a proceeding may be brought before the Administrative Labour Tribunal for non-compliance with certain provisions of the Act, in particular those concerning the duty of fair representation, the prohibition to hinder the activities of an association, the collection of dues, negotiation in good faith and the use of pressure tactics during the term of a group agreement. It provides for the maintenance of certain standards relating to individual contracts between artists in the visual arts, arts and crafts and literature and presenters.

In addition, the Government may, by regulation, determine minimum conditions applicable to professional contracts entered into with artists.

Lastly, the Act updates the amounts of the fines and includes certain transitional and final provisions.



Chapter 20

AN ACT TO HARMONIZE AND MODERNIZE THE RULES RELATING TO THE PROFESSIONAL STATUS OF ARTISTS

[Assented to 3 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PROFESSIONAL STATUS AND CONDITIONS
OF ENGAGEMENT OF PERFORMING, RECORDING AND FILM
ARTISTS

1. The title of the Act respecting the professional status and conditions of engagement of performing, recording and film artists (chapter S-32.1) is replaced by the following title:

“ACT RESPECTING THE PROFESSIONAL STATUS OF ARTISTS IN
THE VISUAL ARTS, FILM, THE RECORDING ARTS, LITERATURE,
ARTS AND CRAFTS AND THE PERFORMING ARTS”.

2. Section 1 of the Act is amended

(1) by replacing “and variety entertainment, multimedia” in the first paragraph by “, circus and variety entertainment, multimedia, digital experience”;

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

“This Act also applies to artists who work in the fields of the visual arts, arts and crafts and literature and to the presenters who enter into contracts with them for the purpose of presenting previously created works or who retain their professional services.”

3. Section 1.1 of the Act is amended by replacing “offers his services, for remuneration” by “offers his services or works, for remuneration or other monetary consideration”.

4. Section 2 of the Act is amended

(1) in the first paragraph,

(a) by inserting the following definitions in alphabetical order:

“**arts and crafts**” means the production of original works which are unique or in multiple copies, intended for a utilitarian, decorative or expressive purpose and conveyed by the practice of a craft related to the working of wood, leather, textiles, metals, silicates or any other material;

“**literature**” means the creation and the translation of original literary works such as novels, stories, short stories, dramatic works, poetry, essays or any other written works of the same nature;

“**presentation**” means the sale, lending, lease, exchange, deposit, exhibition, publishing, public presentation, publication or any other use of the works of artists in the fields of the visual arts, arts and crafts and literature;

“**presenter**” means any person, body or partnership that, as a primary or secondary activity, operates a presentation enterprise, for profit or not, in the fields of the visual arts, arts and crafts and literature and enters into contracts with artists;

“**visual arts**” means the production of original works of research or expression, which are unique or in limited copies and are conveyed by painting, sculpture, engraving, drawing, illustration, photography, textile arts, installation work, performance, art video, digital arts or any other form of expression of the same nature;”

(b) by replacing “in section” in the definition of “producer” by “in the first paragraph of section”;

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

“For the purposes of Chapters II, III, III.1, III.2, IV, IV.1, IV.2 and V, “producer” refers to a “presenter” within the meaning of this section when the provision is applied in the fields of the visual arts, arts and crafts and literature.”

5. Section 3 of the Act is amended by replacing “furnishes personal services” by “provides personal services or offers his works”.

6. Section 4 of the Act is amended by replacing “and on government departments and bodies” by “, on its departments and agencies, and on mandataries of the State”.

7. Section 8 of the Act is amended

(1) by inserting “Subject to the provisions of this Act,” at the beginning;

(2) by replacing “agree the conditions of his engagement by” by “approve the contractual conditions binding him to”.

8. Section 9 of the Act is amended

(1) by replacing “comprises the majority” in paragraph 2 by “is the most representative”;

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

“The most representative association is the association which, in the opinion of the Tribunal, comprises the greatest number of artists in the negotiating sector concerned.”

9. Section 10 of the Act is amended by inserting “or to other monetary consideration” after “remuneration” in paragraph 3.

10. Section 16 of the Act is amended by replacing “whether the membership of the association accounts for the majority of artists in the sector concerned” in the first paragraph by “the representativeness of the association”.

11. Section 17 of the Act is amended by replacing “whether the members of the applicant association are in the majority” in the second paragraph by “the representativeness of the applicant association”.

12. Section 18 of the Act is amended by replacing “comprises the majority of” by “is the most representative of the”.

13. Section 20 of the Act is amended

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

“On the application of a number of artists in the sector in which a recognition has been granted, equal to at least 25% of the association’s membership in the sector concerned or on the application of an association of producers covered by the recognition, the Tribunal shall ascertain the representativeness of the association.”;

(2) by replacing “no longer comprises the majority” in the third paragraph by “is no longer representative”.

14. Section 24 of the Act is amended

(1) by inserting “or the presentation of works” after “services” in paragraph 6;

(2) by inserting “or the presentation of works” at the end paragraph 7.

15. The Act is amended by inserting the following sections after section 24:

“24.1. For the exercise of its functions, a recognized association may, in particular,

(1) represent its members for the negotiation and performance of their contracts, in the case of an association recognized in a sector of the visual arts, arts and crafts and literature;

(2) provide technical support services to its members; and

(3) organize development activities.

A recognized association that is not a professional syndicate within the meaning of the Professional Syndicates Act (chapter S-40) may also establish and administer special retirement funds. Sections 14 and 16 to 18 of the Professional Syndicates Act apply in such a case, with the necessary modifications.

“24.2. A recognized artists’ association must not act in bad faith or in an arbitrary or discriminatory manner or show serious negligence in respect of the artists it represents in the context of the negotiation of a group agreement or in connection with its application, regardless of whether they are members of the association.

An artist who believes that his artists’ association has contravened the first paragraph may file a complaint with the Tribunal.”

16. Section 26.1 of the Act is amended by inserting “or monetary consideration” after “remuneration” in the first paragraph.

17. Section 27 of the Act is amended

(1) by replacing “with respect to the engagement of” in the first paragraph by “applicable to the entering into of contracts with”;

(2) in the second paragraph,

(a) by inserting “ensure that a remuneration or other monetary consideration is provided for any type of performance of services or presentation in the sector concerned. The parties shall also” after “shall”;

(b) by replacing “economic conditions prevailing in small production enterprises” by “economic conditions that are specific to emerging producers and the various types of production”.

18. The Act is amended by inserting the following section after section 27:

“27.1. In the fields of the visual arts, arts and crafts and literature, the minimum conditions provided for in the group agreement must include the requirements already prescribed in Chapter III.3 of this Act.”

19. Section 32 of the Act is amended by replacing “of engagement of” in the third paragraph by “applicable to the entering into of contracts with”.

20. Section 35 of the Act is amended by inserting “and sent to the Minister” after “the Minister of Labour” in the first paragraph.

21. Section 35.1 of the Act is amended by replacing the second and third paragraphs by the following paragraph:

“Sections 100 to 101.9 of the Labour Code (chapter C-27) and the provisions to which those sections refer are deemed to be an integral part of every group agreement and to be all or part of the grievance arbitration procedure provided for in the first paragraph, with the necessary modifications, including the following:

(1) for the purposes of the second paragraph of section 100 of the Labour Code, if no agreement has been reached between the parties on the choice of arbitrator, the arbitrator is appointed by the Minister of Culture and Communications from the list drawn up under section 68.2 of this Act;

(2) section 36.1 of this Act is the section to which section 100.10 of the Labour Code refers with respect to the maintenance of the conditions of employment; and

(3) for the purposes of section 101.6 of the Labour Code, the arbitrator must also send, at the same time, a copy of the award to the Minister of Culture and Communications.”

22. Section 35.2 of the Act is repealed.

23. The Act is amended by inserting the following section after section 36:

“36.1. The group agreement continues to apply after its expiry until pressure tactics referred to in section 38 are used, or until a new group agreement is entered into or an arbitration award is rendered in its stead.

However, the parties may stipulate in a group agreement that the conditions of employment contained in the agreement continue to apply until a new agreement is signed.”

24. Section 37.1 of the Act is amended by adding the following paragraph at the end:

“The notice concerning pressure tactics referred to in section 38 must mention the date on which those pressure tactics are to begin. A new notice of at least three days is required if the pressure tactics have not begun on the stated date.”

25. Section 42 of the Act is replaced by the following section:

“42. No producer nor any person acting for a producer may refuse to engage an artist because that artist exercises a right arising from this Act, or endeavour by intimidation, discrimination or reprisals, threat of dismissal or other threat, or by the imposition of a sanction or by any other means, to compel an artist to refrain from or to cease exercising a right arising from this Act.

If it is shown to the satisfaction of the Tribunal that the artist exercised a right arising from this Act, there is a simple presumption in his favour that the action was taken against him because he exercised such right, and the burden of proof is upon the producer to prove that he resorted to the action against the artist for another good and sufficient reason.”

26. Chapter IV of the Act is amended by replacing the entire portion before section 56 by the following:

“CHAPTER III.2

“PSYCHOLOGICAL HARASSMENT

“43. Every artist has a right, in his relations with a producer and with the persons the producer puts the artist in contact with for the purposes of the carrying out of his contract, to a work environment free from psychological harassment.

The producer must take reasonable action to prevent psychological harassment and, whenever he becomes aware of such behaviour, to put a stop to it. The producer must, in particular, adopt and make available to the persons who participate in the production or presentation of a work a psychological harassment prevention and complaint processing policy that includes, in particular, a section on behaviour that manifests itself in the form of verbal comments, actions or gestures of a sexual nature.

“44. In this Act, “psychological harassment” has the meaning assigned by section 81.18 of the Act respecting labour standards (chapter N-1.1), with the necessary modifications.

“45. The provisions of sections 43, 44, 63.3 and 63.4 are deemed to be an integral part of every group agreement, with the necessary modifications. An artist covered by such an agreement must exercise the recourses provided for in the agreement.

An artist who is not covered by a group agreement and who believes he has been the victim of psychological harassment may file a complaint with the Tribunal.

“CHAPTER III.3**“SPECIAL RULES APPLICABLE TO THE LIABILITY OF DIRECTORS OF BUSINESS CORPORATIONS AND TO CERTAIN CONTRACTS****“DIVISION I****“LIABILITY OF DIRECTORS OF BUSINESS CORPORATIONS**

“45.1. Directors of a corporation referred to in section 1 of the Business Corporations Act (chapter S-31.1) which acts as a producer or presenter are solidarily liable, to the artists bound by contract with the corporation, for six months’ remuneration or other monetary consideration owed to them under such a contract during their respective administration.

However, a director is not liable unless the corporation is sued for the debt within one year after it becomes due and the notice of execution is returned unsatisfied in whole or in part or unless, during that period, a liquidation order is made against the corporation or it becomes bankrupt within the meaning of that expression in the Bankruptcy and Insolvency Act (Revised Statutes of Canada, 1985, chapter B-3) and a claim for the debt is filed with the liquidator or the syndic.

However, a director cannot be held liable under this section if the director acted with a reasonable degree of prudence and diligence in the circumstances.

“DIVISION II**“INDIVIDUAL CONTRACTS IN THE FIELDS OF THE VISUAL ARTS, ARTS AND CRAFTS AND LITERATURE**

“46. This division applies to every contract between an artist and a presenter which has a work of the artist as its object.

It also applies to every contract, where the object of such contract is the publication of a book, between a presenter and a person who is not contemplated by Chapters I and II.

“47. The contract must be evidenced in a writing, clearly setting forth

(1) the nature of the contract;

(2) the work or works which form the object of the contract;

(3) any transfer of right and any grant of licence consented to by the artist, the purposes, the term or mode of determination thereof, and the territorial application of such transfer of right and grant of licence, and every transfer of title or right of use affecting the work;

(4) the transferability or nontransferability to third persons of any licence granted to a presenter;

(5) the consideration in money due to the artist and the intervals and other terms and conditions of payment;

(6) the frequency with which the presenter shall report to the artist on the transactions made in respect of every work that is subject to the contract and for which monetary consideration remains owing after the contract is signed.

“48. The contract is made when it is signed by the parties.

The artist is not bound to perform his obligations until such time as he is in possession of the contract.

“49. Every agreement between a presenter and an artist pertaining to one of the artist’s works shall be stipulated in a contract which shall be made and take effect in accordance with section 48 and shall contain stipulations concerning the matters which must be set forth under section 47.

“50. Every agreement between a presenter and an artist which reserves, for the presenter, an exclusive right over any future work of the artist or which recognizes the presenter’s right to determine the circulation of such work shall, in addition to meeting the requirements set out in section 47,

(1) contemplate a work identified at least as to its nature;

(2) be terminable upon the application of the artist once a given period agreed upon by the parties has expired or after a determinate number of works agreed upon by the parties has been completed;

(3) specify that the exclusive right ceases to apply in respect of a reserved work where, after the expiration of a period for reflection, the presenter, though given formal notice to do so, does not circulate the work;

(4) stipulate the duration of the period for reflection agreed upon by the parties for the application of paragraph 3.

“51. No presenter may, without the consent of the artist, give as security the rights he obtains by contract from the artist or grant a security on a work subject to a contract and of which the artist remains the owner.

“52. The contract shall be terminated if the presenter commits an act of bankruptcy or has a receiver order issued against him pursuant to the Bankruptcy and Insolvency Act (Revised Statutes of Canada, 1985, chapter B-3), if his property is taken possession of according to law or, in the case of a legal person, if such legal person is liquidated.

“53. For every contract binding him to the artist, the presenter shall keep, in his books, a separate account in which he shall record, upon receipt, in respect of every work or works subject to the contract,

(1) every payment from a third person with particulars permitting to identify such third person;

(2) the number and nature of all transactions made which correspond to the payments recorded and, where applicable, the number of copies printed and the number of copies sold.

Where monetary consideration remains owing to the artist after the contract is signed, the presenter shall, at intervals agreed upon by the parties of not more than one year, report to the artist, in writing, on the transactions and on the payments he has collected in respect of his work.

“54. The artist may, at his own expense and after he has notified the presenter in writing, cause to be examined by an expert of his own choosing any accounting entry in the presenter’s books which concerns him.

“55. The presenter shall keep up to date, at his principal establishment, a record in respect of the works by artists from the fields of arts and crafts and visual arts which are in his possession, but of which he is not the owner.

The record shall set out

(1) the name of the person who holds title to each work;

(2) a note permitting to identify the work;

(3) the nature of the contract pursuant to which the work is in the possession of the presenter.

The entries shall be kept in the record of the presenter for as long as he assumes responsibility for the works pursuant to a contract. An artist bound by contract to the presenter may consult the record at any time during the office hours of the administrative services.

“55.1. Every work subject to a contract and which is on premises leased by the presenter is presumed to be there temporarily in all cases where he is not the owner of the work.

“55.2. Subject to section 51, no person may waive application of any provision of this division.

“CHAPTER IV**“FUNCTIONS AND POWERS OF THE LABOUR TRIBUNAL”.**

27. Section 56 of the Act is amended by adding the following paragraph at the end:

“(3) to decide any other application relating to the application of sections 11.1 and 11.2, the second paragraph of section 24.2, section 26, the second paragraph of section 26.1, sections 30, 32 and 34, the second paragraph of section 37, sections 37.1, 38 to 40 and 42 and the second paragraph of section 45.”

28. The Act is amended by inserting the following sections after section 63:

“63.1 An application relating to the application of sections 11.1, 11.2 and 26, the second paragraph of section 26.1, sections 30, 32 and 34, the second paragraph of section 37 and sections 37.1, 38 to 40 and 42 must be filed with the Tribunal within 30 days of the alleged contravention coming to light.

In addition to the other powers conferred on it by the Act to establish the Administrative Labour Tribunal (chapter T-15.1), the Tribunal may render any decision it believes fair and reasonable, taking into account all the circumstances of the matter. It may, in particular, exercise the powers provided for in section 15 and in subparagraphs 1 to 5 of the first paragraph of section 111.33 of the Labour Code (chapter C-27), with the necessary modifications.

“63.2. A complaint referred to in the second paragraph of section 24.2 must be filed with the Tribunal within six months of the facts complained about coming to light.

If the Tribunal considers that the artists’ association has contravened the provisions of the first paragraph of that section, it may render any decision it believes fair and reasonable, taking into account all the circumstances of the matter. The Tribunal may, in particular, authorize the artist to submit his claim to an arbitrator appointed by the Minister for decision in the manner provided for in the group agreement, as in the case of a grievance. The second paragraph of section 35.1 applies. The artists’ association shall pay the artists’ costs.

The producer may not invoke the association’s non-observance of the procedure and time limits provided for in the group agreement for the settlement of grievances where a claim is referred to an arbitrator under the first paragraph.

“63.3. A complaint referred to in the second paragraph of section 45 must be filed with the Tribunal within two years of the last incidence of psychological harassment.

If the Tribunal considers that the artist has been a victim of psychological harassment and that the producer has failed to fulfil his obligations under section 43, it may render any decision it believes fair and reasonable, taking into account all the circumstances of the matter, including the discriminatory nature of the behaviour, such as

- (1) ordering the producer to reinstate the artist;
- (2) ordering the producer to pay the artist an indemnity up to a maximum equivalent to the remuneration or monetary consideration lost;
- (3) ordering the producer to take reasonable action to put a stop to the harassment;
- (4) ordering the producer to pay punitive and moral damages to the artist;
- (5) ordering the producer to pay the artist an indemnity for loss of income;
- (6) ordering the producer to pay for the psychological support needed by the artist for a reasonable period of time determined by the Tribunal; and
- (7) ordering the modification of the disciplinary record of the artist who is a victim of psychological harassment.

“63.4. Subparagraphs 2, 4 and 6 of the second paragraph of section 63.3 do not apply to a period during which the artist is suffering from an employment injury within the meaning of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) that results from psychological harassment.

Where the Tribunal considers it probable that, pursuant to section 63.3, the psychological harassment entailed an employment injury for the artist, it must reserve its decision with regard to subparagraphs 2, 4 and 6 of the second paragraph of that section.”

29. The Act is amended by inserting the following chapter after section 68.4:

“CHAPTER IV.2

“REGULATIONS

“68.5. The Government may, by regulation, define the terms and expressions used in this Act or specify the definitions provided for therein.

“68.6. The Government may, by regulation, after consulting the recognized artists’ association and the recognized association of producers or, if there is no such association of producers, with the association of producers or the producers most representative of a sector, determine minimum conditions applicable to professional contracts entered into with artists, including the remuneration and employee benefits.

The conditions prescribed by such a regulation may vary with the artistic activities and types of production.”

30. Section 69 of the Act is amended by replacing “\$100 to \$1,000” by “\$250 to \$2,500”.

31. Section 70 of the Act is amended

(1) by replacing “\$50 to \$200” in paragraph 1 by “\$125 to \$625”;

(2) by replacing “\$500 to \$5,000” in paragraph 2 by “\$1,000 to \$10,000”;

(3) by replacing “\$2,500 to \$25,000” in paragraph 3 by “\$5,000 to \$50,000”.

32. The Act is amended by inserting the following sections after section 70:

“**71.** Every person who, in order to avoid payment of any amount owed to an artist, fails to record an entry prescribed in the first paragraph of section 53 or makes a false or inaccurate entry in the separate account is guilty of an offence and is liable to a fine of \$1,000 to \$10,000 and, for a subsequent offence, to a fine of \$2,000 to \$20,000.

“**71.1.** Every presenter who contravenes any provision of section 55 or whose record contains what he knows to be false or inaccurate information is guilty of an offence and is liable to a fine of \$1,000 to \$10,000 and, for a subsequent offence, to a fine of \$2,000 to \$20,000.”

MUNICIPAL POWERS ACT

33. Section 92 of the Municipal Powers Act (chapter C-47.1) is amended by replacing “professional artists within the meaning of the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01) and to artists within the meaning of the Act respecting the professional status and conditions of engagement of performing, recording and film artists” in the first paragraph by “artists within the meaning of the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

TAXATION ACT

34. Section 133.5 of the Taxation Act (chapter I-3) is amended by replacing “Act respecting the professional status and conditions of engagement of performing, recording and film artists” in the second paragraph by “Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

35. Section 346.0.1 of the Act is amended by replacing “a professional artist, within the meaning of the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01), or an artist, within the meaning of the Act respecting the professional status and conditions of engagement of performing, recording and film artists” in the third paragraph by “an artist within the meaning of the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

36. Section 421.4.1 of the Act is amended by replacing both occurrences of “Act respecting the professional status and conditions of engagement of performing, recording and film artists” by “Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

37. Section 726.26 of the Act is amended by replacing “a professional artist within the meaning of the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01), or an artist within the meaning of the Act respecting the professional status and conditions of engagement of performing, recording and film artists” in the first paragraph by “an artist within the meaning of the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

38. Section 1029.8.36.0.0.7 of the Act is amended by replacing all occurrences of “Act respecting the professional status and conditions of engagement of performing, recording and film artists” in the definition of “labour expenditure” by “Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

39. Section 1029.8.36.0.0.10 of the Act is amended by replacing all occurrences of “Act respecting the professional status and conditions of engagement of performing, recording and film artists” in the definition of “labour expenditure” by “Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING
AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION
INDUSTRY

40. Section 19 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing subparagraph i of subparagraph 13 of the first paragraph by the following subparagraph:

“i. an artist who is a member, as such, of an association in a sector of the visual arts or arts and crafts recognized under the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts (chapter S-32.1); or”.

ACT RESPECTING THE PROFESSIONAL STATUS OF ARTISTS IN THE
VISUAL ARTS, ARTS AND CRAFTS AND LITERATURE, AND THEIR
CONTRACTS WITH PROMOTERS

41. Sections 30 to 36 and 38 to 42 of the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01) become, respectively, sections 46 to 55.2 of the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts (chapter S-32.1), subject to the necessary changes in numbering and with the following modifications:

(1) strike out “drawn up in duplicate,” in the introductory clause of section 31;

(2) strike out “of a copy” in the second paragraph of section 32;

(3) replace “in accordance with section 31” in section 33 by “in accordance with section 32”;

(4) replace “sections 35 and 37” in section 42 by “section 35”.

42. The Act is repealed.

ACT TO ESTABLISH THE ADMINISTRATIVE LABOUR TRIBUNAL

43. Schedule I to the Act to establish the Administrative Labour Tribunal (chapter T-15.1) is amended

(1) by striking out paragraph 25;

(2) by replacing “Act respecting the professional status and conditions of engagement of performing, recording and film artists” in paragraph 26 by “Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts”.

TRANSITIONAL AND FINAL PROVISIONS

44. The Union des écrivaines et des écrivains québécois, the Regroupement des artistes en arts visuels du Québec, the Conseil des métiers d'art du Québec and the Association québécoise des auteurs dramatiques are deemed to be recognized artists' associations under the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts (chapter S-32.1) in the negotiating sector corresponding to the field covered by their recognition under the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01) on 2 June 2022.

For the purposes of subparagraph 2 of the first paragraph of section 14 and the second paragraph of section 20 of the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts, the eventual fifth anniversary from the date of taking effect of the recognition of the artists' associations referred to in the first paragraph in the negotiating sectors also referred to in that paragraph is deemed to be on 3 June 2025.

45. The first paragraph of section 33 of the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts applies, for the purposes of the first renewal following the coming into force of this section of the group agreements concluded by the Association québécoise des auteurs dramatiques under the Act respecting the professional status and conditions of engagement of performing, recording and film artists, to the matters covered by the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters that may be introduced into the agreements to be renewed. Only those matters may be submitted to arbitration at the request of a single party, unless the parties subsequently consent to give jurisdiction to the arbitrator on other matters.

46. Unless the context indicates a different meaning, in any order, grievance, judicial proceeding, judgment, ordinance, contract, agreement, accord or other document, a reference to the Act respecting the professional status and conditions of engagement of performing, recording and film artists, to the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters or to a provision of those Acts is a reference to the Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts or, as applicable, to the corresponding provision of the latter Act.

47. The Minister must, not later than 3 June 2027, submit to the Government a report on the implementation of this Act.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days after resumption.

48. This Act comes into force on 3 June 2022.

2022, chapter 21 AN ACT RESPECTING ACADEMIC FREEDOM IN THE UNIVERSITY SECTOR

Bill 32

Introduced by Madam Danielle McCann, Minister of Higher Education

Introduced 6 April 2022

Passed in principle 24 May 2022

Passed 3 June 2022

Assented to 7 June 2022

Coming into force: 7 June 2022

Legislation amended: None

Explanatory notes

The purpose of this Act is to recognize, promote and protect university academic freedom in order to further the fulfilment of the mission of university-level educational institutions.

To that end, the Act defines the right to university academic freedom as the right of every person to engage freely and without doctrinal, ideological or moral constraint in an activity through which the person contributes to carrying out the mission of such an educational institution.

In addition, the Act requires such educational institutions to adopt a policy pertaining exclusively to university academic freedom and specifies the main elements that the policy must set out or provide for, in particular the establishment and composition of a committee whose main functions are to oversee the implementation of the policy, examine any complaints about university academic freedom and, if applicable, make recommendations concerning such complaints or about any other matter relating to university academic freedom.

The Act also provides that such educational institutions must appoint a person responsible for university academic freedom, who is to be in charge of, among other things, the implementation of the policy.

The Act grants the minister responsible for higher education the power to have corrections made to an institution's policy that is non-compliant.

(cont'd on next page)

Explanatory notes (*cont'd*)

Lastly, the Act establishes the terms for reporting to the Minister, the Government and the National Assembly.



Chapter 21

AN ACT RESPECTING ACADEMIC FREEDOM IN THE UNIVERSITY SECTOR

[Assented to 7 June 2022]

AS the production and transmission of knowledge through research, creation and teaching activities and through services to the community are central to the mission of university-level educational institutions;

AS it is vital that such educational institutions offer a quality education to the members of their student community in an environment conducive to learning, discussion and debate;

AS the United Nations Educational, Scientific and Cultural Organization (UNESCO) 1997 Recommendation concerning the Status of Higher-Education Teaching Personnel recognizes that the proper enjoyment of academic freedom requires the autonomy of institutions of higher education;

AS university autonomy and university academic freedom constitute essential conditions for carrying out the mission of such educational institutions;

AS there is a need to see to it that such educational institutions are able to carry out their mission without doctrinal, ideological or moral constraint;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to recognize, promote and protect university academic freedom in order to support the mission of university-level educational institutions, which includes the production and transmission of knowledge through research, creation and teaching activities and through services to the community.

2. This Act applies to the following educational institutions:

(1) educational institutions referred to in paragraphs 1 to 12 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1); and

(2) legal persons or bodies that are authorized under an Act to confer degrees, diplomas, certificates or any other attestation of university studies and that offer a university-level instructional program, for the purposes of such programs.

3. The right to university academic freedom is the right of every person to engage freely and without doctrinal, ideological or moral constraint, such as institutional censorship, in an activity through which the person contributes to carrying out the mission of an educational institution.

That right includes the person's freedom

- (1) to teach and discuss;
- (2) to research, create and publish;
- (3) to express their opinion about society and about an institution, including their respective institution, and about any doctrine, dogma or opinion; and
- (4) to freely take part in the activities of professional organizations or academic organizations.

It must be exercised in accordance with the standards of ethics and of scientific rigour generally recognized by the university sector and taking into account the rights of the other members of the university community.

4. Every educational institution must adopt, after consulting the members of the university community, a policy pertaining exclusively to university academic freedom.

The policy must set out or provide for at least the following:

- (1) the establishment and composition of a committee that is representative of the institution's community and composed of students, officers and personnel members, among others, and whose main functions are to oversee the implementation of the policy, examine complaints about university academic freedom and, if applicable, make recommendations concerning such complaints or about any other matter relating to university academic freedom;
- (2) the operating rules of the committee referred to in subparagraph 1, including those concerning the procedures for processing complaints;
- (3) the measures applicable in the event of a violation of the right to university academic freedom;
- (4) the establishment of awareness-raising and information measures for the university community, including those that are intended to improve recognition and protection of university academic freedom; and
- (5) the establishment of resources and instructional tools to ensure promotion of and due respect for university academic freedom, including an advisory service.

The policy must not have the effect of preventing ideas and topics that could offend from being broached during an activity that contributes to the university mission or of requiring that such an activity be preceded by a warning when it involves such content.

The institution must send its policy to the Minister within 15 days of its adoption and of any amendment made to it.

The policy must be published on the institution's website.

5. The educational institution must review its policy at least once every 10 years.

6. Every educational institution must appoint a person responsible for university academic freedom, who is to be in charge of, among other things, the implementation of the policy.

7. If an educational institution fails to comply with the obligations set out in this Act, the Minister may, at the institution's expense, have the necessary corrections made by the person designated by the Minister.

The institution must collaborate with the person designated by the Minister.

8. Every educational institution must report annually to the Minister, at the time and in the manner determined by the Minister, on the implementation of its university academic freedom policy.

The report must set out, among other things,

(1) the number of complaints processed and the time frame in which they were processed;

(2) the measures applied, if any; and

(3) any other information requested by the Minister concerning the implementation of this Act.

9. Not later than 7 June 2027, the Minister must report to the Government on the carrying out of this Act.

Such a report must be tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

10. The university academic freedom policy to be adopted by an educational institution under section 4 must be adopted not later than 7 June 2023.

11. The minister responsible for the administration of the Act respecting educational institutions at the university level is responsible for the administration of this Act.

12. This Act comes into force on 7 June 2022.

2022, chapter 22

AN ACT RESPECTING FAMILY LAW REFORM WITH REGARD TO FILIATION AND AMENDING THE CIVIL CODE IN RELATION TO PERSONALITY RIGHTS AND CIVIL STATUS

Bill 2

Introduced by Mr. Simon Jolin-Barrette, Minister of Justice

Introduced 21 October 2021

Passed in principle 1 February 2022

Passed 7 June 2022

Assented to 8 June 2022

Coming into force: 8 June 2022, except the provisions of

(1) sections 114 and 291, which come into force on 8 December 2022;

(2) sections 4, 10, 14, 15, 22, 25 to 29, section 34 except as regards the usual given name, section 35, paragraph 1 of section 38, section 39, section 41 insofar as it enacts the first paragraph of article 146 of the Civil Code, sections 42, 43 and 121, paragraph 2 of section 197, sections 199 and 201, section 202 insofar as it enacts section 24.1 and Division VII.2 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4), section 204, paragraph 1 of section 206, and section 207 insofar as it enacts section 10.4 of the Tariff of duties respecting the acts of civil status and change of name or of designation of sex (chapter CCQ, r. 10), which come into force on 17 June 2022;

(3) sections 1, 5 and 6, paragraph 2 of section 7, section 8, paragraph 2 of section 9, sections 11 and 13, section 34 as regards the usual given name, section 41 insofar as it enacts the second paragraph of article 146 of the Civil Code, sections 109, 132 to 137, 151 to 179 and 196, section 202 insofar as it enacts Division VII.1 of the Regulation respecting change of name and of other particulars of civil status, sections 203 and 205, paragraph 2 of section 206 and sections 230 to 232, which come into force on 8 June 2023 or an earlier date to be set by the Government;

(4) sections 44, 93 to 102, 138, 139, 147 and 184 to 188, which come into force on 8 June 2024 or an earlier date to be set by the Government.

Legislation enacted:

Act respecting remittance of deposits of money to account co-holders who are spouses or former spouses (2022, chapter 22, section 291)

(cont'd on next page)

Legislation amended:

Civil Code of Québec
Act respecting industrial accidents and occupational diseases (chapter A-3.001)
Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01)
Funeral Operations Act (chapter A-5.02)
Individual and Family Assistance Act (chapter A-13.1.1)
Act respecting financial assistance for education expenses (chapter A-13.3)
Act respecting legal aid and the provision of certain other legal services (chapter A-14)
Automobile Insurance Act (chapter A-25)
Act respecting prescription drug insurance (chapter A-29.01)
Act respecting parental insurance (chapter A-29.011)
Act constituting Capital régional et coopératif Desjardins (chapter C-6.1)
Charter of human rights and freedoms (chapter C-12)
Highway Safety Code (chapter C-24.2)
Code of Civil Procedure (chapter C-25.01)
Code of Penal Procedure (chapter C-25.1)
Real Estate Brokerage Act (chapter C-73.2)
Act respecting duties on transfers of immovables (chapter D-15.1)
Act respecting elections and referendums in municipalities (chapter E-2.2)
Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3)
Election Act (chapter E-3.3)
Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi (chapter F-3.1.2)
Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1)
Act respecting offences relating to alcoholic beverages (chapter I-8.1)
Interpretation Act (chapter I-16)
Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001)
Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2)
Act respecting labour standards (chapter N-1.1)
Youth Protection Act (chapter P-34.1)
Act respecting the Québec Pension Plan (chapter R-9)
Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2)
Act respecting the Government and Public Employees Retirement Plan (chapter R-10)
Act respecting the Pension Plan of Management Personnel (chapter R-12.1)
Educational Childcare Act (chapter S-4.1.1)
Act respecting health services and social services (chapter S-4.2)
Act respecting the Québec correctional system (chapter S-40.1)
Courts of Justice Act (chapter T-16)

Regulations amended:

Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4)
Tariff of duties respecting the acts of civil status and change of name or of designation of sex (chapter CCQ, r. 10)

Explanatory notes

This Act mainly amends the Civil Code in respect of filiation, the law of persons and civil status.

The Act establishes new rules regarding the publication of the register of civil status, in particular by amending the content of the certificates of civil status and by providing that detailed attestations may

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Explanatory notes (cont'd)

be issued. It provides new measures with regard to the assignment of a name, such as limiting the number of given names to four and recognizing a usual given name and it allows persons whose name was changed during the time they spent in an Aboriginal residential school, and their descendants, to change back to a traditional Aboriginal name, without costs.

In respect of filiation, the Act expands the presumption of paternity to *de facto* spouses and allows a *de facto* spouse to declare the filiation of a child with regard to the other spouse.

As regards adoption, the Act revises the rule regarding the exchange of information and the maintenance of personal relations between the adoptee and the members of his family of origin.

Concerning the capacity of persons, the Act provides parents with the possibility of designating a member of the child's foster family to act as suppletive tutor if authorized by the court, in addition to adding disengagement toward the child as a situation that may give rise to the designation of a suppletive tutor.

As regards personality rights, the Act provides that the presence of family violence in a child's environment is to be taken into consideration in determining the child's interest. The Act also defines the time at which a child is considered conceived for the purposes of the law.

As concerns parental authority, the Act provides that such authority must be exercised without any violence. A mechanism is put in place by which a parent is able to request care for their minor child, by themselves, in a situation of family or sexual violence caused by the other parent. The Act specifies that the presence of family violence is one of the elements to be considered by the court when ruling on an application for a declaration of deprivation of parental authority. Furthermore, the rules governing the maintenance of personal relations between minor children and their grandparents are reviewed, in particular to add the possibility of maintaining such relations with the parent's former spouse, to give more weight to the minor's consent and to establish that the maintenance of relations must be in the minor's interest.

The Act contains rules to prevent an unrepresented party from examining or cross-examining a victim of family or sexual violence, or a child in youth protection cases. It provides that legal aid will be granted free of charge to any minor child for all services covered, regardless of the child's financial means.

The Act also enacts the Act respecting remittance of deposits of money to account co-holders who are spouses or former spouses, which aims, in particular, after an account co-holder has died, to compel financial institutions to remit to the surviving co-holder who was the spouse or former spouse of the deceased their share in the account balance.

The Act also amends the rules concerning knowledge of one's origins in relation to adoption so as to broaden their scope. Adoptees are given the right to obtain, on certain conditions, a copy of their original act of birth and of the judgments concerning their adoption, as well as the name of their grandparents and siblings of origin, and if they consent to it, the information making it possible for adoptees to contact them. The Act also allows an adoptee's descendants in the first degree to obtain that same information and those same documents. Lastly, a person's right to know their origins is enshrined in the Charter of human rights and freedoms. The Act also broadens the rules concerning disclosure of medical information in respect of adoption.

As regards the status of persons and civil status, the Act provides that the designation of sex appearing in a person's act of birth or act of death designates the person's sex or the person's gender identity and that such designation may refer to the identifier "non-binary". Several terminological changes are

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Explanatory notes (*cont'd*)

provided for by the Act to take into account the various realities of persons of sexual minorities or of transgender or non-binary parents, in particular with respect to legislative provisions that refer to the father and mother.

The Act exempts any person who is the subject of a first application for a change of designation of sex from paying the duties for such an application and the duties for the issuing of a copy of the certificate of change of designation of sex. Moreover, it is provided that any person may apply to have the designation “father”, “mother” or “parent” appearing in their child’s act of birth correspond to the designation of sex appearing in their act of birth or, at their choice, to have the designation “parent” appear in their child’s act of birth.

Lastly, the Act contains transitional measures.



Chapter 22

AN ACT RESPECTING FAMILY LAW REFORM WITH REGARD TO FILIATION AND AMENDING THE CIVIL CODE IN RELATION TO PERSONALITY RIGHTS AND CIVIL STATUS

[Assented to 8 juin 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PART I

AMENDING PROVISIONS

CHAPTER I

AMENDING PROVISIONS RESPECTING MAINLY PERSONALITY RIGHTS, CIVIL STATUS AND FILIATION

CIVIL CODE OF QUÉBEC

1. Article 5 of the Civil Code of Québec is amended by replacing “under the name assigned to him and stated” by “under the surname and usual given name assigned to him and stated”.

2. Article 33 of the Code is amended by inserting “including the presence of family violence, which includes spousal violence,” after “family environment,” in the second paragraph.

3. The Code is amended by inserting the following article after article 34:

“**34.1.** For a child to be considered as conceived but not yet born for the purposes of the law, the mother or the person who is to give birth must be pregnant with the child.”

4. Chapter I of Title Three of Book One of the Code is amended by replacing the portion before article 50 by the following:

“CHAPTER I

“NAME AND DESIGNATION OF SEX

“DIVISION I

“NAME

“§1. — *Assignment of name*”.

5. Article 50 of the Code is amended by replacing “includes the surname and given names” in the second paragraph by “is comprised of the surname and the given names, including the usual given name. That given name is the one commonly used by a person to identify himself and under which his civil rights are exercised”.

6. Article 51 of the Code is amended

(1) by replacing “his mother and father choose, one or more given names” by “his father and mother or his parents choose, one to four given names composed of not more than two parts”;

(2) by adding the following sentence at the end: “If the child is given more than one given name, the parents choose his usual given name from among those given names.”

7. Article 52 of the Code is amended

(1) in the first paragraph,

(a) by inserting “or of one of the parents” after “father”;

(b) by inserting “or of the other parent” after “mother”;

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

“If the disagreement is over the choice of a given name or names, the registrar assigns to the child, as the case may be, two or four given names chosen respectively by the father and mother or by the parents. If the disagreement is over the choice of the usual given name, the registrar assigns to the child such a given name from among the given names received.”

8. Article 53 of the Code is amended by replacing the first paragraph by the following paragraph:

“A child whose filiation is established with regard to only his father or his mother or one of his parents bears the surname of his father, mother or parent, as the case may be, and one to four given names chosen by his father, mother or parent, including the usual given name.”

9. Article 54 of the Code is amended

(1) by inserting “or by the parents” after “mother” in the first paragraph;

(2) in the second paragraph,

(a) by inserting “de famille” after “remplacer le nom” in the French text;

(b) by inserting “, including one designated as the usual given name,” after “use”.

10. Division II of Chapter I of Title Three of Book One of the Code becomes subdivision 2 of Division I of Chapter I of Title Three of Book One.

11. Article 55 of the Code is amended by striking out the second paragraph.

12. Article 56 of the Code is amended by replacing “married or civil union spouse” in the second paragraph by “spouse”.

13. The Code is amended by inserting the following subdivision after article 56:

“§3. — *Substitution of the usual given name*

“**56.1.** Another given name stated in the act of birth may be substituted for the usual given name on mere notice in writing presented to the registrar of civil status. A person who has been domiciled in Québec for at least one year may be the subject of such a notice. A child under one year of age, born and domiciled in Québec, is considered to have been domiciled in Québec for at least one year.

However, the rules governing a change of name apply to any subsequent substitution, with the necessary modifications.

The content of the notice, the information and documents that must accompany the notice as well as the duties payable by the person presenting the notice are determined by government regulation.

“**56.2.** A notice of substitution of the usual given name of a minor child may be presented by his tutor or by the minor alone if he is 14 years of age or over.

Except for a compelling reason, the usual given name of a minor child is not substituted if, as the case may be, the father and mother or the parents of the minor child as legal tutors, the tutor, if any, or the minor 14 years of age or over, have not been notified of the notice or if one of them objects to the substitution.

A person who wishes to present such a notice may, if an objection is made, as the case may be, by the father and mother or the parents as legal tutors, by the tutor, if any, or by the minor 14 years of age or over, submit an application to the court before the notice is presented to the registrar of civil status.

“**56.3.** A substitution of the usual given name produces its effects from the 15th day after the publication of the notice of substitution of the usual given name in accordance with the rules determined by government regulation.

However, the substitution produces its effects from the day of the alteration of the register of civil status in the following situations where publication is not required:

(1) a special exemption from publication has been granted by the Minister of Justice for reasons of general interest;

(2) it is clear that the change requested relates to a modification of the person's gender identity; or

(3) the change requested concerns a child under 6 months of age.

“56.4. A substitution of the usual given name has, with the necessary modifications, the same effects as those resulting from a change of name provided for in articles 68 to 70.”

14. Division III and subdivision 1 of Division III of Chapter I of Title Three of Book One of the Code become subdivision 4 and subdivision I of subdivision 4 of Division I of Chapter I of Title Three of Book One, respectively.

15. Subdivision 2 of Division III of Chapter I of Title Three of Book One of the Code becomes subdivision II of subdivision 4 of Division I of Chapter I of Title Three of Book One.

16. Article 58 of the Code is amended by inserting “or of one of the parents” after “mother” in the second paragraph.

17. Article 59 of the Code is amended by striking out “who is a Canadian citizen and” in the first paragraph.

18. Article 60 of the Code is amended by inserting “or of one of the parents” after “mother” in the second paragraph.

19. Article 61 of the Code is amended by inserting “or of the parents” after “mother” in the first paragraph.

20. Article 62 of the Code is amended

(1) by inserting “or the parents” after “mother” in the first paragraph;

(2) by inserting “or of one of the parents” after “mother” in the second paragraph.

21. Article 64 of the Code is amended by inserting “as well as the persons or categories of persons who may be exempt from paying those duties,” after “making the application”.

22. Subdivision 3 of Division III of Chapter I of Title Three of Book One of the Code becomes subdivision III of subdivision 4 of Division I of Chapter I of Title Three of Book One.

23. Article 65 of the Code is amended by inserting “or by one of the parents or both of them” after “mother”.

24. Article 66.1 of the Code is amended by replacing “by the father and mother” by “by the father or the mother or by one of the parents or both of them”.

25. Subdivision 4 of Division III of Chapter I of Title Three of Book One of the Code becomes subdivision IV of subdivision 4 of Division I of Chapter I of Title Three of Book One.

26. The Code is amended by inserting the following division after article 70:

“DIVISION II

“DESIGNATION OF SEX

“§1. — *General provision*

“70.1. The designation of sex appearing in a person’s act of birth and act of death designates the person’s sex attested at birth or the person’s gender identity if the gender identity does not correspond to the sex attested at birth.

The designation of sex is represented by letter symbols that refer to the identifiers “male”, “female” and “non-binary”. A government regulation determines the letter symbols to be used.”

27. Division IV of Chapter I of Title Three of Book One of the Code becomes subdivision 2 of Division II of Chapter I of Title Three of Book One.

28. Article 71 of the Code is amended by striking out “and is a Canadian citizen” in the third paragraph.

29. Division V of Chapter I of Title Three of Book One of the Code becomes Division III of Chapter I of Title Three of Book One.

30. Article 80 of the Code is amended by inserting “or the parents” after “mother” in the second paragraph.

31. Article 93 of the Code is amended, in the first paragraph,

(1) by replacing “his or her birth” by “the person’s birth”;

(2) by replacing “the spouse, the names of his or her father and mother as well as his or her last domicile, and the date,” by “the person’s spouse and father and mother or parents, as well as the person’s last domicile, and date.”.

32. Article 111 of the Code is amended by inserting “or of the parent who gave birth to the child” at the end of the second paragraph.

33. Article 114 of the Code is amended by replacing the first paragraph by the following paragraphs:

“Only the father, mother or parent may declare the filiation of a child with regard to themselves. However, where the child is conceived or born during the marriage, civil union or *de facto* union, one of the spouses may declare the filiation of the child with regard to the other spouse.

In the case of a *de facto* union, the declaring spouse must provide, with the declaration of birth, an affidavit in which the spouse states the facts and circumstances showing that the child was born during the union or within 300 days after the end of the union. The spouse must also attach to the declaration an affidavit from a third person corroborating the spouse’s affidavit and, where applicable, any other evidence proving the union. If need be, the registrar of civil status makes a summary investigation to obtain additional information.”

34. Article 115 of the Code is replaced by the following article:

“115. A declaration of birth states the name assigned to the child, the usual given name if the child has more than one given name, the sex, the place, date and time of birth, and the name and domicile of the child’s father and mother or parents. It also states the family relationship between the declarant and the child. The declarant is then designated as being the father, mother or parent according to the designation of sex appearing in the declarant’s act of birth or, at the declarant’s choice, as being the child’s parent.”

35. The Code is amended by inserting the following article after article 116:

“116.1. The obligation, for those who must draw up an attestation of birth or declare the birth of a child, to indicate the child’s sex in the attestation or declaration may not be made dependent on the requirement for the child to have undergone any medical treatment or surgical operation whatsoever.”

36. Article 119 of the Code is amended by inserting “or of the parents” after “mother” in the first paragraph.

37. Article 121.2 of the Code is amended by replacing “and witnesses” by “or of their parents, and of the witnesses” in the first paragraph.

38. Article 126 of the Code is amended

(1) by replacing “and sex,” by “, designation of sex appearing in the act of birth, and”;

(2) by inserting “or of the parents” after “mother”.

39. The Code is amended by inserting the following subdivision after article 129:*“§1.1. — Change of parental designation*

“129.1. Any person may apply to have the designation “father”, “mother” or “parent” appearing in their child’s act of birth correspond to the designation of sex appearing in their act of birth or, at their choice, to have the designation “parent” appear in their child’s act of birth.

A child 14 years of age or over shall be notified of such an application and may object to the change of the designation “father” or “mother”, as the case may be. If an objection is made, the designation “parent” is assigned. A minor under 14 years of age shall be informed of the change made to his act by the person having parental authority.

The rules of procedure for such an application and the duties payable by the person making the application are determined by government regulation.”

40. Article 132.0.1 of the Code is amended by inserting “or of the parents” after “mother” in the first paragraph.**41.** Article 146 of the Code is replaced by the following article:

“146. A certificate of civil status states the person’s name and designation of sex, the place and date of birth as well as the name of the father and mother or of the parents and, if the person is deceased, the place and date of death. It also states, if applicable, the place and date of the person’s marriage or civil union and the name of the spouse.

The registrar of civil status may also issue certificates of birth, marriage, civil union or death bearing only the particulars determined by government regulation.”

42. Article 147 of the Code is amended by adding the following paragraph at the end:

“A detailed attestation deals with the information contained in the copy of the attestation of birth transmitted by the accoucheur to the registrar of civil status and with the nature of the changes made to an act of birth, if any.”

43. Article 148 of the Code is amended by adding the following sentence at the end of the second paragraph: “He issues detailed attestations only to the person whose birth is attested in the act of birth.”

44. Article 149 of the Code is amended

- (1) by striking out the last sentence of the first paragraph;
- (2) by inserting the following paragraph after the first paragraph:

“In cases of adoption, the adoptee may, in accordance with article 583, obtain a copy of the original act. The same applies for the descendants in the first degree of a deceased adoptee. The other persons mentioned in the new act may obtain a copy of it if the court, having ascertained that the other conditions of law have been met, so authorizes. The authorities responsible under the law for disclosing information about the identity of the parent of origin and information making contact with that parent possible may, pursuant to an application by the adoptee or the adoptee’s descendants in the first degree, if applicable, to obtain that information, obtain a copy of the original act.”

45. Article 151 of the Code is amended by replacing “register are fixed” in the third paragraph by “register, as well as the persons or categories of persons who may be exempt from paying the duties, are determined”.

46. Article 171 of the Code is amended by inserting “or of his parents” at the end.

47. Article 178 of the Code is amended by replacing “the father or mother designates a tutor” in the second paragraph by “a tutor is designated by the father or mother or by the parents or one of them, as the case may be,”.

48. Article 183 of the Code is amended

- (1) by replacing “Fathers and mothers,” in the first paragraph by “The father and mother or the parents,”;
- (2) by replacing “fathers and mothers” in the second paragraph by “the father and mother or the parents”.

49. Article 184 of the Code is amended by inserting “or the parent” after “mother”.

50. Article 186 of the Code is amended by inserting “or the parents” after “mother”.

51. Article 192 of the Code is amended

- (1) by inserting “or the parents” after “mother” in the first paragraph;

(2) by replacing “The father and mother” in the second paragraph by “They”.

52. Article 193 of the Code is amended

(1) by inserting “or the parents” after “mother”;

(2) by replacing “one parent” and “his” by “one of them” and “their”, respectively.

53. Article 195 of the Code is amended by inserting “or the parents” after “mother”.

54. Article 196 of the Code is amended by inserting “or the parents” after “mother” in the first paragraph.

55. Article 198 of the Code is amended by inserting “or a parent” after “mother”.

56. Article 199 of the Code is amended, in the first paragraph,

(1) by inserting “or the parents” after “the father and mother”;

(2) by inserting “or his parents” at the end.

57. Article 199.1 of the Code is amended

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

“The father or mother of a minor child or the child’s parents or one of them may designate a person to whom may be delegated or with whom may be shared the offices of legal tutor and of person having parental authority where it is impossible for them or for one of them to fully assume those offices or where there is disengagement toward the child.”;

(2) in the second paragraph,

(a) by replacing “the father or mother” by “one of them”;

(b) by replacing “or a spouse of that ascendant or relative” by “, a spouse of that ascendant or relative or a member of the child’s foster family”.

58. Article 199.2 of the Code is amended

(1) by inserting “or of the parents or one of them” after “mother” in the first paragraph;

(2) by inserting “or the parents” after “mother” in the second paragraph.

59. Article 199.3 of the Code is amended

(1) by inserting “or of the parents or one of them” after the first occurrence of “mother”;

(2) by replacing “either the father or the mother” by “one of them”.

60. Article 199.5 of the Code is amended by replacing “mother without the father’s or mother’s consent, unless the father or mother is prevented from expressing his or her wishes” by “the mother or by the parents or one of them without their consent, unless they are prevented from expressing their will”.

61. Article 199.6 of the Code is amended by inserting “or parent” after “mother”.

62. Article 199.7 of the Code is amended by inserting “or one of the parents” after “mother”.

63. Article 199.8 of the Code is amended by inserting “or one of the parents” after “mother”.

64. Article 199.9 of the Code is amended by inserting “or to the parents or one of them” after “mother” in the second paragraph.

65. Article 200 of the Code is amended by replacing “A father or mother may appoint a tutor to his or her” by “The father or mother or one of the parents may appoint a tutor to their”.

66. Article 201 of the Code is amended

(1) by replacing “parent or to the last parent who is able to exercise tutorship, as the case may be, if that parent” and “his” in the first paragraph by “person among the father and mother or among the parents or to the last person among them who is able to exercise tutorship, as the case may be, if that person” and “their”, respectively;

(2) by replacing “both parents” in the second paragraph by “the father and mother or the parents”.

67. Article 202 of the Code is amended by inserting “or one of the parents” after “mother” in the first paragraph.

68. Article 203 of the Code is amended by inserting “or one of the parents” after “mother”.

69. Article 205 of the Code is amended by inserting “or by the parents” after “mother” in the first paragraph.

70. Article 206 of the Code is amended by inserting “or one of the parents” after “mother”.

71. Article 207 of the Code is amended

- (1) by inserting “or whose parents” after “whose father and mother”;
- (2) by inserting “or to his parents” at the end.

72. Article 209 of the Code is amended by inserting “or parents” after “mothers”.

73. Article 218 of the Code is amended by inserting “or the parents” at the end.

74. Article 223 of the Code is amended by inserting “or the parents” after “mother” in the first paragraph.

75. Article 225 of the Code is amended

- (1) by replacing “appointed by the father or mother of a minor or the father and mother” in the first paragraph by “, appointed by the father or mother or by one of the parents of a minor, or the parents”;
- (2) by inserting “or the parents” after “mother” in the second paragraph.

76. Article 226 of the Code is amended

- (1) by inserting “or the parents” after “mother” in the first paragraph;
- (2) by inserting “or the lines of each of the two parents” after “lines” in the third paragraph.

77. Article 228 of the Code is amended by inserting “or the lines of each of the two parents” after “lines” in the first paragraph.

78. Article 381 of the Code is amended by inserting “or of the parents” after “mothers” in the second paragraph.

79. Article 513 of the Code is amended by replacing “fathers and mothers” in the second paragraph by “the father and mother or of the parents”.

80. Article 525 of the Code is replaced by the following article:

“525. A child born during a marriage, civil union or *de facto* union or within 300 days after its dissolution or annulment or, in the case of a *de facto* union, its end, is presumed to have as the other parent the spouse of his mother or of the parent who gave birth to him.

The presumption is rebutted with regard to the former spouse where the child is born within 300 days of the dissolution or annulment of the marriage or civil union or of the end of the *de facto* union, but after a subsequent marriage, civil union or *de facto* union of his mother or of the parent who gave birth to him.

The presumption is also rebutted if the child is born more than 300 days after the judgment ordering separation from bed and board of married spouses, unless the spouses have voluntarily resumed their community of life before the birth.

The presumption is rebutted as well if the child is born of an assisted procreation activity carried out after the death of the spouse of his mother or of the parent who gave birth to him.”

81. Article 535 of the Code is amended, in the second paragraph,

- (1) by striking out “husband or civil union”;
- (2) by inserting “or parent” after “father”.

82. The Code is amended by inserting the following article after article 535.1:

“535.2. The court may establish the filiation of a child born of an assisted procreation activity with a person who was deceased at the time the activity was carried out if it is shown to the court that

- (1) the person was a party to the parental project at the time of the death; and
- (2) the child was conceived using that person’s reproductive material or, as applicable, the reproductive material that the person had decided to use to have a child.

Participation of that person in the parental project is presumed if that person and the parent with regard to whom filiation with the child is established were spouses at the time of the death and if the child is born of a transfer of an embryo created before the death.”

83. Article 538.3 of the Code is replaced by the following article:

“538.3. A child born of a parental project between spouses involving the use of the reproductive material of a third person and whose birth occurred during the spouses’ union or within 300 days after the dissolution or annulment of their marriage or civil union or the end of their *de facto* union is presumed to have as the other parent the spouse of his mother or of the parent who gave birth to him.

The presumption is rebutted with regard to the former spouse where the child is born within 300 days of the dissolution or annulment of the marriage or civil union or of the end of the *de facto* union, but after a subsequent marriage, civil union or *de facto* union of his mother or of the parent who gave birth to him.

The presumption is also rebutted if the child is born more than 300 days after the judgment ordering separation from bed and board of married spouses, unless the spouses have voluntarily resumed their community of life before the birth.

The presumption is rebutted as well if the child is born of an assisted procreation activity carried out after the death of the spouse of his mother or of the parent who gave birth to him.”

84. Article 539 of the Code is amended by replacing “or civil union spouse” in the first paragraph by “, civil union or *de facto* spouse”.

85. Article 540 of the Code is repealed.

86. Article 544 of the Code is amended by replacing “mother or his tutor” by “mother, his parents or his tutor”.

87. Article 555 of the Code is amended by inserting “or of either parent” after “mother”.

88. Article 559 of the Code is amended

(1) by inserting “nor his filiation with regard to either of his parents” after “maternal filiation” in paragraph 1;

(2) by replacing “mother, father or tutor” in paragraph 2 by “father and mother or parents or tutor”;

(3) by inserting “or parents” after “mother” in paragraph 3;

(4) by inserting “nor parents” after “mother” in paragraph 4.

89. Article 561 of the Code is amended by replacing “mother or tutor” by “his mother, one of his parents or his tutor”.

90. Article 576 of the Code is amended by inserting “or parents” after “mother”.

91. Article 577 of the Code is amended by inserting “or of one of his parents” after “mother” in the second paragraph.

92. Article 579 of the Code is replaced by the following article:

“579. In the case of an adoption of a child domiciled in Québec by a person also domiciled in Québec, exchanges of information concerning the adoptee and members of his family of origin may be provided for, or personal relations between those persons may be maintained or developed, to the extent that establishing such exchanges or maintaining or developing such relations is in the interest of the adoptee. If the adoptee is 10 years of age or over, his consent must be obtained, unless he is unable to express his will. Those exchanges may take place and those relations may be maintained or developed by any means appropriate to the situation and the persons are not required to be in the physical presence of each other. The terms for the exchanges or relations shall be agreed on in writing between the adopter, as the adoptee’s tutor, or the adoptee 14 years of age or over and the members concerned of the family of origin.

Where an adoptee 10 years of age or over, but under 14 years of age, does not consent to exchanging information or to maintaining or developing relations with a parent or grandparent of origin, or if there is a disagreement between the parties in that respect, the exchanges or the maintenance or development of the relations are determined by the court, to the extent that they are in the interest of the adoptee and that they concern persons who are important to him.

In all cases, the consent of the adoptee 14 years of age or over is required to provide for such exchanges or for the maintenance or development of such relations and the adoptee may, from that age, put an end to such exchanges or relations without formality, whether or not an order has been issued by the court.”

93. Article 583 of the Code is replaced by the following article:

“583. An adoptee, including one under 14 years of age who has obtained the approval of his father and mother, of his parents or of his tutor, has the right to obtain, from the authorities responsible under the law for disclosing such information, his original name, the name of his parents of origin, whether or not the bond of filiation has been entered in the original act of birth, and information making it possible for him to contact them.

The adoptee also has the right to obtain a copy of his original act of birth and of the judgments concerning the adoption, according to the terms determined by government regulation.

Likewise, once the adoptee has reached full age, his parents of origin have the right to obtain the name given to him and information making it possible for them to contact him.

No such information may be disclosed, however, if an identity disclosure veto or a contact veto, as the case may be, bars their disclosure. In addition, the communication of a document must be made in keeping with any contact veto registered and the passages providing information making contact with a parent of origin possible must be deleted or redacted accordingly.

The authorities that disclose information concerning a parent of origin whose filiation with regard to the adoptee has not been entered in the original act of birth are not liable for any injury which may result from an error not due to their act or omission in the identification of the parent.”

94. The Code is amended by inserting the following article after article 583:

“583.0.1. The descendants in the first degree of an adoptee who are 14 years of age or over may, if the adoptee is deceased, obtain from the authorities responsible under the law for disclosing such information and documents, the same information and the same documents that the adoptee may obtain under this division, subject to the same conditions.”

95. Article 583.3 of the Code is repealed.

96. Article 583.4 of the Code is amended

(1) by replacing “in the year following” in the first paragraph by “in the 30 days following”;

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

“Such an identity disclosure veto by the parent of origin ceases to have effect on the adoptee’s eighteenth birthday. The same applies to the identity protection granted, by operation of law, to the adoptee where such a veto is registered by the parent of origin.”

97. Article 583.5 of the Code is amended by striking out “and the parent of origin may register an identity disclosure veto until a first request for information about him is made”.

98. Article 583.6 of the Code is amended

(1) by inserting “Whether or not the bond of filiation has been entered in the original act of birth,” at the beginning;

(2) by replacing “or allowing contact” by “or, where applicable, in the case of the parent of origin, barring any contact between the latter and the adoptee’s descendants in the first degree, or may allow contact”.

99. Article 583.7 of the Code is amended

(1) by inserting “or to maintain or withdraw a veto already registered by him” after “contact veto” in the first paragraph;

(2) in the second paragraph,

(a) by inserting “or incapable of expressing his will” after “untraceable”;

(b) by inserting “or again becomes capable of expressing his will” after “found”.

100. Article 583.8 of the Code is amended

(1) by striking out “or by a third person” in the first paragraph;

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

“If the person is untraceable or incapable of expressing his will, the veto registered by operation of law is maintained. In the event the person is found or again becomes capable of expressing his will, he must be given the opportunity to maintain or withdraw the veto.”

101. Article 583.10 of the Code is replaced by the following article:

“583.10. Unless the parent of origin has registered an identity disclosure veto, the adoptee, including one under 14 years of age who has obtained the approval of his father and mother, of his parents or of his tutor, has the right to obtain, from the authorities responsible under the law for disclosing such information, the names of his brothers or sisters of origin who have reached full age, whether adopted or not, and those of his grandparents of origin and, to the extent that they consent to it, the information making it possible for the adoptee to contact them.

Likewise, once the adoptee has reached full age, his brothers and sisters of origin, whether adopted or not, including the ones under 14 years of age who have obtained the approval of their father and mother, of their parents or of their tutor, as well as his grandparents of origin have the right to obtain the name given to the adoptee and information making it possible to contact him, to the extent that the adoptee consents to it.”

102. Article 583.12 of the Code is replaced by the following article:

“583.12. In the case of an adoption of a child domiciled outside Québec, the identity of the parent of origin and the documents to which the adoptee is entitled are communicated to the adoptee, to the extent that the law of the child’s State of origin does not provide for different rules. Disclosure of the

identity of the adoptee or of another person sought and of information making it possible to contact the adoptee, the parent of origin or another person sought is subject to the consent of that person, unless, as the case may be, the law of the child's State of origin provides otherwise."

103. Article 584 of the Code is amended, in the first paragraph,

(1) by replacing "concludes that harm could be caused to the adoptee's health or to that of a parent of origin or any close relatives" by "is of the opinion that the health of the adoptee, of a parent of origin or of any of their close relatives";

(2) by replacing "if any of them were deprived of the information the physician requires" by "warrants it";

(3) by replacing "the latter may obtain the medical information required" by "the physician may obtain the necessary medical information".

104. Article 597 of the Code is amended by inserting "or to his parents" at the end.

105. Article 598 of the Code is amended by inserting "or of his parents" after "mother".

106. Article 599 of the Code is amended

(1) by inserting "or the parents" after "mother" in the first paragraph;

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

"They exercise their authority without any violence."

107. Article 600 of the Code is amended

(1) by inserting "or the parents" after "mother" in the first paragraph;

(2) by replacing "either parent", "his or her" and "other parent" in the second paragraph by "either of them", "their" and "other", respectively.

108. Article 603 of the Code is amended

(1) by inserting "or the parent" after "mother";

(2) by replacing "he or she is" and "other parent" by "they are" and "other", respectively.

109. The Code is amended by inserting the following article after article 603:

“603.1. The father or the mother or the parent may, without the other parent’s consent, due to a situation of family violence, which includes spousal violence, or of sexual violence, caused by that other parent, request health services or social services, including psychosocial support services, recognized by the Minister of Justice, for their child.

To that end, the father or the mother or the parent must first obtain an attestation from a public servant or public officer designated by the Minister of Justice who, on examining the affidavit of the father, mother or parent attesting that there exists such a situation of violence and other factual elements or documents supporting that affidavit provided by persons in contact with the persons who are victims, considers that the request is a measure beneficial to the health and safety of the child. The public servant or public officer must act promptly.”

110. Article 605 of the Code is amended by inserting “or the parents” after “mother”.

111. Article 606 of the Code is amended, in the first paragraph,

(1) by replacing “father, the mother or” by “father and mother or the parents”;

(2) by inserting “, including the presence of family violence, which includes spousal violence” after “interest of the child”.

112. Article 610 of the Code is amended by inserting “or a parent” after “mother”.

113. Article 611 of the Code is replaced by the following article:

“611. Personal relations between the child and his grandparents may be maintained or developed to the extent that it is in the child’s interest and that, if the child is 10 years of age or over, he consents to it, unless he is unable to express his will. Such relations may, on the same conditions, be maintained with the former spouse of the child’s father, mother or parent, provided that person is important to the child. Those relations may be maintained or developed by any means appropriate to the situation and the persons are not required to be in the physical presence of each other. The terms governing such relations may be agreed on in writing between the child’s father, mother or parent as tutor, the child’s tutor, if applicable, or the child 14 years of age or over, and the child’s grandparents or the former spouse of his father, mother or parent, as the case may be.

If a child 10 years of age or over, but under 14 years of age, does not give his consent or if there is a disagreement between the parties, maintenance or development of those relations is determined by the court.

In all cases, the consent of a child 14 years of age or over is required for such relations to be maintained or developed and the child may, from that age, put an end to them without further formality, whether or not an order has been issued by the court.”

114. The Code is amended by inserting the following article after article 643:

“643.1. Remittance of a share of the balance of a demand deposit account to the surviving co-holder under section 3 of the Act respecting remittance of deposits of money to account co-holders who are spouses or former spouses (2022, chapter 22, section 291) that exceeds the share to which the co-holder is entitled does not by itself entail acceptance of the succession.”

115. Article 670 of the Code is amended by inserting “or the parents” after “mother” in the first paragraph.

116. Article 676 of the Code is amended by inserting “or the lines related to each of his parents” after “of the deceased” in the second paragraph.

117. Article 679 of the Code is amended by inserting “or the lines related to each of the parents” after “maternal lines” in the first paragraph.

118. Article 1814 of the Code is amended by replacing “Fathers and mothers or tutors” in the first paragraph by “The father and mother, the parents or the tutor”.

119. Article 1974.1 of the Code is amended

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

“A lessee may resiliate the current lease if, because of sexual violence, spousal violence or violence towards a child living in the dwelling covered by the lease, the safety of the lessee or of the child is threatened.”;

(2) by striking out “or sexual aggression,” in the third paragraph.

120. Article 2926.1 of the Code is amended by replacing “from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse” in the first paragraph by “from violent behaviour suffered during childhood, sexual violence or spousal violence”.

121. Article 3084.1 of the Code is amended by striking out “and nationality” in the second paragraph.

ACT RESPECTING CLINICAL AND RESEARCH ACTIVITIES
RELATING TO ASSISTED PROCREATION

122. Section 1 of the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01) is amended by inserting “or persons who carry a child and” after “women” in the first paragraph.

123. Section 2 of the Act is amended, in subparagraph 1,

- (1) by replacing “in women” by “in a woman or a person”;
- (2) by inserting “or a person” after “a woman or a man”.

124. Section 10 of the Act is amended, in the second paragraph,

- (1) by inserting “or person who carries the child” after “of the woman”;
- (2) by replacing “the woman’s age” by “the age of the woman or person who carries the child”.

125. Section 10.3 of the Act is amended

- (1) by inserting “or person” after “into a woman” in the first paragraph;
- (2) by inserting “or person” and “or person’s” in the second paragraph after “into a woman” and “in the woman’s”, respectively.

ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN
OTHER LEGAL SERVICES

126. Section 1.1 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is amended by inserting “or the parents” after “mother and father” in paragraph 2.

127. Section 1.2 of the Act is amended, in subparagraph 1 of the first paragraph,

- (1) by inserting “or one of the parents,” after “the father or the mother”;
- (2) by inserting “or parent” after “neither married nor the father or mother”;
- (3) by inserting “or parent” after “person nor the father or mother”.

128. The Act is amended by inserting the following section after section 4:

“**4.0.1.** Legal aid shall be granted free of charge to every minor child, regardless of the child’s financial eligibility and for all the services offered under this Act and the regulations.”

129. Section 80 of the Act is amended by inserting “or one of the parents” after “mother” in subparagraph *a* of the first paragraph.

130. The Act is amended by inserting the following section after section 83.1:

“83.1.1. In addition to the functions and duties assigned to it by Chapter II, the Commission des services juridiques shall see that legal services are offered to a non-represented party, for the examination or cross-examination of the other party or of a child, where the court orders the appointment of an advocate in accordance with article 278 of the Code of Civil Procedure (chapter C-25.01) or orders that a child be examined or cross-examined by an advocate under section 85.4.1 of the Youth Protection Act (chapter P-34.1).”

ACT RESPECTING PARENTAL INSURANCE

131. Section 2 of the Act respecting parental insurance (chapter A-29.011) is amended

(1) by replacing “in connection with a pregnancy or the delivery of a child” in paragraph 1 by “or exclusive benefits for the person, in connection with pregnancy or delivery”;

(2) by inserting “or exclusive benefits for the non-birthing parent” after “paternity benefits” in paragraph 2;

(3) by replacing “exclusive and” in paragraph 3 by “exclusive or”.

132. The heading of subdivision 1 of Division I of Chapter II of the Act is amended by adding “*or exclusive benefits for the person, in connection with pregnancy or delivery*” at the end.

133. Section 7 of the Act is amended

(1) by inserting “or exclusive benefits for the person, in connection with pregnancy or delivery,” after “benefits” in the first paragraph;

(2) by striking out both occurrences of “maternity” in the second paragraph;

(3) in the third paragraph,

(a) by replacing “of maternity benefits” by “of the benefits provided for in the first paragraph”;

(b) by striking out “maternity” before “benefit period”.

134. Section 8 of the Act is amended

(1) by replacing “as in the case of maternity” in the first paragraph by “as those provided for in the first paragraph of section 7”;

(2) by striking out “maternity” in the second paragraph.

135. The heading of subdivision 2 of Division I of Chapter II of the Act is amended by adding “*or exclusive benefits for the non-birthing parent*” at the end.

136. Section 9 of the Act is amended by replacing “paternity benefits is 5 or, in the case of an election pursuant to section 18, 3” by “paternity benefits or exclusive benefits for the non-birthing parent is five or, in the case of an election pursuant to section 18, three”.

137. Section 12.1 of the Act is amended by adding the following paragraph at the end:

“If the adoption outside Québec does not materialize, the welcome and support benefits relating to an adoption paid during the weeks preceding the child’s arrival are not recoverable, up to the number of weeks provided for in the third paragraph.”

CHARTER OF HUMAN RIGHTS AND FREEDOMS

138. The Charter of human rights and freedoms (chapter C-12) is amended by inserting the following section after section 39:

“**39.1.** Every person has a right, to the extent provided for by law, to know his origins.”

CODE OF CIVIL PROCEDURE

139. Article 108 of the Code of Civil Procedure (chapter C-25.01) is amended by inserting “documents containing information relating to the parent of origin,” after “psychosocial evidence,” in the third paragraph.

140. Article 160 of the Code is amended by inserting “or parents” after “mother” in the first paragraph.

141. Article 278 of the Code is amended by adding the following paragraph at the end:

“The court may, on application or on its own initiative, prevent an unrepresented party from examining or cross-examining the other party or a child, where the unrepresented party has been indicted or is subject to an order, an undertaking or a recognizance under the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) concerning that other party or that child in relation to family violence, which includes spousal violence, or to sexual violence, or where the unrepresented party is subject to a civil protection order or to an application, agreement or decision relating to youth protection also concerning that other party or that child or where the court considers that such a context of violence exists. In such a case, the court orders that a lawyer be designated to conduct the examination or cross-examination.”

142. Article 336 of the Code is amended by replacing the third paragraph by the following paragraph:

“A judgment relating to adoption is notified to the parties or their representatives in compliance with the rules governing the publication of judgments in family matters, unless the court decides, on application or on its own initiative, to depart from those rules. Those rules do not apply where the child or the adopter is domiciled outside Québec or where the judgment is notified to the director of youth protection and to the Minister of Health and Social Services. If it is notified to the party entrusted with the parental authority, the judgment ordering the child’s placement or adoption is accompanied by a certificate attesting the parental authority. In the case of a judgment declaring a child judicially eligible for adoption, such certificate may be sent to the person who was entrusted with the parental authority if that person so requests it.”

143. Article 404 of the Code is amended by inserting “or parents” after “mother” in the first paragraph.

144. Article 432 of the Code is amended by inserting “, the parents” after “mother” in the second paragraph.

145. Article 434 of the Code is amended by inserting “or to one of the parents” after “mother” in the first paragraph.

146. Article 435 of the Code is amended by inserting “or on the parents” after “mother”.

147. The Code is amended by inserting the following article after article 436:

“**436.1.** To be admissible, an application for placement and an application for an order of transfer of a child in relation to an adoption based on special consent while the child is not the subject of a report must be filed together with a document containing the information relating to the parent of origin in order to complete, if applicable, a summary of the child’s family and medical antecedents as provided for in the Youth Protection Act (chapter P-34.1).”

148. Article 437 of the Code is amended by inserting “, parents” after “mother” in the first paragraph.

149. Article 451 of the Code is amended by replacing “by the mother and father, or by either parent” in the second paragraph by “by the father and mother or the parents, or by either of them”.

INTERPRETATION ACT

150. The Interpretation Act (chapter I-16) is amended by inserting the following section after section 61.1:

“**61.2.** Subject to special provisions to the contrary, in the expressions “the father and the mother or the parents”, “the father or the mother or the parent”, “the father or the mother or one of the parents”, “the father or mother or the parents or one of them”, “the father and mother or the parents”, “the father or the mother or either parent” or in any other similar expression, a parent is any person with regard to whom a child’s filiation is established in accordance with the rules of the Civil Code.”

ACT RESPECTING THE MINISTÈRE DE L’EMPLOI ET DE LA
SOLIDARITÉ SOCIALE AND THE COMMISSION DES PARTENAIRES
DU MARCHÉ DU TRAVAIL

151. Section 57.2 of the Act respecting the Ministère de l’Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by inserting “56.3,” after “articles” in the first paragraph.

ACT RESPECTING LABOUR STANDARDS

152. Section 1 of the Act respecting labour standards (chapter N-1.1) is amended

(1) in the first paragraph,

(a) by inserting “or the parents” after “mother” in subparagraph *b* of subparagraph 3;

(b) by replacing “un salarié employé” and “le salarié” in subparagraph 6 in the French text by “une personne salariée employée” and “la personne salariée”, respectively;

(c) by replacing “un salarié” in subparagraph 7 in the French text by “une personne salariée”;

(d) by replacing “d’un salarié” in subparagraph 9 in the French text by “d’une personne salariée”;

(e) by replacing “salarié” and “ce mot” in subparagraph 10 in the French text by “personne salariée” and “cette expression”, respectively;

(f) by replacing “le salarié est lié” in subparagraph 12 in the French text by “la personne salariée est liée”;

(2) in the second paragraph,

(a) by replacing “le salarié” in the French text by “la personne salariée”;

(b) by replacing “other person” by “employee”.

153. Section 74 of the Act is amended

(1) by replacing all occurrences of “du salarié visé” and “du salarié” in the first paragraph in the French text by “de la personne salariée visée” and “de la personne salariée”, respectively;

(2) in the second paragraph,

(a) by replacing “un salarié est absent”, all occurrences of “il”, and “Le salarié visé” in the French text by “une personne salariée est absente”, “elle” and “La personne salariée visée”, respectively;

(b) by replacing “on maternity or paternity leave” by “if the employee took the leave provided for in section 81.2 or 81.4”;

(c) by replacing “his” by “the employee’s”;

(3) by replacing “an employee on maternity or paternity leave” in the third paragraph by “an employee who took the leave provided for in section 81.2 or 81.4”;

(4) by replacing “the employee would have been entitled if he had not been absent” in the fourth paragraph by “the employee would have been entitled if the employee had not been absent”.

154. Section 79.6.1 of the Act is amended

(1) by replacing ““relative” means, in addition to the employee’s spouse, the child, father, mother, brother, sister and grandparents of the employee” in the first paragraph by ““relative” means, in addition to the employee’s spouse, the child, father, mother, or one of the parents, brother, sister and grandparents of the employee”;

(2) by replacing the second paragraph in the French text by the following paragraph:

“Est de plus considéré comme membre de la famille de la personne salariée pour l’application de ces articles :

1° une personne ayant agi ou agissant comme famille d’accueil pour la personne salariée ou son conjoint;

2° un enfant pour lequel la personne salariée ou son conjoint a agi ou agit comme famille d'accueil;

3° le tuteur, le curateur ou la personne sous la tutelle ou sous la curatelle de la personne salariée ou de son conjoint;

4° la personne inapte ayant désigné la personne salariée ou son conjoint comme mandataire;

5° toute autre personne à l'égard de laquelle la personne salariée a droit à des prestations en vertu d'une loi pour l'aide et les soins qu'elle lui procure en raison de son état de santé."

155. Section 79.7 of the Act is amended

(1) by replacing "Un salarié" and "parent ou d'une personne pour laquelle le salarié" in the first paragraph in the French text by "Une personne salariée" and "membre de la famille ou d'une personne pour laquelle la personne salariée", respectively;

(2) by replacing "au salarié" in the third paragraph in the French text by "à la personne salariée";

(3) in the fourth paragraph,

(a) by replacing "Le salarié" in the French text by "La personne salariée";

(b) by replacing both occurrences of "his" by "the employee's";

(4) by replacing "on being credited with three months of uninterrupted service, even if he was absent" in the fifth paragraph by "on being credited with three months of uninterrupted service, even if the employee was absent".

156. Section 79.8 of the Act is amended

(1) in the first paragraph,

(a) by replacing "Un salarié", "d'un parent ou d'une personne pour laquelle le salarié" and "ce parent" in the French text by "Une personne salariée", "d'un membre de la famille ou d'une personne pour laquelle la personne salariée" and "ce membre de la famille", respectively;

(b) by replacing "he" by "the employee";

(2) by replacing "du salarié" and "le salarié" in the second paragraph in the French text by "de la personne salariée" and "la personne salariée", respectively.

157. Section 79.8.1 of the Act is amended

(1) by replacing “Un salarié”, “parent” and “le salarié” in the French text by “Une personne salariée”, “membre de la famille” and “la personne salariée”, respectively;

(2) by replacing “he” and “his” by “the employee” and “the employee’s”, respectively.

158. Section 79.11 of the Act is replaced by the following section:

“79.11. An employee may be absent from work for a period of not more than 104 weeks if the employee’s spouse, child of full age, father, mother or one of the employee’s parents commits suicide.”

159. Section 80 of the Act is amended by replacing “An employee may be absent from work for two days without reduction of wages by reason of the death or the funeral of his spouse, his child or the child of his spouse, or of his father, mother, brother or sister. He” by “An employee may be absent from work for two days without reduction of wages by reason of the death or the funeral of the employee’s spouse or child, the child of the employee’s spouse, the employee’s brother, sister, father, mother or one of the employee’s parents. The employee”.

160. Section 80.1 of the Act is amended

(1) by replacing “Un salarié” in the French text by “Une personne salariée”;

(2) by replacing “of the father, mother, brother or sister” by “of a brother, a sister, the father, the mother or one of the parents”;

(3) by replacing both occurrences of “his” by “the employee’s”.

161. Section 81 of the Act is amended

(1) in the first paragraph,

(a) by replacing “Un salarié” in the French text by “Une personne salariée”;

(b) by replacing “his or her” by “the employee’s”;

(2) in the second paragraph,

(a) by replacing “Un salarié” in the French text by “Une personne salariée”;

(b) by replacing “of his or her child, father, mother, brother or sister or of a child of his or her spouse” by “of the employee’s child, brother, sister, father, mother, or of one of the employee’s parents, or of a child of the employee’s spouse”;

(3) in the third paragraph,

(a) by replacing “Le salarié” in the French text by “La personne salariée”;

(b) by replacing “his or her employer of his or her absence” by “the employer of such an absence”.

162. Section 81.4 of the Act is amended

(1) in the first paragraph,

(a) by replacing “A pregnant employee is entitled to a maternity leave” by “A pregnant employee is entitled to a maternity leave or personal leave in connection with pregnancy or delivery”;

(b) by replacing “her” by “the employee’s”;

(c) by striking out “maternity” after “consents to a longer”;

(2) in the second paragraph,

(a) by replacing “The employee may spread the maternity leave as she” by “The employee may spread the leave as the employee”;

(b) by striking out “maternity” after “where the”.

163. Section 81.4.1 of the Act is replaced by the following section:

“81.4.1. If the delivery takes place after the expected date, the employee is entitled, after the delivery, to at least two weeks of maternity leave or personal leave in connection with pregnancy or delivery.”

164. Section 81.5 of the Act is amended by replacing “maternity leave” by “leave provided for in section 81.4”.

165. Section 81.5.1 of the Act is amended

(1) in the first paragraph,

(a) by inserting “or the pregnant person” after “mother”;

(b) by replacing “the employee is entitled to a special maternity leave” by “the employee is entitled to a special leave”;

(2) by striking out “maternity” in the second paragraph.

166. Section 81.5.2 of the Act is amended

(1) by replacing “the employee is entitled to a special maternity leave” in the first paragraph by “the employee is entitled to a special leave”;

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

“If the termination of pregnancy occurs in or after the twentieth week, the employee is entitled to the leave provided for in section 81.4. Section 81.5 applies to that leave, with the necessary modifications.”

167. Section 81.6 of the Act is amended

(1) by replacing “maternity leave” in the first paragraph by “leave provided for in section 81.4”;

(2) by inserting “personne” after “besoin de la” in the second paragraph in the French text.

168. Section 81.8 of the Act is amended

(1) in the first paragraph,

(a) by inserting “personne” after “écrit de la” in the French text;

(b) by replacing “she” by “the employee”;

(2) in the second paragraph,

(a) by inserting “personne” after “Si la” in the French text;

(b) by replacing “her to take her maternity leave immediately by sending her” by “the employee to take the leave provided for in section 81.4 immediately by sending the employee”.

169. Section 81.9 of the Act is amended

(1) by inserting “personne” after “81.6, la” in the French text;

(2) by replacing “her maternity leave. However, the employer may require a medical certificate from an employee” by “the leave provided for in section 81.4. However, the employer may require a medical certificate from an employee”;

(3) by replacing “she” by “the employee”.

170. Section 81.14.1 of the Act is amended

(1) in the first paragraph,

(a) by replacing “the employee, a maternity, paternity or parental leave” by “the employee, a leave provided for in section 81.2, 81.4 or 81.10”;

(b) by replacing “le salarié” in the French text by “la personne salariée”;

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

“At the request of the employee and provided the employer consents thereto, the leave provided for in section 81.2 or 81.10 shall be divided into weeks.”

171. Section 81.14.2 of the Act is amended

(1) in the first paragraph,

(a) by replacing “maternity, paternity or parental leave” by “leave taken under section 81.2, 81.4 or 81.10”;

(b) by replacing “du salarié” in the French text by “de la personne salariée”;

(2) in the second paragraph,

(a) by replacing “le salarié” in the French text by “la personne salariée”;

(b) by replacing “the child or, in the case of a maternity leave, that the state of health of the employee” by “the child or, in the case of the leave taken under section 81.4, that the state of health of the employee”.

172. Section 81.15 of the Act is amended

(1) by replacing both occurrences of “du salarié” in the first paragraph in the French text by “de la personne salariée”;

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

“The Government shall determine, by regulation, the other advantages available to an employee during a leave provided for in section 81.2, 81.4 or 81.10.”

173. Section 81.15.1 of the Act is replaced by the following section:

“81.15.1. At the end of a leave taken under section 81.2, 81.4 or 81.10, the employer shall reinstate the employee in the employee’s former position with the same benefits, including the wages to which the employee would have been entitled had the employee remained at work.

If the position held by the employee no longer exists when the employee returns to work, the employer shall recognize all the rights and privileges to which the employee would have been entitled if the employee had been at work at the time the position ceased to exist.”

174. Section 81.17 of the Act is amended by replacing “a maternity, paternity or parental leave” by “leaves provided for in sections 81.2, 81.4 and 81.10”.

175. Section 102 of the Act is amended

(1) in the first paragraph,

(a) by replacing “un salarié”, “d’un salarié” and “salariés” in the French text by “une personne salariée”, “d’une personne salariée” and “personnes salariées”, respectively;

(b) by replacing “one of his rights under” by “a right conferred on the employee by”;

(2) by replacing “un salarié est assujetti” in the second paragraph in the French text by “une personne salariée est assujettie”.

176. Section 122 of the Act is amended

(1) in the first paragraph,

(a) by replacing “his agent” and both occurrences of “him” in the introductory clause by “agent of the employer” and “the employee”, respectively;

(b) by replacing “one of his rights” and “under” in subparagraph 1 by “a right” and “conferred on the employee by”, respectively;

(c) by replacing “he” in subparagraph 2 by “the employee”;

(d) by replacing “du salarié” in subparagraph 3 in the French text by “de la personne salariée”;

(e) by inserting “personne” before “salariée” in subparagraph 4 in the French text;

(f) in subparagraph 6,

i. by replacing all occurrences of “le salarié”, “parent” and “il” in the French text by “la personne salariée”, “membre de la famille” and “elle”, respectively;

ii. by replacing all occurrences of “his” and “he” by “the employee’s” and “the employee”, respectively;

(g) by replacing “qu’il” in subparagraphs 16 and 17 in the French text by “que la personne salariée”;

(h) by replacing all occurrences of “un salarié”, “ce salarié” and “le salarié” in the French text by “une personne salariée”, “cette personne salariée” and “la personne salariée”, respectively, with the necessary modifications;

(2) in the second paragraph,

(a) by inserting “personne” before both occurrences of “salariée” in the French text;

(b) by replacing “his”, both occurrences of “her conditions of employment” and “her or her” by “the employer’s”, “the conditions of employment” and “the employee or the employee’s”, respectively.

177. Section 123.2 of the Act is amended by replacing “the employee has returned to work at the end of a maternity or paternity leave or parental leave” by “the employee has returned to work at the end of a leave provided for in section 81.2, 81.4 or 81.10”.

178. Section 124 of the Act is amended, in the first paragraph,

(1) by replacing “Le salarié qui justifie de deux ans de service continu dans une même entreprise et qui croit avoir été congédié” in the French text by “La personne salariée qui justifie de deux ans de service continu dans une même entreprise et qui croit avoir été congédiée”;

(2) by replacing “believes that he has”, “his complaint” and “his dismissal” by “believes they have”, “a complaint” and “the dismissal”, respectively.

179. The Act is amended

(1) by replacing, in all other provisions, all occurrences of “salarié” or “salariée” and “salariés” in the French text by “personne salariée” and “personnes salariées”, respectively, with the necessary modifications;

(2) by replacing all occurrences of the following terms in all other provisions, with the necessary modifications, where the terms are used in reference to an employee:

(a) “he”, “him” and “she” by “the employee”;

(b) “his” by “the”, “the employee’s” or “their”, depending on the context;

(c) “her” by “the” or “the employee’s”, depending on the context;

(d) “himself” by “themselves”;

(e) “believes he has” and “believes that he has” by “believes they have”.

YOUTH PROTECTION ACT

180. Section 1 of the Youth Protection Act (chapter P-34.1), amended by section 2 of chapter 11 of the statutes of 2022, is again amended by inserting “or the parents” after “mother” in the definition of “parents” in subparagraph *e* of the first paragraph.

181. Section 62.1 of the Act, amended by section 37 of chapter 11 of the statutes of 2022, is again amended

(1) by inserting “or either of his parents” after “mother” in the first paragraph;

(2) by inserting “or either of his parents” after “mother” in the second paragraph.

182. The Act is amended by inserting the following section after section 70.6:

“**70.7.** The designation of a foster family, or of a member of that family, as a suppletive tutor under article 199.1 of the Civil Code does not put an end to the director’s intervention under this Act or change the roles, responsibilities or rights of the foster family or of any of its members.”

183. Section 71.3.4 of the Act is amended

(1) by replacing “entering into an agreement under” in subparagraph 2 of the first paragraph by “providing for exchanges of information or maintaining or developing personal relations in accordance with”;

(2) by replacing the second and third paragraphs by the following paragraphs:

“In addition, the director must offer support services to the adopter, adoptee and members of the family of origin who wish to provide for exchanges of information or maintain or develop personal relations in accordance with article 579 of the Civil Code before the order of placement is made.

Where only exchanges of information are provided for, the director shall, at the parties’ request, facilitate those exchanges until the adoptee reaches full age. However, the director shall cease to act at the request of one of the parties.”

184. Section 71.3.13 of the Act is amended

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

“Every institution operating a child and youth protection centre is responsible for disclosing to any adoptee, or, if the latter is deceased, his descendants in the first degree, or any parent of origin who so requests the information and documents they are entitled to obtain under article 583 or 583.0.1 of the Civil Code, if applicable. The institution shall also disclose to the adoptee, his descendants in the first degree, his brothers or sisters of origin, whether adopted or not, or his grandparents of origin the information referred to in article 583.10 of that Code, where the conditions set out in that article are met.

The institution shall disclose to the descendants in the first degree of a deceased adoptee who so request a summary of the adoptee’s family and medical antecedents referred to in section 71.3.6 of this Act.”;

(2) by replacing “the risk of harm” in the second paragraph by “that the health of the adoptee, of the parent of origin or of a close relative genetically linked to them, as the case may be, warrants disclosure of the medical information concerned”.

185. Section 71.3.14 of the Act is amended by striking out “14 years of age or over” in the first paragraph.

186. Section 71.3.15 of the Act is amended by replacing “third” in the first paragraph by “fourth”.

187. Section 71.15.2 of the Act is amended

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

“The Minister is responsible for disclosing to any adoptee, or, if the latter is deceased, his descendants in the first degree, and to his parent of origin, brothers or sisters of origin, whether adopted or not, or grandparents of origin the information they may obtain under article 583.12 of the Civil Code.

The Minister is also responsible for disclosing to the descendants in the first degree of a deceased adoptee who so request a summary of the adoptee’s family and medical antecedents referred to in section 71.14 of this Act.”;

(2) by replacing “the risk of harm” in the second paragraph by “that the health of the adoptee, of the parent of origin or of a close relative genetically linked to them, as the case may be, warrants disclosure of the medical information”.

188. Section 71.15.5 of the Act is amended, in the first paragraph,

(1) by striking out “14 years of age or over”;

(2) by replacing “adoptee who undertakes or is the subject of such research or steps and needs” by “adoptee and to his descendants in the first degree who undertake or are the subject of such research or steps and need”.

189. The Act is amended by inserting the following section after section 85.4:

“85.4.1. The tribunal may, on application or on its own initiative, prevent an unrepresented party from examining or cross-examining a child and order that the child be examined or cross-examined by an advocate.”

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

190. Section 19.0.1.1 of the Act respecting health services and social services (chapter S-4.2) is amended

(1) by replacing “a user’s biological mother” in the first paragraph by “the biological mother or the person who gave birth to the user”;

(2) by inserting “or the person who gave birth to him” after “mother” in the second paragraph.

191. Section 19.0.2 of the Act is amended by inserting “or of each parent” after “father” in the first paragraph.

192. Section 27.3 of the Act is amended by replacing “the user’s father or mother” in the fourth paragraph by “the father or mother or one of the parents of the user”.

193. Section 30.1 of the Act is amended, in the fifth paragraph,

(1) by inserting “or parent” after “child, the person’s mother or father”;

(2) by inserting “or parent” after “spouse of the person’s mother or father”.

194. Section 131 of the Act is amended, in the third paragraph,

(1) by inserting “or parent” after “child, the person’s mother or father”;

(2) by inserting “or parent” after “spouse of the person’s mother or father”.

195. Section 513 of the Act is amended by replacing “the user’s father, mother, both of them” in the second paragraph by “the father, mother or one of the parents of the user, two of them”.

REGULATION RESPECTING CHANGE OF NAME AND OF OTHER PARTICULARS OF CIVIL STATUS

196. The title of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) is replaced by “Regulation respecting change of name and of other particulars of civil status and substitution of the usual given name”.

197. Section 2 of the Regulation is amended

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

“(2) the designation of sex appearing in the person’s act of birth;”;

- (2) by striking out paragraph 5;
- (3) by inserting “or parents” at the end of paragraph 6.

198. Section 3 of the Regulation is amended, in the first paragraph,

- (1) by inserting “or parents” after “father and mother” in subparagraph 1;
- (2) by replacing “has been deprived” in subparagraph 2 by “or parents or one of them have been deprived”.

199. Section 4 of the Regulation is amended by striking out subparagraph 2 of the first paragraph.

200. Section 8 of the Regulation is amended by inserting “or parents” after “mother”.

201. Section 23 of the Regulation is amended by replacing “20” by “16, 19 and 20”.

202. The Regulation is amended by inserting the following after section 24:

“24.1. For the purposes of the designation of sex appearing in a person’s act of birth and act of death, the letter symbols “M”, “F” or “X” are used to refer to the identifiers “male”, “female” or “non-binary”, as the case may be.

“DIVISION VII.1

“SUBSTITUTION OF THE USUAL GIVEN NAME

“24.2. A notice of substitution of the usual given name must include the following information:

- (1) the name of the person who is the subject of the notice of substitution, as recorded on the act of birth;
- (2) the person’s date of birth;
- (3) the new usual given name chosen; and
- (4) the date of the notice.

Where the notice concerns a minor child, it also includes the name, capacity and domiciliary address of the person submitting the notice for the child, and the name and domiciliary address of the person to whom the notice must be notified.

“24.3. A notice of substitution of the usual given name must be accompanied by the following information concerning the person who is the subject of the notice:

- (1) the person’s place of birth and the place where the birth was registered;
- (2) the designation of sex appearing in the person’s act of birth;
- (3) the person’s domiciliary address on the date on which the notice of substitution is submitted and the number of years the person has been domiciled in Québec;
- (4) the name of the person’s father and mother or parents or, if applicable, of the person’s tutor;
- (5) the person’s civil status and, if the person is married or in a civil union, the spouse’s name and the date and place of their marriage or civil union; and
- (6) the name of the person’s children, if any, as well as their date of birth and the name of each child’s other parent.

The notice concerning a minor child must also be accompanied by the following information concerning the child:

- (1) the domiciliary address of the child’s father and mother or parents or, if applicable, of the child’s tutor on the date on which the notice of substitution is submitted;
- (2) if the child’s father, mother or parent has been deprived of parental authority by a judicial decision, an indication of that fact;
- (3) if the child’s filiation has been changed by a judicial decision, an indication of that fact; and
- (4) if the child has a tutor, a statement that a tutor has been appointed to the child, either by a judicial decision, or by will or by a declaration filed with the Public Curator in accordance with article 200 of the Civil Code, the tutor’s name, the tutor’s domiciliary address, the mode of appointment of the tutor, the effective date of the tutorship and an indication as to whether or not the tutor is filing the application for the minor child.

The notice must be accompanied by the documents provided for in section 4, with the necessary modifications.

“24.4. The person submitting the notice of substitution of the usual given name for a minor child shall notify it, in the manner prescribed in Division VI, to the father and mother or the parents of the child, the child’s tutor, if applicable, and to the child, if 14 years of age or over.

The person submitting the notice shall provide the registrar of civil status with proof that the notification has been made; otherwise, the person must prove that he was unable to make the required notification.

“24.5. The persons who were notified of the notice of substitution of the usual given name may object to the substitution.

To do so, they shall, in accordance with Division VI, notify the registrar of civil status and the person who gave the notice of their objection not later than the twentieth day following the date of notification of the notice of substitution.

The objection must include the information required under section 13, with the necessary modifications.

“24.6. The person who submitted the notice of substitution of the usual given name of a minor child may reply to the objections stated, within 15 days from the day on which the person receives notification thereof. The person shall, in accordance with Division IV, notify the reply to the registrar of civil status, to the objector and, where applicable, to the other interested persons.

The reply must include the information required under section 15, with the necessary modifications.

“24.7. Unless an objection subsists, the registrar of civil status is to publish on the website of the registrar the notice of substitution that was submitted, with the date on which the new usual given name takes effect, unless such publication is not required under article 56.3 of the Civil Code.

“DIVISION VII.2

“CHANGE OF PARENTAL DESIGNATION

“24.8. An application for a change of the designation “father”, “mother” or “parent” appearing in a child’s act of birth must include the information required under section 2, with the necessary modifications.

The applicant shall notify the application, in the manner prescribed in Division IV, to the child, if 14 years of age or over. The applicant shall provide the registrar of civil status with proof that the notification has been made; otherwise, the applicant must prove that he was unable to make the required notification.

“24.9. A child 14 years of age or over who wishes to object to an application for a change of the designation of one of his parents as “father”, “mother” or “parent” in his act of birth shall, in accordance with Division VI, notify the registrar of civil status and the applicant of his objection, not later than the twentieth day following the date of notification of the application.”

**TARIFF OF DUTIES RESPECTING THE ACTS OF CIVIL STATUS AND
CHANGE OF NAME OR OF DESIGNATION OF SEX**

203. The title of the Tariff of duties respecting the acts of civil status and change of name or of designation of sex (chapter CCQ, r. 10) is amended by replacing “the acts of civil status and change of name or of designation of sex” by “acts of civil status, change of name or of designation of sex and substitution of the usual given name”.

204. Section 1 of the Tariff is amended

(1) by adding the following subparagraph after subparagraph 4 of the first paragraph:

“(5) for a detailed attestation related to the information contained in a copy of an attestation of birth or the nature of the changes made to an act of birth, \$25.”;

(2) by adding the following subparagraph after subparagraph 2 of the second paragraph:

“(3) in the case referred to in subparagraph 5 of the first paragraph, \$60.”

205. The Tariff is amended by inserting the following division after section 8:

“DIVISION II.1**“DUTIES RESPECTING SUBSTITUTION OF THE USUAL
GIVEN NAME**

“8.1. The duties payable for the substitution of a usual given name for another given name stated in the act of birth are \$125.”

206. Section 10.2 of the Tariff is amended

(1) by replacing “subparagraph 4” by “subparagraphs 4 and 5”;

(2) by inserting “8.1,” after “5.1, 6, 7, 8,”.

207. The Tariff is amended by inserting the following division after section 10.2:

“DIVISION III.2

“EXEMPTIONS

“10.3. Persons whose name was changed in the context of their stay in an Aboriginal residential school or their descendants who wish to change their name to a traditional Aboriginal name are exempt from paying the duties payable for an application for a change of name until 8 June 2032.

For that period, those persons are also exempt from paying the duties payable for the issuing of copies of acts, certificates and attestations.

“10.4. A person who is the subject of a first application for a change of designation of sex is exempt from paying the duties for such an application and the duties for the issuing of a copy of the certificate of change of designation of sex.”

CHAPTER II

OTHER AMENDING PROVISIONS

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

208. Section 92 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended

(1) by replacing “*in loco parentis*” in paragraph 1 by “in place of a mother, father or parent”;

(2) in paragraph 2,

(a) by replacing “*in loco parentis* to” in paragraph 2 by “in place of a mother, father or parent to”;

(b) by inserting “or the parent” after “mother”.

209. Section 94 of the Act is amended by inserting “or of his parents or one of them” after “father”.

210. Section 110 of the Act is amended by inserting “or the parents” after “mother”.

FUNERAL OPERATIONS ACT

211. Section 2 of the Funeral Operations Act (chapter A-5.02) is amended, in the first paragraph,

(1) by inserting “or by either of the parents” at the end of the definition of “body” in subparagraph 1;

(2) by inserting “, or either of the parents,” after “father” in the definition of “relative” in subparagraph 3.

INDIVIDUAL AND FAMILY ASSISTANCE ACT

212. Section 23 of the Individual and Family Assistance Act (chapter A-13.1.1) is amended

(1) by inserting “, or of either or both of their parents” after “mother” in the introductory clause;

(2) by replacing “the father or mother” in paragraph 1 by “the father or mother or one of the parents”;

(3) by replacing “the father or mother” in paragraph 2 by “the father or mother or one of the parents”.

213. Section 55 of the Act is amended by inserting “or parents” after “father and mother” in subparagraph ii of subparagraph *f* of subparagraph 2 of the first paragraph.

214. Section 57 of the Act is amended

(1) by replacing “or mother” in subparagraph 1 of the first paragraph by “or mother, or parents or one of them”;

(2) by inserting “or parents” after “mother” in the second paragraph.

215. Section 86 of the Act is amended by replacing “mother or father” in the third paragraph by “father, mother or one or both of the person’s parents”.

216. Section 131 of the Act is amended by replacing “or mother” in paragraph 8 by “or mother or parents or one of them”.

217. Section 132 of the Act is amended by inserting “or parents” after “mother” in paragraph 15.

ACT RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION
EXPENSES

218. Section 2 of the Act respecting financial assistance for education expenses (chapter A-13.3) is amended by inserting “or the parents” after “mother” in the definition of “**parents**”.

219. Section 4 of the Act is amended by inserting “or parents or one of them,” after “mother,” in subparagraph 9 of the first paragraph.

AUTOMOBILE INSURANCE ACT

220. Section 2 of the Automobile Insurance Act (chapter A-25) is amended by replacing all occurrences of “*in loco parentis*” by “in place of a mother, father or parent”.

221. Section 60 of the Act is amended by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) mother or father or parent of a victim includes the person who stands in place of a mother, father or parent to the victim at the time of his death;”.

222. Section 69 of the Act is amended by inserting “or his parents” after “mother” in the first paragraph.

ACT RESPECTING PRESCRIPTION DRUG INSURANCE

223. Section 17 of the Act respecting prescription drug insurance (chapter A-29.01) is amended

(1) by replacing “a parent or tutor” in paragraph 1 of the definition of “child” by “the father, mother or parent or a tutor”;

(2) by replacing “the parent or tutor” in paragraph 2 of the definition of “child” by “the father, mother or parent or a tutor”;

(3) by replacing “the parent or tutor” in the definition of “person suffering from a functional impairment” by “the father, mother or parent or a tutor”.

224. Section 18.1 of the Act is amended by inserting “or the parents” after both occurrences of “mother”.

ACT CONSTITUTING CAPITAL RÉGIONAL ET COOPÉRATIF
DESJARDINS

225. Section 4.2 of the Act constituting Capital régional et coopératif Desjardins (chapter C-6.1) is amended by inserting “or parent” after “mother” in the fifth paragraph.

HIGHWAY SAFETY CODE

226. Section 100 of the Highway Safety Code (chapter C-24.2) is amended by inserting “or of one of the driver’s parents” after “mother” in subparagraph 4 of the fourth paragraph.

CODE OF PENAL PROCEDURE

227. Article 28 of the Code of Penal Procedure (chapter C-25.1) is amended by inserting “or on his parents” after “mother”.

REAL ESTATE BROKERAGE ACT

228. Section 3 of the Real Estate Brokerage Act (chapter C-73.2) is amended by inserting “, or one of the parents” after “mother” in paragraph 6.

ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

229. Section 20 of the Act respecting duties on transfers of immovables (chapter D-15.1) is amended

(1) by inserting “or one of the parents” after all occurrences of “father or mother” in the first paragraph;

(2) by inserting “or the parents” after “father and mother” in the second paragraph;

(3) by inserting “or the parents” after “mother” in the fourth paragraph.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN
MUNICIPALITIES

230. Section 131 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended by inserting “or one of the parents,” after “mother,” in the second paragraph.

ACT RESPECTING SCHOOL ELECTIONS TO ELECT CERTAIN
MEMBERS OF THE BOARDS OF DIRECTORS OF ENGLISH-
LANGUAGE SCHOOL SERVICE CENTRES

231. Section 58.3 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) is amended by inserting “or one of the parents,” after “mother,” in the second paragraph.

ELECTION ACT

232. Section 204 of the Election Act (chapter E-3.3) is amended by inserting “or parent” after “mother” in the second paragraph.

ACT TO ESTABLISH FONDATION, LE FONDS DE
DÉVELOPPEMENT DE LA CONFÉDÉRATION DES SYNDICATS
NATIONAUX POUR LA COOPÉRATION ET L'EMPLOI

233. Section 4.2 of the Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi (chapter F-3.1.2) is amended by inserting “or parent” after “mother” in the fourth paragraph.

ACT TO ESTABLISH THE FONDS DE SOLIDARITÉ DES
TRAVAILLEURS DU QUÉBEC (F.T.Q.)

234. Section 4.1 of the Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) (chapter F-3.2.1) is amended by inserting “or parent” after “mother” in the fourth paragraph.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC
BEVERAGES

235. Section 103.2 of the Act respecting offences relating to alcoholic beverages (chapter I-8.1) is amended by inserting “or one of his parents,” after “mother” in subparagraph 1 of the second paragraph.

236. Section 103.6 of the Act is amended by replacing “him” and “he or she is the father or the mother” by “them” and “they are the father or the mother or one of the parents”, respectively.

237. Section 103.8 of the Act is amended by replacing “that he or she is the father or the mother of a minor” by “themselves as the father, the mother or one of the parents of a minor or as”.

ACT RESPECTING THE MINISTÈRE DE LA FAMILLE, DES AÎNÉS ET
DE LA CONDITION FÉMININE

238. Section 3 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2) is amended by replacing paragraph 5 by the following paragraph:

“(5) providing parents with financial support to facilitate access to maternity leave or personal leave, in connection with pregnancy or delivery, or to facilitate access to paternity leave or leave for the non-birthing parent and to parental leave.”

ACT RESPECTING THE QUÉBEC PENSION PLAN

239. Section 86 of the Act respecting the Québec Pension Plan (chapter R-9) is amended, in subparagraph *b* of the first paragraph,

- (1) by replacing “*in loco parentis*” by “in place of a father, mother or parent”;
- (2) by inserting “or one of the parents” after “mother”.

240. Section 173 of the Act is amended by inserting “or one of the parents” after “mother” in the fourth paragraph.

241. Section 174 of the Act is amended by inserting “or one of his parents” after “mother” in the second paragraph.

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN
CORRECTIONAL SERVICES

242. Section 1 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) is amended

- (1) by replacing “ses employés” in paragraph 2 in the French text by “les membres de son personnel”;
- (2) by replacing both occurrences of “d’employés” in paragraph 4 in the French text by “de personnes employées”.

243. Section 7 of the Act is amended

- (1) by replacing “un employé”, “il occupe”, “l’employé” and “il est réputé” in the first paragraph in the French text by “une personne employée”, “elle occupe”, “cette personne” and “elle est réputée”, respectively;

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

“For the purposes of this plan, an employee is deemed to hold pensionable employment when the employee holds full-time or part-time employment, which includes any period during which the employee is absent without pay, is eligible for salary insurance benefits or is on maternity leave or personal leave in connection with pregnancy or delivery. When an employee holds employment for which the basis of remuneration is 200 days, the employee is also deemed to hold pensionable employment until the end of the employment contract if the contract ends on 30 June of any year.”;

- (3) by replacing “l’employé est assujéti” in the third paragraph in the French text by “la personne employée est assujéti”;

- (4) by replacing “d’employés” in the fourth paragraph in the French text by “de personnes employées”.

244. Section 9 of the Act is amended

- (1) by replacing “d’un employé” in the first paragraph in the French text by “d’une personne employée”;
- (2) in the second paragraph,
 - (a) by replacing “employee on maternity leave” by “employee on maternity leave or personal leave in connection with pregnancy or delivery”;
 - (b) by replacing “she would have been entitled if she had not taken maternity leave” by “the employee would have been entitled if the employee had not taken such leave”;
- (3) in the third paragraph,
 - (a) by replacing “employee on paternity or adoption leave” by “employee on paternity leave or leave for the non-birthing parent or on adoption leave”;
 - (b) by replacing all occurrences of “il” and “s’il” in the French text by “elle” and “si elle”, respectively;
- (4) by replacing “d’un employé”, “cet employé” and “s’il” in the fourth paragraph in the French text by “d’une personne employée”, “cette personne” and “si elle”, respectively;
- (5) by replacing “d’un employé” in the fifth paragraph in the French text by “d’une personne employée”.

245. Section 41 of the Act is amended

- (1) in the first paragraph,
 - (a) by replacing “An employee who, while she was” and “she was a teacher within the meaning of the Teachers Pension Plan, ceased to be an employee for the purposes of her pension plan by reason of marriage, pregnancy” by “An employee who, while” and “a teacher within the meaning of the Teachers Pension Plan, ceased to be an employee for the purposes of the pension plan by reason of marriage, maternity, or pregnancy or delivery,”, respectively;
 - (b) by replacing “her years of teaching prior to 1 January 1968 for which she” by “the employee’s years of teaching prior to 1 January 1968 for which the employee”;
 - (c) by replacing “if the marriage, pregnancy” by “if the marriage, maternity, or pregnancy or delivery,”;
 - (d) by replacing “she ceased to be covered by her plan” by “the employee ceased to be covered by the plan”;

(2) by replacing “l’employée” and “Loi sur le régime de retraite des employés du gouvernement et des organismes publics” in the second paragraph in the French text by “la personne employée” and “Loi sur le régime de retraite du personnel employé du gouvernement et des organismes publics”, respectively.

246. Section 42.1.1 of the Act is amended by replacing “employee because of a paternity or adoption leave” by “employee because of a paternity leave or leave for the non-birthing parent or an adoption leave” and by replacing “l’employé ne s’était pas prévalu” in the French text by “la personne employée ne s’était pas prévalue”.

247. Section 139.13 of the Act is amended by replacing “ses employés” in the French text by “les membres de son personnel”.

248. Section 139.17 of the Act is amended by replacing “ses employés” in the French text by “les membres de son personnel”.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

249. The title of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “des employés” in the French text by “du personnel employé”.

250. Section 3 of the Act is amended

(1) by replacing “employés” in the first paragraph in the French text by “personnes employées”;

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

“For the purposes of this plan, an employee within the meaning of the first paragraph is deemed to hold pensionable employment when the employee holds full-time or part-time employment contemplated by the plan, which includes, among other periods, any period during which the employee is absent without pay, is entitled to salary insurance benefits or is on maternity leave or personal leave in connection with pregnancy or delivery. When such an employee holds employment for which the basis of remuneration is 200 days, the employee is also deemed to hold pensionable employment until the end of the employment contract if the contract ends on 30 June of any year.”;

(3) by replacing “l’employé est assujetti” in the third paragraph in the French text by “la personne employée est assujettie”;

(4) by replacing “d’employés” in the fourth paragraph in the French text by “de personnes employées”.

251. Section 14 of the Act is amended

(1) by replacing “d’un employé” in the first paragraph in the French text by “d’une personne employée”;

(2) in the second paragraph,

(a) by replacing “employee on maternity leave” by “employee on maternity leave or personal leave in connection with pregnancy or delivery”;

(b) by replacing “she had not taken maternity leave” by “the employee had not taken such leave”;

(3) in the third paragraph,

(a) by replacing “an employee on paternity or adoption leave” by “an employee on paternity leave or leave for the non-birthing parent or on adoption leave”;

(b) by replacing “paternity or adoption leave for” by “such leave for”;

(c) by replacing both occurrences of “il” and “s’il” in the French text by “elle” and “si elle”, respectively;

(4) by replacing “d’un employé” and “cet employé aurait eu droit s’il” in the fourth paragraph in the French text by “d’une personne employée” and “cette personne aurait eu droit si elle”, respectively;

(5) by replacing “d’un employé ou d’une personne” in the fifth paragraph in the French text by “d’une personne employée ou d’une autre personne”;

(6) by replacing “d’un employé” in the sixth paragraph in the French text by “d’une personne employée”.

252. Section 25.1 of the Act is amended by replacing “maternity, paternity or adoption leave” by “maternity leave or personal leave in connection with pregnancy or delivery, a paternity leave or leave for the non-birthing parent or an adoption leave”.

253. Section 28 of the Act is amended

(1) by replacing “maternity, to a female employee” in the first paragraph by “maternity, or pregnancy or delivery, to an employee”;

(2) in the second paragraph,

(a) by replacing “female employee” by “employee”;

(b) by replacing “her” by “the employee”;

(3) by inserting “personne” after “dans le cas d’une” in the third paragraph in the French text;

(4) in the fourth paragraph,

(a) by replacing “l’employée” in the French text by “la personne employée”;

(b) by replacing “her accumulated” and “her employer” by “the employee’s accumulated” and “the employer”, respectively.

254. Section 28.1 of the Act is amended

(1) by replacing “a female employee” by “an employee”;

(2) by replacing “she” by “the employee”;

(3) by inserting “, or pregnancy or delivery,” after “maternity”;

(4) by replacing “l’employée” in the French text by “la personne employée”.

255. Section 29.2 of the Act is amended

(1) by replacing “l’employé” in the French text by “la personne employée”;

(2) by replacing “paternity or adoption leave” by “paternity leave or leave for the non-birthing parent or an adoption leave”;

(3) by replacing “l’employé ne s’était pas prévalu” in the French text by “la personne employée ne s’était pas prévalue”.

256. Section 74 of the Act is amended, in the first paragraph,

(1) by replacing “l’employé et à moins d’un avis contraire de celui-ci” in the French text by “la personne employée et à moins d’un avis contraire de celle-ci”;

(2) by replacing “maternity, paternity or adoption leave” by “maternity leave or personal leave in connection with pregnancy or delivery, a paternity leave or leave for the non-birthing parent or an adoption leave”.

257. The heading of Division II of Chapter V.1 of Title I of the Act is amended by replacing “PREGNANCY” by “MATERNITY, PREGNANCY OR DELIVERY”.

258. Section 85.3 of the Act is amended

(1) in the first paragraph,

(a) by replacing “L’employée” in the French text by “La personne employée”;

- (b) by striking out both occurrences of “she was”;
- (c) by inserting “personne” before “enseignante” in the French text;
- (d) by replacing “her pension plan”, “her years”, “she obtained”, “she ceased” and “her plan” by “the pension plan”, “the years”, “the employee obtained”, “the employee ceased” and “the plan”, respectively;
- (e) by replacing “of marriage, pregnancy” by “of marriage, maternity, pregnancy or delivery,”;
- (f) by replacing “if the marriage, pregnancy” by “if the marriage, maternity, pregnancy or delivery,”;
- (2) in the second paragraph,
 - (a) by inserting “personne” after “Cette” in the French text;
 - (b) by replacing both occurrences of “her” by “the employee’s”;
 - (c) by replacing “l’employée” in the French text by “la personne employée”;
 - (d) by replacing both occurrences of “she” by “the employee”;
- (3) by replacing “a female employee” in the third paragraph by “an employee”;
- (4) in the fourth paragraph,
 - (a) by replacing “l’employée” in the French text by “la personne employée”;
 - (b) by replacing “her accumulated sick leave” and “her employer” by “the employee’s accumulated sick leave” and “the employer”, respectively.

259. Section 115.10.6 of the Act is amended

- (1) in the first paragraph,
 - (a) by replacing “Tout employé” and “il” in the introductory clause in the French text by “Toute personne employée” and “elle”, respectively;
 - (b) by replacing “employés n’étaient pas visés” in subparagraph 1 in the French text by “personnes employées n’étaient pas visées”;
 - (c) by replacing “ses employés ont été intégrés dans un ministère ou un organisme dont les employés” in subparagraph 2 in the French text by “les membres de son personnel ont été intégrés dans un ministère ou un organisme dont les membres du personnel”;

(2) in the second paragraph,

(a) by replacing “l’employé” and “l’employée” in the French text by “la personne employée” and “elle”, respectively;

(b) by replacing “availed herself of a maternity leave” by “was on maternity leave or personal leave in connection with pregnancy or delivery”;

(c) by replacing “her conditions” by “the employee’s conditions”;

(3) by replacing all occurrences of “l’employé” in the third paragraph in the French text by “la personne employée”;

(4) in the fourth paragraph,

(a) by replacing all occurrences of “l’employé” in the French text by “la personne employée”;

(b) by replacing “his” by “the”;

(c) by replacing “il” in the French text by “elle”.

260. Section 170 of the Act is amended by replacing “ses employés” in the French text by “les membres de son personnel”.

261. Section 173.0.1 of the Act is amended by replacing “ses employés” in the French text by “les membres de son personnel”.

262. Section 187 of the Act is amended by replacing “paternity or adoption leave” in the first paragraph by “paternity leave or leave for the non-birthing parent or an adoption leave”.

263. Schedule I to the Act is amended

(1) by replacing “EMPLOYÉS ET PERSONNES VISÉS” in the title in the French text by “PERSONNES EMPLOYÉES ET AUTRES PERSONNES VISÉES”;

(2) by replacing “EMPLOYÉS” in the heading of section 1 in the French text by “PERSONNES EMPLOYÉES”;

(3) by replacing all occurrences of “employés” in section 1 in the French text, except in the names of the bodies listed in that section, by “personnes employées” and “des employés permanents”, “qui ont été embauchés” and “employés intégrés” by “des membres de son personnel employé permanent”, “qui ont été embauchées” and “personnes employées intégrées”, respectively;

(4) by replacing “EMPLOYÉS” in the heading of section 2 in the French text by “PERSONNES EMPLOYÉES”;

(5) by replacing both occurrences of “EMPLOYÉS” and “QU’ILS” in the heading of section 2.1 in the French text by “PERSONNES EMPLOYÉES” and “QU’ELLES”, respectively, and by replacing “MATERNITY LEAVE” in the heading of section 2.1 by “MATERNITY LEAVE OR PERSONAL LEAVE IN CONNECTION WITH PREGNANCY OR DELIVERY”;

(6) by replacing both occurrences of “EMPLOYÉS”, “DEVIENNENT VISÉS” and “SONT NOMMÉS OU EMBAUCHÉS” in the heading of section 2.2 in the French text by “PERSONNES EMPLOYÉES”, “DEVIENNENT VISÉES” and “SONT NOMMÉES OU EMBAUCHÉES”, respectively;

(7) by replacing both occurrences of “EMPLOYÉS” and “EMPLOYÉS NOMMÉS OU EMBAUCHÉS” in the heading of section 2.3 in the French text by “PERSONNES EMPLOYÉES” and “PERSONNES EMPLOYÉES NOMMÉES OU EMBAUCHÉES”;

(8) by replacing “RÉGIME DE RETRAITE DES EMPLOYÉS DU GOUVERNEMENT ET DES ORGANISMES PUBLICS” in the heading of section 12.2 in the French text by “RÉGIME DE RETRAITE DU PERSONNEL EMPLOYÉ DU GOUVERNEMENT ET DES ORGANISMES PUBLICS”.

264. Schedule II to the Act is amended

(1) by replacing “EMPLOYÉS ET PERSONNES VISÉS” in the title in the French text by “PERSONNES EMPLOYÉES ET AUTRES PERSONNES VISÉES”;

(2) by replacing “EMPLOYÉS” in the heading of section 1 in the French text by “PERSONNES EMPLOYÉES”;

(3) by replacing all occurrences of “des employés engagés” and “ils versent” in section 1 in the French text by “des personnes employées engagées” and “elles versent”, respectively, and “employés du Collège”, “engagés après”, “des ses employés réguliers” and “employés travaillant” by “personnes employées du Collège”, “engagées après”, “des membres de son personnel employé régulier” and “personnes employées travaillant”, respectively;

(4) by replacing “EMPLOYÉS” and “DE CEUX” in the heading of section 2 in the French text by “PERSONNES EMPLOYÉES” and “DE CELLES”, respectively.

**ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL**

265. Section 7 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended

(1) by replacing all occurrences of “d’un employé”, and “cet employé”, in the first paragraph in the French text by “d’une personne employée” and “cette personne employée”, respectively;

(2) in the second paragraph in the French text,

(a) by replacing both occurrences of “Loi sur le régime de retraite des employés du gouvernement et des organismes publics” by “Loi sur le régime de retraite du personnel employé du gouvernement et des organismes publics”;

(b) by replacing “d’un employé qui s’est qualifié”, “un tel employé cesse d’être visé”, “s’il occupe” and “il a cessé d’être visé” by “d’une personne employée qui s’est qualifiée”, “une telle personne cesse d’être visée”, “si elle occupe” and “elle a cessé d’être visée”, respectively;

(3) by replacing the third paragraph by the following paragraph:

“An employee to whom this plan applies is deemed to hold pensionable employment at any time when the employee holds full-time or part-time employment, which includes, among other periods, any period during which the employee is absent without pay, is receiving salary insurance benefits and is on maternity leave or leave in connection with pregnancy or delivery. When an employee holds employment for which the basis of remuneration is 200 days, the employee is also deemed to hold pensionable employment until the end of the employment contract if the contract ends on 30 June of any year.”;

(4) by replacing “l’employé est assujetti” in the fourth paragraph in the French text by “la personne employée est assujettie”;

(5) by replacing “d’employés” in the fifth paragraph in the French text by “de personnes employées”.

266. Section 25 of the Act is amended

(1) by replacing “d’un employé” in the first paragraph in the French text by “d’une personne employée”;

(2) in the second paragraph,

(a) by replacing “employee on maternity leave” by “employee on maternity leave or personal leave in connection with pregnancy or delivery”;

(b) by replacing “she had not taken maternity leave” by “the employee had not taken such leave”;

(3) by replacing “employee on paternity or adoption leave is the basic salary the employee would have been entitled to receive had the employee not been on such leave for the period during which the employee receives benefits, or would receive benefits if” in the third paragraph by “employee on paternity leave or leave for the non-birthing parent or on adoption leave is the basic salary the employee would have been entitled to receive had the employee not been on such leave for the period during which the employee receives benefits, or would receive benefits if”;

(4) in the fourth paragraph,

(a) by replacing “d’un employé” in the French text by “d’une personne employée”;

(b) by replacing “cet employé aurait eu droit s’il” in the French text by “cette personne aurait eu droit si elle”;

(5) by replacing “d’un employé” in the fifth paragraph in the French text by “d’une personne employée”;

(6) by replacing “d’un employé” in the sixth paragraph in the French text by “d’une personne employée”.

267. Section 39.1 of the Act is amended by replacing “maternity, paternity or adoption leave” by “maternity leave or personal leave in connection with pregnancy or delivery, a paternity leave or leave for the non-birthing parent or an adoption leave”.

268. Section 43.1 of the Act is amended by replacing “employee because of a paternity or adoption leave” by “employee because of a paternity leave or leave for the non-birthing parent or an adoption leave” and by replacing “l’employé ne s’était pas prévalu” in the French text by “la personne employée ne s’était pas prévalue”.

269. Section 111 of the Act is amended, in the first paragraph,

(1) by replacing “l’employé et à moins d’un avis contraire de celui-ci” in the French text by “la personne employée et à moins d’un avis contraire de celle-ci”;

(2) by replacing “a maternity, paternity or adoption leave” by “a maternity leave or personal leave in connection with pregnancy or delivery, a paternity leave or leave for the non-birthing parent or an adoption leave”.

270. Section 118 of the Act is amended

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

“An employee who has had a period of absence without pay at a time the employee held pensionable employment under the Government and Public Employees Retirement Plan may, if the employee applies therefor, be credited with all or part of that period of absence if it consisted of more than 30 consecutive days or, in the case of part-time absence, of more than 20% of the regular time of a full-time employee holding similar employment.”;

(2) by replacing “Loi sur le régime de retraite des employés du gouvernement et des organismes publics” in the second paragraph in the French text by “Loi sur le régime de retraite du personnel employé du gouvernement et des organismes publics”;

(3) by replacing “a maternity, paternity or adoption leave” in the third paragraph by “a maternity leave or personal leave in connection with pregnancy or delivery, a paternity leave or leave for the non-birthing parent or an adoption leave” and by replacing all occurrences of “l’employé” in the French text by “la personne employée”;

(4) by replacing the fourth paragraph by the following paragraph in the French text:

“En outre, la personne employée qui, alors qu’elle occupait une fonction visée par le régime de retraite du personnel employé du gouvernement et des organismes publics ou par le régime de retraite des agents de la paix en services correctionnels, a cessé de participer à ce régime après une période d’absence sans traitement de 30 jours consécutifs ou moins sans que la retenue prévue à l’article 29.0.1 de la Loi sur le régime de retraite du personnel employé du gouvernement et des organismes publics ou à l’article 42.0.1 de la Loi sur le régime de retraite des agents de la paix en services correctionnels (chapitre R-9.2) ait entièrement été effectuée, peut également faire créditer la portion de cette période d’absence n’ayant pas fait l’objet de la retenue.”

271. The heading of Division III of Chapter V of the Act is amended by inserting “, PREGNANCY OR DELIVERY,” after “MATERNITY”.

272. Section 128 of the Act is amended

(1) by replacing “maternity, in respect of a female employee” in the first paragraph by “maternity, or pregnancy or delivery, in respect of an employee”;

(2) in the second paragraph,

(a) by replacing “l’employée” in the French text by “la personne employée”;

(b) by replacing “her” by “the employee”;

(3) in the third paragraph,

(a) by replacing “l’employée” in the French text by “la personne employée”;

(b) by replacing “her accumulated” and “her employer” by “the employee’s accumulated” and “the employer”, respectively.

273. Section 129 of the Act is amended

- (1) by replacing “a female employee” by “an employee”;
- (2) by replacing “she” by “the employee”;
- (3) by inserting “, or pregnancy or delivery,” after “maternity”;
- (4) by replacing “l’employée occupait une fonction visée par le régime de retraite des employés du gouvernement et des organismes publics” in the French text by “cette personne occupait une fonction visée par le régime de retraite du personnel employé du gouvernement et des organismes publics”.

274. Section 130 of the Act is amended

- (1) in the first paragraph,
 - (a) by replacing “L’employée”, “enseignante” and “de maternité” in the French text by “La personne employée”, “personne enseignante” and “de maternité ou de grossesse ou d’accouchement”, respectively;
 - (b) by striking out both occurrences of “she was”;
 - (c) by replacing both occurrences of “her” by “the”;
 - (d) by replacing “of marriage, maternity”, “she obtained” and “she ceased” by “of marriage, maternity, pregnancy or delivery”, “the employee obtained” and “the employee ceased”, respectively;
 - (e) by inserting “, pregnancy or delivery,” after “if the marriage, maternity”;
- (2) in the second paragraph,
 - (a) by inserting “personne” after “Cette” in the French text;
 - (b) by replacing “her basic” and “her application” by “the employee’s basic” and “the application”, respectively;
 - (c) by replacing both occurrences of “she” by “the employee”;
 - (d) by replacing “l’employée” in the French text by “la personne employée”;
- (3) in the third paragraph,
 - (a) by replacing “l’employée” in the French text by “la personne employée”;
 - (b) by replacing “her accumulated” and “her employer” by “the employee’s accumulated” and “the employer”, respectively.

275. Section 152.6 of the Act is amended

(1) in the first paragraph,

(a) by replacing “Tout employé” and “il” in the introductory clause in the French text by “Toute personne employée” and “elle”, respectively;

(b) by replacing “employés n’étaient pas visés” in subparagraph 1 in the French text by “personnes employées n’étaient pas visées”;

(c) by replacing “ses employés ont été intégrés dans un ministère ou un organisme dont les employés” in subparagraph 2 in the French text by “les membres de son personnel ont été intégrés dans un ministère ou un organisme dont les membres du personnel”;

(2) in the second paragraph,

(a) by replacing “the employee was entitled to salary insurance benefits or in which an employee availed herself of a maternity leave” by “the employee was entitled to salary insurance benefits or in which an employee was on maternity leave or personal leave in connection with pregnancy or delivery”;

(b) by replacing “her” by “the employee’s”;

(3) by replacing all occurrences of “l’employé” in the third paragraph in the French text by “la personne employée”;

(4) in the fourth paragraph,

(a) by replacing “l’employé” and “l’employé qui prend sa retraite le jour suivant celui où il” in the French text by “la personne employée” and “la personne employée qui prend sa retraite le jour suivant celui où elle”, respectively;

(b) by replacing “his or her” by “the”.

276. Section 196.4 of the Act is amended by replacing “ses employés” in the French text by “les membres de son personnel”.

277. Section 196.13 of the Act is amended by replacing “ses employés” in the French text by “les membres de son personnel”.

278. Schedule II to the Act is amended

(1) by replacing “EMPLOYÉS ET PERSONNES VISÉS” in the title in the French text by “PERSONNES EMPLOYÉES ET AUTRES PERSONNES VISÉES”;

(2) by replacing “EMPLOYÉS” in the heading of section 1 in the French text by “PERSONNES EMPLOYÉES”;

(3) in section 1,

(a) by replacing all occurrences, in the French text, of “employés” by “personnes employées”, except in the names of the bodies listed in that section, of “engagés” and “ils” by “engagées” and “elles”, respectively, and of “des employés permanents”, “embauchés”, “de ses employés réguliers”, “intégrés” and “qualifiés” by “des membres de son personnel employé permanent”, “embauchées”, “des membres de son personnel employé régulier”, “intégrées” and “qualifiées”, respectively;

(b) by replacing all occurrences of “régime de retraite des employés du gouvernement et des organismes publics” in the French text by “régime de retraite du personnel employé du gouvernement et des organismes publics”;

(4) by replacing “EMPLOYÉS” and “DE CEUX” in the heading of section 2 in the French text by “PERSONNES EMPLOYÉES” and “DE CELLES”, respectively;

(5) by replacing “EMPLOYÉS” in the heading of section 3 in the French text by “PERSONNES EMPLOYÉES”;

(6) by replacing both occurrences of “EMPLOYÉS”, and “QU’ILS”, in the heading of section 3.1 in the French text by “PERSONNES EMPLOYÉES” and “QU’ELLES”, respectively, and by replacing “MATERNITY LEAVE” in the heading of section 3.1 by “MATERNITY LEAVE OR PERSONAL LEAVE IN CONNECTION WITH PREGNANCY OR DELIVERY”;

(7) by replacing all occurrences of “EMPLOYÉS” in the heading of section 3.2 in the French text by “PERSONNES EMPLOYÉES”, and “SONT NOMMÉS OU EMBAUCHÉS” and “RÉGIME DE RETRAITE DES EMPLOYÉS DU GOUVERNEMENT ET DES ORGANISMES PUBLICS” by “SONT NOMMÉES OU EMBAUCHÉES” and “RÉGIME DE RETRAITE DU PERSONNEL EMPLOYÉ DU GOUVERNEMENT ET DES ORGANISMES PUBLICS”, respectively;

(8) by replacing both occurrences of “EMPLOYÉS”, and “EMPLOYÉS NOMMÉS OU EMBAUCHÉS”, in the heading of section 3.3 in the French text by “PERSONNES EMPLOYÉES” and “PERSONNES EMPLOYÉES NOMMÉES OU EMBAUCHÉES”, respectively;

(9) by replacing “RÉGIME DE RETRAITE DES EMPLOYÉS DU GOUVERNEMENT ET DES ORGANISMES PUBLICS” in the heading of sections 13.2 and 15 in the French text by “RÉGIME DE RETRAITE DU PERSONNEL EMPLOYÉ DU GOUVERNEMENT ET DES ORGANISMES PUBLICS”.

EDUCATIONAL CHILDCARE ACT

279. Section 3 of the Educational Childcare Act (chapter S-4.1.1) is amended by inserting “or parent” after “father”.

ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM

280. Section 49 of the Act respecting the Québec correctional system (chapter S-40.1) is amended

(1) in paragraph 2,

(a) by inserting “or one of his or her parents, his or her” after “mother,”;

(b) by inserting “or parent” at the end;

(2) in paragraph 3,

(a) by inserting “or one of his or her parents, his or her” after “mother,”;

(b) by inserting “or parent” after “father or mother”;

(3) in paragraph 4,

(a) by inserting “, or one of his or her parents,” after “mother”;

(b) by inserting “or parent” after “father or mother”.

281. Section 51 of the Act is amended, in the first paragraph,

(1) by inserting “or parent” after “mother”;

(2) by inserting “or parent” after “father or mother”.

282. Section 140 of the Act is amended

(1) by inserting “or parent” after “mother,”;

(2) by inserting “or parent” at the end.

COURTS OF JUSTICE ACT

283. Section 221 of the Courts of Justice Act (chapter T-16) is amended by inserting “or parents” after “mother”.

CHAPTER III**GENERAL AMENDING PROVISIONS**

284. Unless already or otherwise provided for by this Act, all occurrences of the expression “régime de retraite des employés du gouvernement et des organismes publics” in the French text are replaced by “régime de retraite du personnel employé du gouvernement et des organismes publics”, with the necessary modifications, in the following Acts:

(1) the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2);

(2) the Act respecting the Government and Public Employees Retirement Plan (chapter R-10);

(3) the Act respecting the Pension Plan of Management Personnel (chapter R-12.1).

285. Unless the context indicates otherwise, in any Act or regulation, the expressions “Loi sur le régime de retraite des employés du gouvernement et des organismes publics” and “régime de retraite des employés du gouvernement et des organismes publics” are replaced in the French text by “Loi sur le régime de retraite du personnel employé du gouvernement et des organismes publics” and “régime de retraite du personnel employé du gouvernement et des organismes publics”, respectively.

286. Unless the context indicates otherwise, in any text or document, whatever the nature or medium, a reference, in French, to the “Loi sur le régime de retraite des employés du gouvernement et des organismes publics” is a reference to the “Loi sur le régime de retraite du personnel employé du gouvernement et des organismes publics” and a reference to the “régime de retraite des employés du gouvernement et des organismes publics” is a reference to the “régime de retraite du personnel employé du gouvernement et des organismes publics”.

287. Unless already provided for by this Act, all occurrences of the expression “maternity leave” are replaced, depending on the context, by “maternity leave or personal leave in connection with pregnancy or delivery”, “such leave” or “the leave”, with the necessary modifications, in the following Acts:

(1) the Act respecting the Pension Plan of Peace Officers in Correctional Services;

(2) the Act respecting the Government and Public Employees Retirement Plan;

(3) the Act respecting the Pension Plan of Management Personnel.

288. Unless the context indicates otherwise or this Act already provides for it or provides otherwise, all occurrences of “employé” and “employée” are replaced in the French text by “personne employée” and all occurrences of “employés” and “employées” are replaced in the French text by “personnes employées”, with the necessary modifications, in the provisions of the following Acts:

(1) the Act respecting the Pension Plan of Peace Officers in Correctional Services, except the first paragraph of section 74.0.1;

(2) the Act respecting the Government and Public Employees Retirement Plan, except Schedule II.1 when such words are included in names of listed bodies;

(3) the Act respecting the Pension Plan of Management Personnel, except Schedule IV.

In addition, unless the context indicates otherwise or this Act already provides for it or provides otherwise, the provisions of Acts referred to in subparagraphs 1 to 3 of the first paragraph are amended by replacing all occurrences of the following terms when they are used in reference to an employee, with the necessary modifications:

(1) “he”, “him”, “she”, “he or she” and “him or her” by “the employee”;

(2) “his” and “his or her” by “the”, “the employee’s” or “their”, depending on the context;

(3) “her” by “the employee”, “the” or “the employee’s”, depending on the context;

(4) “himself”, “herself” and “himself or herself” by “themselves”;

(5) “female employee” by “employee”.

289. Unless already provided for by this Act, all occurrences of the words “enseignant” and “enseignante” in the French text are replaced by “personne enseignante” and, unless it is used in the expressions “régime de retraite des enseignants” and “Loi sur le régime de retraite des enseignants”, all occurrences of the word “enseignants” are replaced in the French text by “personnes enseignantes”, with the necessary modifications, in the following provisions:

(1) the first and third paragraphs of section 40 of the Act respecting the Pension Plan of Peace Officers in Correctional Services;

(2) section 24.0.1, the first paragraph of section 34, the first and third paragraphs of section 85, the second paragraph of section 85.2, the second paragraph of section 176 and the first paragraph of section 198 of the Act respecting the Government and Public Employees Retirement Plan;

(3) the first paragraph of section 50, the first paragraph of section 121, the first and third paragraphs of section 126 and the second paragraph of section 127 of the Act respecting the Pension Plan of Management Personnel.

In addition, unless the context indicates otherwise or this Act already provides for it or provides otherwise, the provisions referred to in subparagraphs 1 to 3 of the first paragraph are amended by replacing all occurrences of the following terms when they are used in reference to a teacher, with the necessary modifications:

- (1) “he”, “he or she” and “her” by “the teacher”;
- (2) “his” by “the”.

290. All occurrences of the word “fonctionnaire” in the French text are replaced by “personne fonctionnaire” and, unless it is used in the expression “régime de retraite des fonctionnaires” or “fonds de pension des fonctionnaires de l’enseignement”, all occurrences of the word “fonctionnaires” in the French text are replaced by “personnes fonctionnaires”, with the necessary modifications, in the following provisions:

- (1) sections 24.0.1 and 115.5.1, the second paragraph of section 176 and section 222.1 of the Act respecting the Government and Public Employees Retirement Plan;
- (2) the first paragraph of section 121 of the Act respecting the Pension Plan of Management Personnel.

In addition, unless the context indicates otherwise or this Act already provides for it or provides otherwise, the provisions referred to in subparagraphs 1 and 2 of the first paragraph are amended by replacing all occurrences of the following terms when they are used in reference to an officer, with the necessary modifications:

- (1) “he”, “he or she” and “him” by “the officer”;
- (2) “his” by “the”;
- (3) “himself” by “themselves”.

PART II

ENACTMENT OF THE ACT RESPECTING REMITTANCE OF DEPOSITS OF MONEY TO ACCOUNT CO-HOLDERS WHO ARE SPOUSES OR FORMER SPOUSES

291. The Act respecting remittance of deposits of money to account co-holders who are spouses or former spouses, the text of which appears in this Part, is enacted.

**“ACT RESPECTING REMITTANCE OF DEPOSITS OF MONEY TO
ACCOUNT CO-HOLDERS WHO ARE SPOUSES OR FORMER
SPOUSES**

“1. An authorized deposit institution within the meaning of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) or a bank within the meaning of the Bank Act (Statutes of Canada, 1991, chapter 46) that receives a deposit of money, in Québec, is subject to the provisions of this Act.

“2. Before entering into a contract with spouses or former spouses for the opening of a demand deposit account of which the spouses or former spouses are the only two co-holders, every authorized deposit institution or bank must inform them in writing of the possibility of declaring their respective share in the account balance.

A declaration is used only for the purpose of remitting that share in the event the balance or part of the balance becomes inaccessible due to the death of one of the co-holders.

A declaration is made jointly, in writing, at the time the demand deposit account is opened, or at any other time, by the co-holders who are spouses or former spouses and a copy of it is given to the authorized deposit institution or the bank. The co-holders may, at any time and in the same manner, change the declaration.

The authorized deposit institution or the bank must also inform the spouses or former spouses in writing of the consequences of an omission to make such a declaration and of the spouses’ or former spouses’ responsibility to inform the institution or bank of any change to their respective share.

“3. After the death of one of the co-holders of a demand deposit account who were spouses or former spouses on the date of the death, the authorized deposit institution or the bank that is the depositary must remit to the surviving co-holder or to the liquidator of the deceased co-holder’s succession who requests it in writing the share of the account balance that is owed to the surviving co-holder or that the liquidator is in charge of administering, as the case may be, or a part of that share if the request so specifies.

When making a remittance pursuant to the first paragraph, the authorized deposit institution or the bank that is the depositary must also remit to the surviving co-holder or to the liquidator of the deceased co-holder’s succession who has made no request, as the case may be, the corresponding share or part of the share that is owed to the surviving co-holder or that the liquidator is in charge of administering. If such remittance cannot be made, the deposit institution or the bank reserves that corresponding share or part of the share.

The balance of the account remains in indivision. Any new request for remittance is dealt with in accordance with the rules set out in the preceding paragraphs.

“4. The share of each of the co-holders in the balance of the account is determined in the declaration. If no such declaration is made, their respective share corresponds to half of the account balance.

“5. A deposit institution or bank that contravenes this Act commits an offence and is liable to a fine of \$1,000 to \$40,000. Those amounts are doubled for a subsequent offence.

“6. Where a deposit institution or a bank commits an offence under this Act, its director or representative who was aware of the offence is deemed to be a party to the offence and is liable to a fine of \$600 to \$6,000, unless that person proves to the satisfaction of the court that the offence was committed without the person acquiescing to it.

The amounts provided for in the first paragraph are doubled for a subsequent offence.

“7. A person who accomplishes or omits to accomplish something in order to help a person to commit an offence under this Act, or who advises, encourages or incites a person to commit such an offence, is considered to have committed the same offence and is liable,

(a) in the case of a natural person, to a fine of \$600 to \$6,000; and

(b) in the case of a legal person, to a fine of \$1,000 to \$40,000.

The amounts provided for in the first paragraph are doubled for a subsequent offence.

“8. Penal proceedings for an offence under a provision of this Act are prescribed by two years from the date of the commission of the offence.

“9. If a person commits repeated offences under this Act, the Attorney General, after the Director of Criminal and Penal Prosecutions has instituted penal proceedings, may apply to the Superior Court for an interlocutory injunction enjoining that person, or the person’s directors, representatives or employees to cease perpetrating the alleged offences until final judgment is rendered in the penal proceedings.

After such judgment has been rendered, the Superior Court itself renders final judgment on the application for an injunction.

“10. The Minister of Justice is responsible for the administration of this Act.

“11. The Office de la protection du consommateur oversees the implementation of this Act.”

PART III**TRANSITIONAL AND FINAL PROVISIONS**

292. The given name identified by the registrar of civil status before the date of coming into force of section 5 as being the usual given name of a person is presumed to be the person’s usual given name within the meaning of article 50 of the Civil Code, amended by section 5.

The person who ascertains that the given name identified by the registrar of civil status is not the one the person commonly uses for identification purposes may apply to the latter to have the given name commonly used by the person for identification purposes substituted for the usual given name so identified. The procedure provided for in subdivision 3 of Division I of Chapter I of Title Three of Book One of the Civil Code, enacted by section 13, does not apply to such an application. In addition, such a substitution is made free of charge.

293. Until the coming into force of section 6, article 51 of the Civil Code is to be read by inserting “or his parents” after “his mother and father”.

294. Until the coming into force of section 8, the first paragraph of article 53 of the Civil Code is to be read as follows:

“A child whose filiation is established with regard to only his father or mother or one of his parents bears the surname of his father, mother or parent, as the case may be, and one or more given names chosen by his father, mother or parent.”

295. Until 17 June 2022, article 115 of the Civil Code is to be read by inserting “or of the parents” after “father and of the mother”.

296. Any identity disclosure veto by a parent of origin, whether or not the bond of filiation has been registered in the original act of birth, registered before the date of coming into force of section 93, ceases to have effect on the adoptee’s eighteenth birthday. The same applies to the protection by operation of law granted to the identity of a child toward a parent of origin in accordance with article 583.4 of the Civil Code, as it read before the date of coming into force of section 96.

297. Where terms of the personal relations between a child and the child’s grandparents were determined by the court in accordance with article 611 of the Civil Code as it read before 8 June 2022, the consent of the child 14 years of age or over is required to maintain the relations and the child may decide to put an end to them without further formality.

298. Any person who, on 8 June 2022, having already obtained a change of the designation of sex appearing in their act of birth and who, before 8 June 2024, makes a new application for a change of that designation to have it refer to the identifier “non-binary” is exempt from the requirement that the application be accompanied by the letter referred to in section 23.3 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) and from paying the duties payable for such an application and for the issuing of a copy of the certificate of change of designation of sex.

299. The provisions of this Act come into force on 8 June 2022, except the provisions of

- (1) sections 114 and 291, which come into force on 8 December 2022;
- (2) sections 4, 10, 14, 15, 22, 25 to 29, section 34 except as regards the usual given name, section 35, paragraph 1 of section 38, section 39, section 41 insofar as it enacts the first paragraph of article 146 of the Civil Code, sections 42, 43 and 121, paragraph 2 of section 197, sections 199 and 201, section 202 insofar as it enacts section 24.1 and Division VII.2 of the Regulation respecting change of name and of other particulars of civil status, section 204, paragraph 1 of section 206, and section 207 insofar as it enacts section 10.4 of the Tariff of duties respecting the acts of civil status and change of name or of designation of sex (chapter CCQ, r. 10), which come into force on 17 June 2022;
- (3) sections 1, 5 and 6, paragraph 2 of section 7, section 8, paragraph 2 of section 9, sections 11 and 13, section 34 as regards the usual given name, section 41 insofar as it enacts the second paragraph of article 146 of the Civil Code, sections 109, 132 to 137, 151 to 179 and 196, section 202 insofar as it enacts Division VII.1 of the Regulation respecting change of name and of other particulars of civil status, sections 203 and 205, paragraph 2 of section 206 and sections 230 to 232, which come into force on 8 June 2023 or an earlier date to be set by the Government;
- (4) sections 44, 93 to 102, 138, 139, 147 and 184 to 188, which come into force on 8 June 2024 or an earlier date to be set by the Government.

2022, chapter 23

AN ACT AMENDING THE TAXATION ACT, THE ACT RESPECTING THE QUÉBEC SALES TAX AND OTHER PROVISIONS

Bill 33

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 12 May 2022

Passed in principle 31 May 2022

Passed 7 June 2022

Assented to 8 June 2022

Coming into force: 8 June 2022

Legislation amended:

Tax Administration Act (chapter A-6.002)

Unclaimed Property Act (chapter B-5.1)

Act respecting international financial centres (chapter C-8.3)

Taxation Act (chapter I-3)

Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1)

Act respecting the Régie de l'assurance maladie du Québec (chapter R-5)

Act respecting the Québec Pension Plan (chapter R-9)

Act respecting the Québec sales tax (chapter T-0.1)

Regulations amended:

Regulation respecting the Taxation Act (chapter I-3, r. 1)

Regulation respecting the Québec sales tax (chapter T-0.1, r. 2)

Explanatory notes

The purpose of this Act is to give effect to fiscal measures announced in various Information Bulletins published in 2020, 2021 and 2022. It also gives effect to measures announced in the Budget Speech delivered on 22 March 2022.

For the purpose of introducing or modifying measures specific to Québec, the Act contains the provisions necessary for the payment in 2022 of refundable tax credits to mitigate the cost of living increase. It also amends the Tax Administration Act and the Taxation Act to, in particular,

(cont'd on next page)

Explanatory notes (*cont'd*)

- (1) enhance the refundable tax credit for child care expenses;
- (2) enhance the refundable tax credit for senior assistance;
- (3) broaden the scope of the refundable tax credit for the treatment of infertility; and
- (4) relax the rules governing the interruption of the prescription of a tax liability.

The Act respecting the Régie de l'assurance maladie du Québec is amended to increase the exemption amounts used in computing the premium payable by a person subject to the public prescription drug insurance plan.

In addition, the Act amends the Taxation Act and the Act respecting the Québec sales tax to make amendments similar to those made to the Income Tax Act and the Excise Tax Act mainly by the Budget Implementation Act, 2021, No. 1 (Statutes of Canada, 2021, chapter 23), assented to on 29 June 2021. More specifically, the amendments deal with

- (1) the security options regime;
- (2) the possibility of acquiring an advanced life deferred annuity through a registered plan;
- (3) employee life and health trusts;
- (4) the treatment of virtual currencies for the purposes of the Québec sales tax; and
- (5) the rules applicable to investment limited partnerships as regards the sales tax.

Lastly, the Act makes various technical amendments as well as consequential and terminology-related amendments.



Chapter 23

AN ACT AMENDING THE TAXATION ACT, THE ACT RESPECTING THE QUÉBEC SALES TAX AND OTHER PROVISIONS

[Assented to 8 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TAX ADMINISTRATION ACT

1. (1) Section 27.3 of the Tax Administration Act (chapter A-6.002) is amended

(1) by replacing “after” and “was” in the first paragraph by “from” and “is”, respectively;

(2) by replacing “soit” in the portion of the third paragraph before subparagraph *a* in the French text by “selon le cas”;

(3) by striking out “31,” in subparagraph *a* of the third paragraph.

(2) Paragraph 3 of subsection 1 applies in respect of a refund allocation made after 29 November 2022.

2. Section 59.0.2 of the Act is amended by replacing the first paragraph by the following paragraph:

“Every person who fails to provide any information required on a prescribed form filed in accordance with a fiscal law or a regulation made under such a law is liable to a penalty of \$100.”

3. Section 59.2 of the Act is amended by striking out the fifth and sixth paragraphs.

4. Section 78 of the Act is amended by inserting “by” after “prescribed” in the second paragraph.

5. Section 93.1.8 of the Act is amended, in the first paragraph,

(1) by inserting “280.1,” after “21.4.14,”;

(2) by striking out “578.7,”.

6. Section 93.1.12 of the Act is amended, in the first paragraph,

- (1) by inserting “280.1,” after “21.4.14,”;
- (2) by striking out “578.7,”.

UNCLAIMED PROPERTY ACT

7. Section 30 of the Unclaimed Property Act (chapter B-5.1) is amended by replacing “prescribed 10 years after the date of delivery” in the second paragraph by “prescribed by 10 years from the date of delivery”.

ACT RESPECTING INTERNATIONAL FINANCIAL CENTRES

8. Section 49 of the Act respecting international financial centres (chapter C-8.3) is amended

- (1) by striking out the definitions of “gross revenue”, “specified income”, “specified loss”, “trust” and “wages” in the first paragraph;
- (2) by striking out the second and third paragraphs.

9. Section 51 of the Act is replaced by the following section:

“51. An individual entitled, for a taxation year, to a deduction in computing the individual’s taxable income under section 65 shall enclose with the fiscal return required to be filed by the individual for the year under section 1000 of the Taxation Act (chapter I-3) a copy of the certificate that is referred to in section 3.5 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) and that was issued for the year in respect of the individual.”

10. Sections 51.3 to 51.5 of the Act are repealed.

11. The heading of Division II of Chapter V of the Act is replaced by the following heading:

“CORPORATIONS OPERATING AN INTERNATIONAL FINANCIAL CENTRE”.

12. Subdivision 1 of Division II of Chapter V of the Act, comprising sections 52 to 56.2, is repealed.

13. Sections 57 to 60.1 of the Act are repealed.

14. Section 61 of the Act is replaced by the following section:

“61. A corporation is not required to pay the minimum amount of tax determined under the second paragraph of section 1167 or the third paragraph of section 1173.1 of the Taxation Act (chapter I-3) where its operations consist solely in the operation of an international financial centre.”

15. Section 63 of the Act is amended

(1) by replacing the portion before subparagraph 2 of the first paragraph by the following:

“63. No amount is to be deducted or withheld under section 1015 of the Taxation Act (chapter I-3) in respect of the part of the remuneration referred to in the second paragraph, for a period or part of a period of a taxation year, of an employee of a corporation operating an international financial centre, from the employee’s employment with the corporation, where the following conditions are satisfied:

(1) a qualification certificate referred to in section 3.3 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) was issued in respect of the employee in relation to that employment and is valid for that period or part of the period; and”;

(2) by striking out subparagraph 2 of the first paragraph;

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

“(3) it may reasonably be considered that the conditions relating to that employment on which was based the decision of the Minister of Finance to issue the qualification certificate referred to in subparagraph 1 or, if they are not the same, the conditions on which would have been based the decision of the Minister of Finance to issue the qualification certificate in relation to the period or part of the period, remain essentially the same for the period or part of the period.”;

(4) by replacing the second and third paragraphs by the following paragraphs:

“The part of the remuneration to which the first paragraph refers, in respect of the employment of the employee referred to in the first paragraph, is the product obtained by multiplying the employee’s remuneration for the period or the part of the period concerned by the percentage determined in subparagraph 1 of the second paragraph of section 65 in respect of that employment.

For the purposes of the second paragraph, for the purpose of determining the percentage applicable in respect of an employment, the employment referred to in that paragraph held by the employee under a particular employment contract is deemed, where the second paragraph of section 69.3 applies to the

employee, to be an employment held by the employee under a deemed employment contract, within the meaning of subparagraph 1 of that second paragraph, continuing the particular contract.”;

(5) by striking out the fourth and fifth paragraphs.

16. Subdivision 5 of Division II of Chapter V of the Act, comprising sections 64 and 64.2, is repealed.

17. Section 65 of the Act is amended

(1) by replacing the portion before the formula in the first paragraph by the following:

“**65.** An individual described in section 66 who holds employment with a particular corporation that is referred to in that section may deduct, in computing the individual’s taxable income for a taxation year, an amount not greater than the aggregate of all amounts each of which is determined, in respect of a specified period of the individual in relation to that employment, by the formula”;

(2) by replacing subparagraph 1 of the second paragraph by the following subparagraph:

“(1) A is

(a) 100%, if that specified period of the individual is included in the first or second year of the period described in paragraph 4 of section 69,

(b) 75%, if that specified period of the individual is included in the third year of the period described in that paragraph 4,

(c) 50%, if that specified period of the individual is included in the fourth year of the period described in that paragraph 4, or

(d) 37.5%, if that specified period of the individual is included in the fifth year of the period described in that paragraph 4; and”;

(3) by replacing the fourth paragraph by the following paragraph:

“The specified period of an individual in relation to an employment held by the individual with a particular corporation is any part of the individual’s reference period, in relation to that employment, established under section 69, that is included in any of the five years of the period described in paragraph 4 of that section.”

18. Section 65.1 of the Act is amended by replacing paragraphs 2.1 and 3 by the following paragraphs:

“(2.1) for the purpose of applying paragraphs *a* and *b* of section 737.18 of the Taxation Act in respect of the amount of the benefit included by the individual in computing the individual’s income for the particular taxation year, the later time is deemed to be a reference period of the individual, established under section 69, in relation to that employment; and

“(3) section 51 is to be read as if “that was issued for the year in respect of the individual” were replaced by “that was issued in respect of the individual for the taxation year that includes the particular time referred to in the portion of section 65.1 before paragraph 1”.”

19. Section 66 of the Act is amended

(1) by replacing subparagraphs 1 to 4 of the first paragraph by the following subparagraphs:

“(1) at a particular time, the individual took up employment, as an employee, with a particular corporation operating an international financial centre under an employment contract entered into with the corporation;

“(2) the individual was not resident in Canada immediately before entering into the employment contract or immediately before taking up employment, as an employee, with the particular corporation or, where the individual was resident in Canada at that time, the individual became resident in Canada at any given time in the particular year or a preceding taxation year to establish an international financial centre in Canada and the following conditions are satisfied:

(a) the individual worked exclusively or almost exclusively for a person or partnership from the given time to the time at which the condition set out in subparagraph *c* is satisfied,

(b) for any part of the period referred to in subparagraph *a*, the individual held a valid certificate referred to in section 3.5 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) that was issued in respect of the individual in relation to the establishment of the international financial centre and the certificate recognizes the individual as a specialist for that part of the period, and

(c) the individual took up employment, within 12 months after that given time, as an employee, with the particular corporation that operates the international financial centre established by the individual;

“(3) the individual works exclusively or almost exclusively for the particular corporation from the particular time to the end of the particular year or the part of the particular year; and

“(4) for any part of the period beginning at the particular time and ending at the end of the particular year or the part of the particular year, the individual held a valid certificate referred to in section 3.5 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures that was issued in respect of the individual in relation to that employment and the certificate recognizes the individual as a specialist for that part of the period.”;

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

“For the purposes of subparagraph 4 of the first paragraph, the business to which a certificate referred to in that subparagraph relates must be an international financial centre of the particular corporation.”

20. Section 67 of the Act is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**67.** For the application of section 66 to an individual who is resident in Canada immediately before entering into an employment contract with a corporation operating an international financial centre and immediately before taking up employment, as an employee, with the corporation and who, if the individual worked to establish the international financial centre in Canada immediately before taking up employment, as an employee, with the corporation, is resident in Canada immediately before so beginning to work, the rule set out in the second paragraph applies if any of the following conditions are satisfied:”;

(2) by replacing subparagraph *a* of subparagraph 1 of the second paragraph by the following subparagraph:

“(a) the individual was working to establish the centre immediately before taking up employment, as an employee, with the corporation,”;

(3) by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) in any other case, the individual is deemed not to be resident in Canada immediately before taking up employment, as an employee, with the corporation.”

21. Section 68 of the Act is replaced by the following section:

“**68.** For the purposes of subparagraph 3 of the first paragraph of section 66, an individual who, at any time, works exclusively or almost exclusively for a group of corporations each of which is operating an international financial centre, including the particular corporation referred to in that section, is deemed to be working at that time exclusively or almost exclusively for the particular corporation if, at that time, the requirement set

out in subparagraph 4 of the first paragraph of section 66 is satisfied as regards each of those corporations in relation to its international financial centre.”

22. Section 69 of the Act is amended

(1) by replacing the portion before paragraph 1 by the following:

“**69.** The reference period of an individual described in section 66, in relation to an employment the individual holds with a particular corporation referred to in that section, is the period”;

(2) by replacing subparagraph *a* of paragraph 2 by the following subparagraph:

“(a) the individual is working to establish an international financial centre or holds an employment with a corporation operating such a centre, and”;

(3) by replacing subparagraph ii of subparagraph *b* of paragraph 2 by the following subparagraph:

“ii. the conditions set out in subparagraphs 3 and 4 of the first paragraph of section 66, where the individual holds an employment with a corporation operating an international financial centre;”;

(4) by replacing the portion of paragraph 4 before subparagraph *a* by the following:

“(4) that, if the individual entered into the individual’s employment contract with the particular corporation after 30 March 2004, ends on or before the last day of the five-year period that begins,”;

(5) by replacing subparagraph *b* of paragraph 4 by the following subparagraph:

“(b) if the individual began to perform the duties of the employment referred to in subparagraph *a* under an employment contract entered into with a particular corporation operating an international financial centre established by the individual and if the individual was resident in Canada immediately before the employment contract was entered into and immediately before the individual took up that employment, on the day, determined without reference to paragraph *a* of section 8 of the Taxation Act, on which the individual becomes resident in Canada to work on the establishment of that centre.”

23. Section 69.1.1 of the Act is amended by replacing the first paragraph by the following paragraph:

“If, in a taxation year, an individual is absent from an employment the individual holds with a particular corporation operating an international financial centre and, were it not for that absence, would be an individual described in section 66 for the part of the year that is included in the individual’s

period of absence, the Minister may, for the purposes of this subdivision, consider that part of the year to be included in the individual's reference period, established under section 69, in relation to the employment if the Minister is of the opinion that the individual is temporarily absent from the employment for reasons the Minister considers reasonable."

24. Section 69.2 of the Act is amended

(1) by striking out the first and second paragraphs;

(2) by replacing the portion of the third paragraph before subparagraph *a* of subparagraph 2 by the following:

"An individual referred to in the third paragraph is deemed to take up employment, as an employee, with a corporation operating an international financial centre at the particular time referred to in subparagraph 2 where

(1) the individual enters into an employment contract with the corporation; and

(2) at a particular time when the individual works for the corporation, the individual would begin, for the first time since the entering into the contract referred to in subparagraph 1, to satisfy the requirements set out in subparagraphs 3 and 4 of the first paragraph of section 66 if";

(3) by replacing subparagraph 4 of the first paragraph of section 66 of the Act, enacted by subparagraph *b* of subparagraph 2 of the third paragraph, by the following subparagraph:

“(4) the individual held a valid certificate referred to in section 3.5 of Schedule E to the Act respecting the sectoral parameters of certain fiscal measures that was issued in respect of the individual in relation to that employment and the certificate recognizes the individual as a specialist for the particular year or the part of the particular year.”;

(4) by replacing the fourth paragraph by the following paragraph:

"The individual to whom the first paragraph applies is also deemed to begin performing the duties of the employment the individual holds with the corporation at the particular time referred to in subparagraph 2 of that paragraph.”;

(5) by striking out the fifth and sixth paragraphs;

(6) by replacing the portion of the seventh paragraph before subparagraph 2 by the following:

“The individual to whom the first paragraph refers is the individual who

(1) has not worked to establish the international financial centre immediately before taking up employment, as an employee, with the corporation or, if such is not the case, took up employment more than 12 months after becoming resident in Canada in order to establish that center in Canada or does not satisfy the requirements set out in subparagraphs 3 and 4 of the first paragraph of section 66 on the day of taking up employment; and”.

25. Section 69.3 of the Act is amended

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

“For the purposes of this subdivision, the employment contract that an individual entered into with a corporation operating an international financial centre (in this section referred to as the “original contract”), or a deemed contract within the meaning of subparagraph 1 of the second paragraph, is deemed to end at the time when the individual ceases to satisfy the requirements set out in subparagraphs 3 and 4 of the first paragraph of section 66.”;

(2) by striking out the second paragraph;

(3) by replacing subparagraphs 1 and 2 of the third paragraph by the following subparagraphs:

“(1) the individual is deemed to enter into, with the corporation, a new employment contract (in this section referred to as the “deemed contract”) and that contract is deemed to be entered into at the particular time; and

“(2) the individual is deemed to take up employment, as an employee, with the corporation at the particular time and is also deemed to begin at that time to perform the duties of that new employment.”;

(4) by striking out the fourth paragraph.

26. Section 69.4 of the Act is repealed.

27. Subdivision 2 of Division III of Chapter V of the Act, comprising sections 71 to 73.1, is repealed.

TAXATION ACT

28. (1) Section 1 of the Taxation Act (chapter I-3) is amended

(1) by inserting the following definition in alphabetical order:

““licensed annuities provider” has the meaning assigned by section 965.0.1;”;

(2) by inserting the following definition in alphabetical order:

““advanced life deferred annuity” has the meaning assigned by section 965.0.38;”.

(2) Subsection 1 has effect from 1 January 2020.

29. (1) Section 2.2 of the Act is replaced by the following section:

“2.2. For the purposes of the definitions of “joint spousal trust” and “post-1971 spousal trust” in section 1, sections 2.1, 312.3, 312.4, 313 to 313.0.5, 336.0.2, 336.0.3, 336.0.6 to 336.4, 440 to 441.2, 454, 454.1, 456.1, 462.0.1, 462.0.2 and 651, the definition of “pre-1972 spousal trust” in section 652.1, sections 653, 656.3, 656.3.1, 657, 660, 890.0.1 and 913, subparagraph *b* of the second paragraph of section 961.17, sections 965.0.9 and 965.0.11, Titles VI.0.2 and VI.0.3 of Book VII, sections 971.2 and 971.3 and Division II.11.7.2 of Chapter III.1 of Title III of Book IX, “spouse” and “former spouse” of a particular individual include another individual who is a party to an annulled or annulable marriage, as the case may be, with the particular individual.”

(2) Subsection 1 has effect from 1 January 2020.

30. Section 8.1 of the Act is amended by striking out “737.18.29,”.

31. Section 25 of the Act is amended by striking out “, 737.14”, “, 737.16.1” and “, 737.18.34” in the second paragraph.

32. (1) Section 312 of the Act is amended by adding the following subparagraph at the end of paragraph *c*:

“iv. an amount referred to in section 965.0.40 that, under that section, is not required to be included in computing the taxpayer’s income;”.

(2) Subsection 1 has effect from 1 January 2020.

33. Section 313.10 of the Act is amended, in the second paragraph,

(1) by replacing “any of sections 737.16, 737.18.10 and 737.18.34” in the portion before subparagraph *a* by “section 737.16 or 737.18.10”;

(2) by striking out subparagraph *c*.

34. (1) The Act is amended by inserting the following section after section 313.14:

“313.15. A taxpayer shall also include any amount that is required to be included in computing the taxpayer’s income for the year under Title VI.0.3 of Book VII.”

(2) Subsection 1 has effect from 1 January 2020.

35. Section 339 of the Act is amended by striking out “, 737.18.34” in paragraph *i.1*.

36. Section 600.0.3 of the Act is amended

(1) by striking out “, 231.2” in the portion before the formula in the first paragraph;

(2) by replacing subparagraphs *b* and *c* of the second paragraph by the following subparagraphs:

“(b) B is the fraction that applies under section 231 for the particular year in respect of the taxpayer; and

“(c) C is the fraction that is used under section 231 for the fiscal period of the partnership.”

37. Section 613.2 of the Act is amended by inserting “600.0.3, 600.0.4, 602.1,” after “600,” in the portion before paragraph *a*.

38. Section 613.6 of the Act is amended by inserting “600.0.3, 600.0.4, 602.1,” after “600,” in the portion before paragraph *a*.

39. Section 693 of the Act is amended, in the second paragraph,

(1) by replacing “737.14 to 737.16.1,” by “737.16,”;

(2) by striking out “737.18.26, 737.18.34,”.

40. (1) Section 725.1.3 of the Act is amended

(1) by inserting the following definitions in alphabetical order:

““consolidated financial statements” has the meaning assigned by subsection 1 of section 233.8 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement);

““vesting year” in respect of a security to be acquired under an agreement means

(a) where the agreement specifies the calendar year in which a taxpayer's right to acquire the security first becomes exercisable (otherwise than because of an event that is not reasonably foreseeable at the time the agreement is entered into), that calendar year; or

(b) in any other case, the calendar year in which the right to acquire the security would become exercisable if the agreement had specified that all identical rights to acquire securities become exercisable on a pro rata basis over the period that

i. begins on the day that the agreement was entered into, and

ii. ends on the day that is 60 months after the day the agreement is entered into or, if it is earlier, on the last day that the right to acquire the security could become exercisable under the agreement.”;

(2) by inserting the following definition in alphabetical order:

““specified person”, at a particular time, means a qualifying person that meets the following conditions:

(a) it is not a Canadian-controlled private corporation;

(b) where it is a member of a group that annually prepares consolidated financial statements, the total consolidated group revenue—reflected in the group's last consolidated financial statements presented to the shareholders or unitholders of the member of the group that would be the ultimate parent entity, within the meaning of subsection 1 of section 233.8 of the Income Tax Act, of the group if the group were a multinational enterprise group, within the meaning of that subsection—before that time exceeds \$500,000,000; and

(c) where paragraph *b* does not apply, it has gross revenue in excess of \$500,000,000 based on

i. the amounts reflected in the qualifying person's financial statements presented to the qualifying person's shareholders or unitholders for the qualifying person's last fiscal period that ended before that time,

ii. where subparagraph i does not apply, the amounts reflected in the qualifying person's financial statements presented to the qualifying person's shareholders or unitholders for the qualifying person's last fiscal period that ended before the end of the fiscal period referred to in subparagraph i, or

iii. where subparagraph i does not apply and if no financial statements are presented as provided for in subparagraph ii, the amounts that would have been reflected in the qualifying person's financial statements for the qualifying person's last fiscal period that ended before that time, if such statements had been prepared in accordance with generally accepted accounting principles.”.

(2) Subsection 1 has effect from 1 July 2021.

41. (1) Section 725.2 of the Act is amended by replacing the portion before paragraph *a* by the following:

“725.2. An individual may deduct an amount equal to 25% of the amount of the benefit the individual is deemed to have received in a taxation year under section 49 or any of sections 50 to 52.1, in respect of a security, other than a non-qualified security, that a particular qualifying person has agreed to sell or issue under an agreement referred to in section 48, in respect of the transfer or any other disposition of rights under the agreement, or as a consequence of the individual’s death and of the individual’s having, immediately before death, owned a right to acquire the security under the agreement, if”.

(2) Subsection 1 has effect from 1 July 2021.

42. (1) The Act is amended by inserting the following sections after section 725.5:

“725.5.1. A taxpayer may deduct an amount equal to the amount of the benefit an individual is deemed to have received in the year in relation to an employment the individual holds with the taxpayer under section 49 or any of sections 50 to 52.1, in respect of a non-qualified security that the taxpayer (or a qualifying person that does not deal at arm’s length with the taxpayer) has agreed to sell or issue under an agreement with the individual, if

(a) the taxpayer is a qualifying person;

(b) at the time the agreement was entered into, the individual was an employee of the taxpayer;

(c) the amount is not claimed as a deduction in computing the taxable income of another qualifying person;

(d) an amount would have been deductible in computing the taxable income of the individual under section 725.2 if the security were not a non-qualified security;

(e) in the case of an individual who is not resident in Canada throughout the year, the benefit deemed to have been received by the individual under section 49 or any of sections 50 to 52.1 was included in computing the individual’s taxable income earned in Canada for the year; and

(f) the notification requirements provided for in section 725.5.9 are met in respect of the security.

“725.5.2. Section 725.5.3 applies to a taxpayer in respect of an agreement if

(a) a particular qualifying person agrees to sell or issue securities of the particular qualifying person (or of another qualifying person that does not deal at arm’s length with the particular qualifying person) to the taxpayer under the agreement;

(b) at the time the agreement is entered into (in this section and section 725.5.3 referred to as the “relevant time”), the taxpayer is an employee of the particular qualifying person or of another qualifying person that does not deal at arm’s length with the particular qualifying person; and

(c) at the relevant time, any of the following persons is a specified person:

- i. the particular qualifying person,
- ii. the other qualifying person referred to in paragraph *a*, or
- iii. the other qualifying person referred to in paragraph *b*.

“725.5.3. Where, because of section 725.5.2, this section applies to a taxpayer in respect of an agreement, the securities to be sold or issued under the particular agreement, for each vesting year of those securities, are deemed to be non-qualified securities for the purposes of this Title in the proportion determined by the formula

A/B .

In the formula in the first paragraph,

(a) *A* is the amount determined by the formula

$C + D - \$200,000$; and

(b) *B* is the aggregate of all amounts each of which is the fair market value at the relevant time of each security under the agreement that has that same vesting year.

In the formula in subparagraph *a* of the second paragraph,

(a) *C* is the value of *B* in the formula in the first paragraph; and

(b) *D* is the lesser of

- i. \$200,000, and

ii. the aggregate of all amounts each of which is an amount represented by B in the formula in the first paragraph in respect of securities that have that same vesting year under agreements (other than the particular agreement) entered into at or before the relevant time with the particular qualifying person referred to in section 725.5.2 (or another qualifying person that does not deal at arm's length with the particular qualifying person), other than

- (1) designated securities referred to in section 725.5.4,
- (2) old securities within the meaning of section 49.4,
- (3) securities where the right to acquire those securities is an old right within the meaning of section 725.2.4, and
- (4) securities in respect of which the right to acquire those securities has expired, or has been cancelled, before the relevant time and in respect of which no amount is deductible under section 725.2 in computing the taxable income of the taxpayer for any year.

“725.5.4. Where the particular qualifying person referred to in paragraph *a* of section 725.5.2 designates, in accordance with subsection 1.4 of section 110 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), one or more securities to be sold or issued under an agreement as non-qualified securities, those securities are deemed to be non-qualified securities for the purposes of this Title.

“725.5.5. For the purposes of this Title, where a taxpayer acquires a security under an agreement and the acquired security could be a security that is not a non-qualified security, the security is to be considered a security that is not a non-qualified security.

“725.5.6. Where two or more agreements to sell or issue securities are entered into at the same time and the particular qualifying person referred to in paragraph *a* of section 725.5.2 designates the order of the agreements, in accordance with subsection 1.42 of section 110 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), then the agreements are deemed to have been entered into in that order for the purposes of subparagraph ii of subparagraph *b* of the third paragraph of section 725.5.3.

“725.5.7. Section 725.5.8 applies in respect of a taxpayer's right to acquire a security under an agreement if

- (a) section 725.5.3 applies to the taxpayer in respect of the agreement;
- (b) the security is not a non-qualified security; and
- (c) a payment is made to or for the benefit of the taxpayer for the taxpayer's transfer or disposition of the right.

“725.5.8. Where, because of section 725.5.7, this section applies in respect of a taxpayer’s right to acquire a security under an agreement, the following rules apply:

(a) no qualifying person may deduct, in computing its income for a taxation year, an amount (other than a designated amount described in subsection 1.2 of section 110 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement)) in respect of the payment referred to in paragraph *c* of section 725.5.7; and

(b) section 725.2 applies, in respect of the right, without reference to its paragraph *b.1*.

“725.5.9. Where a security to be sold or issued under an agreement entered into between an employee and a qualifying person is a non-qualified security, the employer of the employee shall

(a) notify the employee in writing that the security is a non-qualified security no later than 30 days after the day that the agreement is entered into; and

(b) send to the Minister a copy of every document sent to the Minister of Revenue of Canada in accordance with paragraph *b* of subsection 1.9 of section 110 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) on or before the filing-due date for the taxation year of the qualifying person that includes the date on which the agreement is entered into.”

(2) Subsection 1 applies in respect of an agreement to sell or issue securities entered into after 30 June 2021. However, sections 725.5.1 to 725.5.9 of the Act do not apply in respect of rights to which section 49.4 of the Act applies that are new options (within the meaning of that section) in respect of which exchanged options (within the meaning of that section and on the assumption that subparagraph *b* of the fourth paragraph of that section 49.4 applies for those purposes) were issued before 1 July 2021.

43. (1) Section 727 of the Act is amended by replacing paragraph *d* by the following paragraph:

“(d) despite paragraph *c*, in the seven taxation years that precede and in the three taxation years that follow the particular year, if the taxpayer is an employee life and health trust.”

(2) Subsection 1 has effect from 27 February 2018.

44. (1) Section 728.0.1 of the Act is amended by replacing “725.5” in subparagraph ii of paragraph *a* by “725.5.1”.

(2) Subsection 1 has effect from 1 July 2021.

45. Section 733.0.1 of the Act is amended by replacing “sections 56 and 70 of the Act respecting international financial centres (chapter C-8.3),” by “section 70 of the Act respecting international financial centres (chapter C-8.3)”.

46. Sections 733.0.6 to 733.0.8 of the Act are repealed.

47. Section 737.0.1 of the Act is amended by replacing “any of sections 737.16, 737.18.10 and 737.18.34” in the second paragraph by “section 737.16 or 737.18.10”.

48. Section 737.14 of the Act is repealed.

49. Section 737.16 of the Act is amended by striking out “or partnership”.

50. Section 737.16.1 of the Act is repealed.

51. Chapter III of Title VII.2 of Book IV of Part I of the Act, comprising section 737.17, is repealed.

52. Section 737.18.0.1 of the Act is repealed.

53. Titles VII.2.4 and VII.2.6 of Book IV of Part I of the Act, comprising sections 737.18.18 to 737.18.26.1 and 737.18.29 to 737.18.35, respectively, are repealed.

54. (1) Section 737.18.44 of the Act is amended

(1) by replacing subparagraph iii of subparagraph *f* of the third paragraph by the following subparagraph:

“iii. 50% of the aggregate of the amounts that, for the year concerned, would be described in subparagraph iii or iv of subparagraph *e* if all the scientific research and experimental development work undertaken on behalf of the corporation had been undertaken in Québec;”;

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

“For the purposes of subparagraphs *e* and *f* of the third paragraph, the following rules apply:

(a) section 1029.7 is to be read without reference to subparagraphs i and ii of subparagraph *b* of its third paragraph; and

(b) no reference is to be made to section 230.0.0.5.”

(2) Subsection 1 applies to a taxation year that begins after 31 December 2020.

55. Section 737.19.2 of the Act is amended

- (1) by striking out “737.18.29,” in the second paragraph;
- (2) by striking out “737.18.34,” in the third paragraph.

56. Section 737.20 of the Act is amended by striking out “737.18.29,” in subparagraph ii of paragraph *a*.**57.** (1) Section 752.0.8 of the Act is amended by adding the following subparagraph at the end of paragraph *a*:

“vii. an amount the inclusion of which is required under section 965.0.39; and”.

- (2) Subsection 1 has effect from 1 January 2020.

58. Section 752.0.10 of the Act is amended by striking out subparagraph ii of paragraph *f*.**59.** (1) Section 752.0.11.1.3 of the Act is amended

- (1) by replacing paragraph *a* by the following paragraph:

“(a) the expenses related to an in vitro fertilization treatment or an artificial insemination treatment, if such expenses are, as applicable,

i. expenses taken into account in computing the amount that a person is deemed to have paid to the Minister under Division II.12.1 of Chapter III.1 of Title III of Book IX for the taxation year in which the expenses were paid,

ii. expenses paid in respect of an in vitro fertilization activity, or an artificial insemination activity, carried out in Québec in a centre for assisted procreation that does not hold a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01), or

iii. expenses paid in respect of an in vitro fertilization treatment during which an in vitro fertilization activity is carried out that does not meet a condition of paragraphs *a* to *c* of the definition of “eligible in vitro fertilization treatment” in the first paragraph of section 1029.8.66.1;”;

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

“For the purposes of subparagraph ii of subparagraph *a* of the first paragraph, where an artificial insemination activity is carried out, at any time before 11 March 2022, in a centre for assisted procreation that does not, at that time, hold a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation, the activity is deemed to be carried

out in a centre for assisted procreation that holds such a licence, if the centre was in operation on 11 March 2021 and was not required, before that date, to hold such a licence to carry out the activity.”

(2) Subsection 1 applies in respect of expenses paid after 14 November 2021, except where it replaces subparagraph iii of paragraph *a* of section 752.0.11.1.3 of the Act, in which case it applies in respect of an activity carried out after that date.

60. (1) Section 752.0.13.1 of the Act is amended

(1) by replacing subparagraph *a* of the second paragraph by the following subparagraph:

“(a) the expenses related to an in vitro fertilization treatment or an artificial insemination treatment, if such expenses are, as applicable,

i. expenses taken into account in computing the amount that a person is deemed to have paid to the Minister under Division II.12.1 of Chapter III.1 of Title III of Book IX for the taxation year in which the expenses were paid,

ii. expenses paid in respect of an in vitro fertilization activity, or an artificial insemination activity, carried out in Québec in a centre for assisted procreation that does not hold a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01), or

iii. expenses paid in respect of an in vitro fertilization treatment during which an in vitro fertilization activity is carried out that does not meet a condition of paragraphs *a* to *c* of the definition of “eligible in vitro fertilization treatment” in the first paragraph of section 1029.8.66.1; and”;

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

“For the purposes of subparagraph ii of subparagraph *a* of the second paragraph, where an artificial insemination activity is carried out, at any time before 11 March 2022, in a centre for assisted procreation that does not, at that time, hold a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation, the activity is deemed to be carried out in a centre for assisted procreation that holds such a licence, if the centre was in operation on 11 March 2021 and was not required, before that date, to hold such a licence to carry out the activity.”

(2) Subsection 1 applies in respect of expenses paid after 14 November 2021, except where it replaces subparagraph iii of subparagraph *a* of the second paragraph of section 752.0.13.1 of the Act, in which case it applies in respect of an activity carried out after that date.

61. Section 752.0.18.7 of the Act is amended by striking out “737.18.34.”.

62. Section 752.0.18.9 of the Act is amended by striking out “, 737.18.34”.

63. Section 767 of the Act is amended by striking out subparagraph *b* of the second paragraph.

64. Section 771.2.2 of the Act is repealed.

65. Sections 771.2.6 and 771.2.7 of the Act are repealed.

66. Section 772.2 of the Act is amended

(1) by striking out subparagraph 2 of subparagraph vii of paragraph *d* of the definition of “non-business-income tax”;

(2) by replacing “737.14 or 737.28” in subparagraph viii of paragraph *d* of the definition of “non-business-income tax” by “737.28”;

(3) by striking out subparagraph ii of paragraph *b* of the definition of “business-income tax”.

67. (1) Section 772.7 of the Act is amended

(1) by striking out “, 737.14” and “, 737.18.34” in subparagraph ii of subparagraph *a* of the first paragraph;

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

“ii. the aggregate of all amounts each of which is an amount deductible under any of sections 725, 725.2 to 725.5.1, 726.26, 726.28, 737.16, 737.18.10, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.4.7, 737.22.0.7, 737.22.0.10, 737.22.0.13, 737.25 and 737.28, or deducted under any of sections 726.7 to 726.9, 726.20.2, 726.42 and 729, in computing the individual’s taxable income for the year.”;

(3) by striking out subparagraph *c* of the second paragraph.

(2) Paragraph 2 of subsection 1, where it replaces “725.5” by “725.5.1”, has effect from 1 July 2021.

68. (1) Section 772.9 of the Act is amended, in paragraph *a*,

(1) by replacing “737.16, 737.18.10 and 737.18.34” in subparagraph 1 of subparagraph *i* by “737.16 and 737.18.10”;

(2) by replacing subparagraph 2 of subparagraph ii by the following subparagraph:

“(2) the aggregate of all amounts each of which is an amount deductible under any of sections 725, 725.2 to 725.5.1, 726.26, 726.28, 737.16, 737.18.10, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.4.7, 737.22.0.7, 737.22.0.10, 737.22.0.13, 737.25 and 737.28, or deducted under any of sections 726.7 to 726.9, 726.20.2, 726.42 and 729, in computing the individual’s taxable income for the year; and”.

(2) Paragraph 2 of subsection 1, where it replaces “725.5” by “725.5.1”, has effect from 1 July 2021.

69. Section 772.11 of the Act is amended by replacing subparagraph 2 of subparagraph ii of subparagraph *a* of the second paragraph by the following subparagraph:

“(2) the aggregate of all amounts each of which is an amount deductible under any of sections 725, 725.2 to 725.5, 726.26, 726.28, 737.16, 737.18.10, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.4.7, 737.22.0.7, 737.22.0.10, 737.25 and 737.28, or deducted under any of sections 726.7 to 726.9, 726.20.2, 726.42 and 729, in computing the individual’s taxable income for the year; and”.

70. The Act is amended by striking out the following before section 796.1:

“CHAPTER I

“INTERPRETATION AND GENERAL RULES”.

71. (1) Section 851.56 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

“(c) for the purpose of allowing an amount to be deducted under section 725.5.1.”

(2) Subsection 1 has effect from 1 July 2021.

72. (1) Section 869.1 of the Act is amended by replacing the definition of “designated employee benefit” by the following definition:

““designated employee benefit” means

- (a) a benefit from a group sickness or accident insurance plan;
- (b) a benefit from a group term life insurance policy;
- (c) a benefit from a private health services plan;

(*d*) a benefit that is an advantage derived from counselling services described in subparagraph *d* of the third paragraph of section 38; or

(*e*) a benefit that is not a death benefit, but that would be a death benefit if the amounts determined under paragraphs *a* and *b* of section 4 were nil;”.

(2) Subsection 1 has effect from 27 February 2018.

73. (1) Section 869.2 of the Act is amended

(1) by replacing paragraph *a* by the following paragraph:

“(a) the only purpose of the trust is to provide employee benefits to, or for the benefit of, persons described in subparagraph i or ii of subparagraph *d* and all or substantially all of the total cost of the employee benefits is applicable to designated employee benefits;”;

(2) by replacing paragraph *c* by the following paragraph:

“(c) the trust meets one of the following conditions:

i. the trust is required to be resident in Canada otherwise than under Chapter VI of Title X of Book III, or

ii. where the condition of subparagraph i is not met, the following requirements are met:

(1) employee benefits are provided to employees who are resident in Canada and to employees who are not resident in Canada,

(2) at least one participating employer is resident in a country other than Canada, and

(3) the trust is required to be resident in a country in which a participating employer resides;”;

(3) by inserting “or former participating employer” at the end of subparagraph i of paragraph *d*;

(4) by replacing the portion of subparagraph ii of paragraph *d* before subparagraph 1 by the following:

“ii. an individual who, in respect of an employee of a participating employer or former participating employer, is (or, if the employee is deceased, was, at the time of the employee’s death)”;

(5) by replacing paragraph *e* by the following paragraph:

“(e) the trust meets one of the following conditions:

i. it contains at least one class of beneficiaries the members of which represent at least 25% of all of the beneficiaries of the trust who are employees of the participating employers under the trust, and either of the following requirements is met:

(1) at least 75% of the members of the class are not key employees of any of the participating employers under the trust, or

(2) the contributions to the trust in respect of key employees who deal at arm's length with their employer are determined in connection with a collective agreement, or

ii. as regards the private health services plan under the trust, the total cost of benefits provided to each key employee, and to persons described in subparagraph ii of subparagraph *d* in respect of the key employee, for the year does not exceed the amount determined by the formula

$$\$2,500 \times A \times (B/C);$$

(6) by striking out paragraph *h*;

(7) by replacing paragraph *i* by the following paragraph:

“(i) trustees who do not deal at arm's length with one or more participating employers must not constitute the majority of the trustees of the trust.”;

(8) by adding the following paragraph at the end:

“In the formula in subparagraph ii of subparagraph *e* of the first paragraph,

(a) A is all the persons each of whom is

i. a person to whom designated employee benefits are provided under the plan, and

ii. the key employee or a person described in subparagraph ii of subparagraph *d* of the first paragraph in respect of the key employee;

(b) B is the number of days in the year that the key employee was employed on a full-time basis by an employer that participates in the plan; and

(c) C is the number of days in the year.”

(2) Subsection 1 has effect from 27 February 2018. In addition, from that date, Title I.1 of Book VII of Part I of the Act applies in respect of a trust regardless of the date that the trust was created.

74. (1) Section 869.3 of the Act is amended by replacing paragraphs *a* and *b* by the following paragraphs:

“(a) is not operated in the year in accordance with the terms required by section 869.2 to govern the trust, unless it is reasonable to conclude that its trustees neither knew nor ought to have known that designated employee benefits have been provided to, or contributions have been made in respect of, beneficiaries other than those described in subparagraphs i and ii of subparagraph *d* of the first paragraph of section 869.2; or

“(b) provides any benefit for which, if the benefit had been paid directly to the employee and not out of the trust, the contributions or premiums would not be deductible in computing an employer’s income in respect of any taxation year.”

(2) Subsection 1 has effect from 27 February 2018.

75. (1) Section 869.4 of the Act is amended, in paragraph *a*,

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

“i. pay premiums to an insurance corporation that is licensed to provide insurance under the laws of Canada or a province for insurance coverage for the year or a preceding taxation year in respect of designated employee benefits for beneficiaries described in subparagraph i or ii of subparagraph *d* of the first paragraph of section 869.2, or”;

(2) by replacing subparagraph 2 of subparagraph ii by the following subparagraph:

“(2) any designated employee benefits payable in the year or a preceding taxation year to, or for the benefit of, beneficiaries described in subparagraph i or ii of subparagraph *d* of the first paragraph of section 869.2; and”.

(2) Subsection 1 has effect from 27 February 2018.

76. (1) Section 869.5 of the Act is amended by replacing “described in subparagraph i or ii of paragraph *d*” by “described in subparagraph i or ii of subparagraph *d* of the first paragraph”.

(2) Subsection 1 has effect from 27 February 2018.

77. (1) Section 869.6 of the Act is amended

(1) by striking out subparagraph *a* of the first paragraph;

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

“(b) the employer contributes to the trust in accordance with a contribution formula that does not provide for any variation in contributions determined by reference to the financial experience of the trust and either of the following conditions is met:

i. if there is a collective agreement, the trust provides benefits under

(1) the collective agreement, or

(2) a participation agreement that provides for benefits that are essentially the same as those provided for under the collective agreement, or

ii. if there is no collective agreement, the trust provides benefits in accordance with an arrangement that meets the following conditions:

(1) the agreement provides for a legal requirement for each employer to participate under the terms and conditions that govern the trust,

(2) under the agreement, there are a minimum of 50 beneficiaries under the trust who are employees of the participating employers in respect of the trust, and

(3) under the agreement, each employee who is a beneficiary under the trust deals at arm’s length with each participating employer in respect of the trust; and”;

(3) by striking out the second paragraph.

(2) Subsection 1 has effect from 27 February 2018.

78. (1) Section 869.12 of the Act is amended by replacing “described in subparagraph i or ii of paragraph *d*” in the portion before subparagraph *a* of the first paragraph by “described in subparagraph i or ii of subparagraph *d* of the first paragraph”.

(2) Subsection 1 has effect from 27 February 2018.

79. (1) The Act is amended by inserting the following sections after section 869.13:

“**869.14.** Section 869.15 applies in respect of a trust that has made a valid election under paragraph *d* of subsection 14 of section 144.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).

Chapter V.2 of Title II of Book I applies in relation to an election to which the first paragraph refers.

“869.15. Where the condition of section 869.14 is satisfied in respect of a trust, the following rules apply:

(a) the trust is deemed for the purposes of this Part to be an employee life and health trust from the date referred to in paragraph *d* of subsection 14 of section 144.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) until the earliest of

- i. the end of the year 2022,
- ii. the day that the trust satisfies the conditions of section 869.2, and
- iii. any day on which all or substantially all of the employee benefits provided by the trust are not designated employee benefits; and

(b) at any time that the trust is an employee life and health trust because of paragraph *a*, the following rules apply in its respect:

- i. section 727.1 is to be read as if “of paragraph *b*” were inserted before “of section 869.3” in paragraph *b*, and
- ii. section 869.3 is to be read without reference to its paragraph *a*.

“869.16. If a property is transferred from a trust (in this section referred to as the “transferor trust”) to an employee life and health trust (in this section referred to as the “receiving trust”) and a notice has been sent in that regard to the Minister of Revenue of Canada in accordance with subsection 16 of section 144.1 of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), the following rules apply:

(a) the transferred property is deemed to have been disposed of by the transferor trust, and to have been acquired by the receiving trust, for an amount equal to the cost amount of the property to the transferor trust immediately before the disposition; and

(b) section 690.2 does not apply in respect of the transfer.

Chapter V.2 of Title II of Book I applies in relation to a notice sent in accordance with subsection 16 of section 144.1 of the Income Tax Act as if the notice were an election made under that subsection 16.

“869.17. Where section 869.16 applies in respect of the transfer of a property to an employee life and health trust, the transfer is not considered to be a contribution to the trust for the purposes of sections 869.4 and 869.6.

“869.18. A trust is required, on or before its first filing-due date after 31 December 2021, to notify the Minister in the prescribed form that it is an employee life and health trust if

(a) prior to 27 February 2018, it provided employee benefits all or substantially all of which are designated employee benefits;

(b) after 26 February 2018, it becomes an employee life and health trust because it satisfies the conditions of section 869.2; and

(c) sections 869.15 and 869.16 do not apply in respect of the trust.”

(2) Subsection 1 has effect from 27 February 2018.

80. (1) Section 890.0.1 of the Act is amended

(1) by replacing the portion of subparagraph *d* of the first paragraph before subparagraph *i* by the following:

“(d) the amount is transferred for the benefit of the individual directly to any of the following plans, funds or providers:”;

(2) by adding the following subparagraph at the end of subparagraph *d* of the first paragraph:

“v. a licensed annuities provider to acquire an advanced life deferred annuity, if the individual is an employee or former employee of an employer who participated in the plan on the employee’s behalf.”;

(3) by replacing the portion of subparagraph *b* of the second paragraph before subparagraph *ii* by the following:

“(b) who is the spouse or former spouse of an employee or former employee referred to in subparagraph *a* and who is entitled to the amount referred to in subparagraph *b* of the first paragraph

i. as a consequence of the death of the employee or former employee, or”.

(2) Subsection 1 has effect from 1 January 2020.

81. (1) Section 913 of the Act is replaced by the following section:

“**913.** Where a registered retirement savings plan is revised or amended at any time to provide for the payment or transfer, before the date provided for the first payment of benefits, of any property under the plan by the issuer on behalf of the annuitant under the plan (in this section referred to as the “transferor”), to a registered pension plan for the benefit of the transferor, to a registered retirement savings plan or registered retirement income fund under which the transferor is the annuitant or to a licensed annuities provider to acquire an advanced life deferred annuity for the benefit of the transferor, or to a registered retirement savings plan or registered retirement income fund under which the transferor’s spouse or former spouse is the annuitant, where the transferor and the transferor’s spouse or former spouse are living separate

and apart and the payment or transfer is made under a decree, order or judgment of a competent tribunal, or under a written separation agreement, relating to a partition of property between the transferor and the transferor's spouse or former spouse in settlement of rights arising out of, or on the breakdown of, their marriage, the amount paid or transferred on behalf of the transferor shall not, by reason only of such payment or transfer, be included in computing the income of the transferor or the transferor's spouse or former spouse and no deduction may be made in computing the income of any individual under Chapter III of Title II of Book III in respect of the amount so paid or transferred."

(2) Subsection 1 has effect from 1 January 2020.

82. (1) Section 961.17 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

"(d) an amount transferred at the direction of the annuitant directly to a licensed annuities provider to acquire an advanced life deferred annuity for the benefit of the annuitant."

(2) Subsection 1 has effect from 1 January 2020.

83. (1) Section 961.21.1 of the Act is amended by replacing "a to c" by "a to d".

(2) Subsection 1 has effect from 1 January 2020.

84. (1) Section 965.0.5 of the Act is amended by adding the following subparagraph at the end of paragraph c:

"iv. a licensed annuities provider to acquire an advanced life deferred annuity for the benefit of the member."

(2) Subsection 1 has effect from 1 January 2020.

85. (1) Section 965.0.17.2 of the Act is amended by replacing the portion before subparagraph a of the first paragraph by the following:

"965.0.17.2. For the purposes of this Part, the rules provided in the second paragraph apply where at any time an individual acquires, in full or partial satisfaction of the individual's entitlement to benefits under a registered pension plan, an interest in an annuity contract (other than an advanced life deferred annuity) purchased from a licensed annuities provider and".

(2) Subsection 1 has effect from 1 January 2020.

86. (1) Section 965.0.19 of the Act is amended by replacing the portion of the definition of “qualifying annuity” in the first paragraph before paragraph *a* by the following:

““qualifying annuity”, for an individual, means a life annuity (other than an advanced life deferred annuity) that”.

(2) Subsection 1 has effect from 1 January 2020.

87. (1) Section 965.0.35 of the Act is amended, in paragraph *c*,

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

“*v.* a licensed annuities provider to acquire a qualifying annuity for the individual, or”;

(2) by adding the following subparagraph at the end:

“*vi.* a licensed annuities provider to acquire an advanced life deferred annuity for the benefit of the member.”

(2) Subsection 1 has effect from 1 January 2020.

88. (1) The Act is amended by inserting the following Title after section 965.0.37:

“TITLE VI.0.3

“ADVANCED LIFE DEFERRED ANNUITY

“CHAPTER I

“DEFINITIONS

“965.0.38. In this Title,

“advanced life deferred annuity” means a contract for the constitution of an annuity in respect of which the following conditions are met:

(*a*) it is issued by a licensed annuities provider;

(*b*) it specifies that it has been set up with the intention that it serve as an advanced life deferred annuity for the purposes of the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement);

(*c*) it provides for periodic annuity payments that

i. commence to be paid no later than the end of the calendar year in which the annuitant attains 85 years of age, and

ii. are payable for the life of the annuitant or, where the annuity is constituted for the benefit of the annuitant and the annuitant's spouse jointly, for the life of the annuitant and, on the annuitant's death, for the life of the spouse;

(d) it provides that periodic annuity payments are payable in equal amounts, or in amounts that are not equal only because

i. the payments are adjusted in whole or in part to reflect

(1) increases in the Consumer Price Index, as published by Statistics Canada under the Statistics Act (Revised Statutes of Canada, 1985, chapter S-19), or

(2) increases at a rate specified in the contract, not exceeding 2% per year, or

ii. the payments are reduced on the death of the annuitant or the death of the annuitant's spouse;

(e) where the annuity is constituted for the benefit of the annuitant and the annuitant's spouse jointly and the annuitant dies before payments commence to be paid, it provides that the payments to the spouse must

i. commence to be paid no later than the date that they would have commenced to be paid if the annuitant were alive, and

ii. be adjusted in accordance with generally accepted actuarial principles if the payments commence to be paid before the date they would have commenced to be paid if the annuitant were alive;

(f) it provides that the amount to be paid, if any, to one or more beneficiaries under the contract after the death of the annuitant—or, if the annuity is constituted for the benefit of the annuitant and the annuitant's spouse jointly and the spouse outlives the annuitant, after the death of the spouse—must

i. be paid as soon as practicable after the death of the annuitant or the death of the annuitant's spouse, as the case may be, and

ii. be equal to or less than the amount, if any, by which the total amount transferred to acquire the annuity exceeds the aggregate of all amounts each of which is an annuity payment made under the contract;

(g) it provides that an amount transferred to acquire the annuity may be refunded, in whole or in part, provided that the refund is paid to reduce the amount of tax that would otherwise be payable by the annuitant under Part XI of the Income Tax Act and that

i. the refund is paid to the annuitant, or

ii. the refund is transferred directly to

(1) the issuer, within the meaning of paragraph *c* of section 905.1, of a registered retirement savings plan of the annuitant,

(2) the carrier, within the meaning of paragraph *b* of section 961.1.5, of a registered retirement income fund of the annuitant,

(3) the administrator, within the meaning of section 965.0.19, of a pooled registered pension plan under which the annuitant is a member, within the meaning of that section, or

(4) the administrator of a money purchase provision, within the meaning of section 965.0.1, of a registered pension plan under which the annuitant is a member, within the meaning of that section;

(*h*) if it provides that the spouse may request a payment in a single amount in full or partial satisfaction of the spouse's entitlement to payments described in subparagraph ii of paragraph *c* as a consequence of the death of the annuitant, the single amount must not exceed the present value (at the time it is paid) of the other payments that, because of the payment of that single amount, cease to be provided;

(*i*) it provides that no right under the contract may be surrendered, assigned, charged, anticipated or given as security; and

(*j*) it does not provide for any payment except as provided for in this definition;

“annuitant” means an individual who has acquired a contract for the constitution of an annuity from a licensed annuities provider;

“beneficiary”, under a contract for the constitution of an annuity, means an individual who has a right under the contract to receive a payment after the death of the annuitant or the annuitant's spouse.

“CHAPTER II

“AMOUNTS TO BE INCLUDED

“**965.0.39.** The aggregate of all amounts each of which is an amount received or deemed to have been received under paragraph *a* of section 965.0.44 by a taxpayer in a taxation year under an advanced life deferred annuity (other than an amount described in paragraph *f* or *g* of the definition of that expression in section 965.0.38) must be included in computing the taxpayer's income for the year.

“965.0.40. Where, as a result of the death of an individual, an amount is received by a taxpayer in a taxation year under an advanced life deferred annuity and the amount is described in paragraph *f* of the definition of that expression in section 965.0.38, the following rules apply:

(a) if the taxpayer is the spouse of the individual or is a child or grandchild of the individual who was, immediately before the death of the individual, financially dependent on the individual for support, the amount must be included in computing the taxpayer’s income for the year; and

(b) if the taxpayer is not a person described in paragraph *a*, the amount must be included in computing the individual’s income for the taxation year in which the individual died.

“965.0.41. The amount of a refund described in paragraph *g* of the definition of “advanced life deferred annuity” in section 965.0.38 that an annuitant received in accordance with subparagraph *i* of that paragraph *g* in a taxation year must be included in computing the annuitant’s income for the year.

“CHAPTER III

“SPECIAL PROVISIONS

“965.0.42. Where an amount is paid as a refund in circumstances described in subparagraph *ii* of paragraph *g* of the definition of “advanced life deferred annuity” in section 965.0.38, the following rules apply:

(a) the amount must not, by reason only of that payment, be included in computing a taxpayer’s income under section 313.15; and

(b) no deduction may be made under any provision of this Act in computing a taxpayer’s income in respect of the amount.

“965.0.43. An amount is deemed to have been received at a particular time by a beneficiary, within the meaning of the second paragraph of section 646, of a deceased annuitant’s succession and not by the legal representative of the deceased annuitant, where

(a) the amount is described in paragraph *f* of the definition of “advanced life deferred annuity” in section 965.0.38;

(b) the amount was paid to the legal representative;

(c) the beneficiary is a person described in paragraph *a* of section 965.0.40;

(d) the beneficiary is entitled to the amount in full or partial satisfaction of the beneficiary’s rights as a beneficiary under the deceased annuitant’s succession; and

(e) the amount is designated jointly by the legal representative and the beneficiary in the prescribed form filed with the Minister.

“965.0.44. Where an amendment is made at any time to a contract and the effect of the amendment is that the conditions in the definition of “advanced life deferred annuity” in section 965.0.38 are no longer being met in its respect, the following rules apply:

(a) the annuitant under the contract immediately before that time is deemed to have received, at that time, an amount under an advanced life deferred annuity equal to the fair market value of the annuitant’s right in the contract at that time; and

(b) the annuitant is deemed to have acquired the annuitant’s right in the contract at that time at a cost equal to its fair market value at that time.”

(2) Subsection 1 has effect from 1 January 2020.

89. (1) Section 1015 of the Act is amended by adding the following subparagraph at the end of the second paragraph:

“(v) a payment from an advanced life deferred annuity.”

(2) Subsection 1 has effect from 1 January 2020.

90. Section 1015.0.1 of the Act is amended by striking out “737.18.34,” in the portion before subparagraph *a* of the first paragraph.

91. (1) Section 1029.6.0.0.1 of the Act is amended by replacing the third paragraph by the following paragraph:

“Subject to subparagraphs *c* to *f* of the second paragraph, government assistance includes the amount of any financial contribution in respect of a property that is a Québec film production, within the meaning of the first paragraph of section 1029.8.34, a qualified production, within the meaning of the first paragraph of section 1029.8.36.0.0.1 or 1029.8.36.0.0.4, a qualified low-budget production, within the meaning of the first paragraph of section 1029.8.36.0.0.4, a qualified property, within the meaning of the first paragraph of section 1029.8.36.0.0.7, a qualified performance, within the meaning of the first paragraph of section 1029.8.36.0.0.10, a qualified production, within the meaning of the first paragraph of section 1029.8.36.0.0.12.1, an eligible work or an eligible group of works, within the meaning of the first paragraph of section 1029.8.36.0.0.13, that a corporation has received, is entitled to receive or may reasonably expect to receive from a government, municipality or other public authority, or a person or partnership that pays that contribution in circumstances where it is reasonable to conclude that the person or partnership would not have paid the contribution but for the amount that the person or partnership or another person or partnership received from a government, municipality or other public authority.”

(2) Subsection 1 applies in respect of a financial contribution that a corporation receives, is entitled to receive or may reasonably expect to receive after 17 December 2021, except for a financial contribution covered by an agreement entered into with the corporation before 18 December 2021.

92. Section 1029.6.0.1 of the Act is amended by striking out subparagraph *c* of the first paragraph.

93. (1) Section 1029.6.0.1.7.1 of the Act is repealed.

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015 and in which a fiscal period of a partnership ends.

94. (1) Section 1029.6.0.1.8 of the Act is amended by replacing “II.6.0.2” by “II.6.0.3”.

(2) Subsection 1 has effect from 4 June 2021.

95. (1) Section 1029.6.0.6 of the Act is amended

(1) by replacing subparagraphs *b.5.0.3* and *b.5.0.4* of the fourth paragraph by the following subparagraphs:

“(b.5.0.3) the amount of \$411 mentioned in subparagraphs *i* and *ii* of subparagraph *a* of the second paragraph of section 1029.8.61.104;

“(b.5.0.4) the amounts of \$24,195 and \$39,350 mentioned in subparagraphs *i* and *ii* of subparagraph *b* of the second paragraph of section 1029.8.61.104;”;

(2) by replacing subparagraphs *c* to *d* of the fourth paragraph by the following subparagraphs:

“(c) the amount of \$11,081 mentioned in the definition of “eligible child” in section 1029.8.67;

“(c.1) the amounts of \$5,375, \$10,675 and \$14,605 mentioned in the definition of “qualified child care expense” in section 1029.8.67;

“(d) the amounts between \$21,555 and \$104,170 mentioned in section 1029.8.80;”;

(3) by striking out subparagraph *e* of the fourth paragraph;

(4) by inserting “, as they read for that taxation year,” after “of the fourth paragraph” in the fifth paragraph.

(2) Paragraphs 1 and 2 of subsection 1 apply from the taxation year 2023. In addition, section 1029.6.0.6 of the Act is to be read

(1) without reference to subparagraphs *b.5.0.3*, *b.5.0.4*, *c.1* and *d* of its fourth paragraph, where it applies to the taxation year 2021; and

(2) without reference to subparagraphs *b.5.0.3*, *b.5.0.4* and *c* to *d* of its fourth paragraph, where it applies to the taxation year 2022.

(3) Paragraph 3 of subsection 1 applies from the taxation year 2022.

96. (1) Section 1029.6.0.7 of the Act is amended by replacing “*c.1* to *e*” in the first paragraph by “*c.1*, *d*”.

(2) Subsection 1 applies from the taxation year 2022.

97. Section 1029.8.21.17 of the Act is amended by replacing the definition of “eligible liaison and transfer service” in the first paragraph by the following definition:

““eligible liaison and transfer service” means a prescribed liaison and transfer product or service offered as part of a technology or knowledge transfer;”.

98. (1) Section 1029.8.36.10 of the Act is amended

(1) by replacing the portion before the formula in the first paragraph by the following:

“1029.8.36.10. Where the assets of a corporation referred to in section 1029.8.36.5 or 1029.8.36.7 or of a partnership referred to in section 1029.8.36.6 or 1029.8.36.7.1 that are shown in the financial statements submitted to the shareholders of the corporation or members of the partnership, as the case may be, or, where such financial statements have not been prepared, or have not been prepared in accordance with generally accepted accounting principles, that would be shown if such financial statements had been prepared in accordance with generally accepted accounting principles, for its preceding taxation year or its preceding fiscal period, as the case may be, or, where the corporation or partnership is in its first fiscal period, at the beginning of its first fiscal period, were less than \$75,000,000, the rate of “12%” mentioned in any of those sections 1029.8.36.5 to 1029.8.36.7.1 is to be replaced by the rate determined by the formula”;

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

“In the formula in the first paragraph, A is the greater of \$50,000,000 and

(a) when determining the rate for the purposes of section 1029.8.36.5 or 1029.8.36.7, the amount of the assets of the corporation determined as provided in this subdivision; or

(b) when determining the rate for the purposes of section 1029.8.36.6 or 1029.8.36.7.1, the amount of assets of the partnership determined as provided in this subdivision.”

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015.

99. (1) Section 1029.8.36.11 of the Act is replaced by the following section:

“1029.8.36.11. For the purposes of section 1029.8.36.10, in computing the assets of a corporation or a partnership at the time referred to in that section, the amount representing the surplus reassessment of its property and the amount of its incorporeal assets must be subtracted, to the extent that the amount indicated in their respect exceeds the expenditure made in their respect.

For the purposes of the first paragraph, all or part of an expenditure made in respect of incorporeal assets of a corporation or a partnership is deemed to be nil if all or the part of that expenditure consists

(a) in the case of a corporation or of a corporation that is a cooperative, of a share of its capital stock; or

(b) in the case of a partnership, of an interest in the partnership.”

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015.

100. (1) Section 1029.8.36.12 of the Act is replaced by the following section:

“1029.8.36.12. For the purposes of section 1029.8.36.10, the assets of a corporation or partnership that is associated in a taxation year or fiscal period, as the case may be, with one or more other corporations or partnerships is equal to the amount by which the aggregate of the assets of the corporation or partnership, as the case may be, and the assets of each corporation or partnership associated with it, as determined under sections 1029.8.36.10 and 1029.8.36.11, exceeds the aggregate of the amount of investments the corporations and partnerships own in each other and the balance of accounts between the corporations and partnerships.”

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015.

101. (1) Section 1029.8.36.15 of the Act is replaced by the following section:

“1029.8.36.15. For the purposes of sections 1029.8.36.10 to 1029.8.36.12, where a particular corporation referred to in section 1029.8.36.5 or 1029.8.36.7 or a particular partnership referred to in section 1029.8.36.6 or 1029.8.36.7.1, as the case may be, or a corporation or partnership associated with it reduces its assets by any transaction in a taxation year or fiscal period and, but for that reduction, the particular corporation or particular partnership would not be contemplated in section 1029.8.36.10, the assets are deemed not to have been so reduced unless the Minister decides otherwise.”

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015.

102. Section 1029.8.36.59.49 of the Act is amended

(1) by replacing “737.18.24” in the definition of “qualified corporation” by “1029.8.36.59.49.1”;

(2) by replacing “737.18.24” in paragraph *a* of the definition of “qualified partnership” by “1029.8.36.59.49.1”.

103. The Act is amended by inserting the following sections after section 1029.8.36.59.49:

“1029.8.36.59.49.1. The paid-up capital attributed to a corporation for a particular taxation year of the corporation is equal to

(a) where the corporation is not a member of an associated group, within the meaning of section 1029.8.36.59.49.3, in the particular year, its paid-up capital, determined in accordance with section 1029.8.36.59.49.2, for the taxation year preceding the particular year; or

(b) where the corporation is a member of an associated group in the particular year, the aggregate of all amounts each of which is its paid-up capital, determined in accordance with section 1029.8.36.59.49.2, for the taxation year preceding the particular year and the paid-up capital of each other member of the group, determined in accordance with that section 1029.8.36.59.49.2, for its last taxation year that ended before the beginning of the particular year.

For the purposes of subparagraph *a* of the first paragraph, where the particular year is the first fiscal period of the corporation, its paid-up capital is determined, in accordance with section 1029.8.36.59.49.2, on the basis of its financial statements prepared at the beginning of that fiscal period in accordance with generally accepted accounting principles or, where such financial statements have not been prepared, or have not been prepared in accordance with generally accepted accounting principles, on the basis of such financial statements that would be prepared in accordance with generally accepted accounting principles.

For the purposes of subparagraph *b* of the first paragraph, where a member of the associated group, other than the corporation, has no taxation year ending before the beginning of the particular year, its paid-up capital is determined, in accordance with section 1029.8.36.59.49.2, on the basis of its financial statements prepared at the beginning of its first fiscal period in accordance with generally accepted accounting principles or, where such financial statements have not been prepared, or have not been prepared in accordance with generally accepted accounting principles, on the basis of such financial statements that would be prepared in accordance with generally accepted accounting principles.

“1029.8.36.59.49.2. For the purposes of this section and section 1029.8.36.59.49.1, the following rules apply:

(a) a corporation’s paid-up capital for a taxation year is equal to

i. in respect of a corporation, except a corporation that is an insurer within the meaning assigned by the Insurers Act (chapter A-32.1), its paid-up capital that would be determined for that year in accordance with Book III of Part IV if no reference were made to section 1138.2.6, or

ii. in respect of a corporation that is an insurer, within the meaning assigned by the Insurers Act, its paid-up capital that would be determined for that year in accordance with Title II of Book III of Part IV if it were a bank and if paragraph *a* of section 1140 were replaced by paragraph *a* of subsection 1 of section 1136;

(b) a business carried on by an individual who is a member of an associated group, within the meaning of section 1029.8.36.59.49.3, in a taxation year is deemed to be carried on by a corporation referred to in subparagraph i of paragraph *a* and a partnership or a trust which is a member of an associated group in a taxation year is deemed to be a corporation referred to in subparagraph i of paragraph *a*, the paid-up capital of which is determined in accordance with Title I of Book III of Part IV but without reference to paragraph *b.1.2* of section 1137 and any participating interest of which in the nature of capital stock or surplus is deemed to be referred to in paragraph *a* or *b* of subsection 1 of section 1136; and

(c) the interest of a member of an associated group in a taxation year in another member of that group is deemed to be an investment in shares and bonds of another corporation.

“1029.8.36.59.49.3. For the purposes of sections 1029.8.36.59.49.1 and 1029.8.36.59.49.2, an associated group, in a taxation year, means all the corporations that are associated with each other at any time in the year.

For the purposes of the first paragraph, the following rules apply:

(a) a business carried on by an individual, other than a trust, is deemed to be carried on by a corporation all the voting shares in the capital stock of which are owned at that time by the individual;

(b) a partnership is deemed to be a corporation all the voting shares in the capital stock of which are owned at that time by each member of the partnership in a proportion equal to the agreed proportion in respect of the member for the partnership’s fiscal period that includes that time; and

(c) a trust is deemed to be a corporation all the voting shares in the capital stock of which

i. in the case of a testamentary trust under which one or more beneficiaries are entitled to receive all of the income of the trust that arose before the date of death of one or the last surviving of those beneficiaries (in this subparagraph *c* referred to as the “distribution date”) and under which no other person can, before the distribution date, receive or otherwise obtain the enjoyment of any of the income or capital of the trust,

(1) where such a beneficiary’s share of the income or capital of the trust depends on the exercise by any person of, or the failure by any person to exercise, a power to appoint, and where that time occurs before the distribution date, are owned at that time by the beneficiary, or

(2) where subparagraph 1 does not apply and where that time occurs before the distribution date, are owned at that time by such a beneficiary in a proportion equal to the proportion that the fair market value of the beneficial interest in the trust of the beneficiary is of the fair market value of the beneficial interests in the trust of all the beneficiaries,

ii. where a beneficiary’s share of the accumulating income or capital of the trust depends on the exercise by any person of, or the failure by any person to exercise, a power to appoint, are owned at that time by the beneficiary, except where subparagraph i applies and that time occurs before the distribution date,

iii. in any case where subparagraph ii does not apply, are owned at that time by the beneficiary in a proportion equal to the proportion that the fair market value of the beneficial interest in the trust of the beneficiary is of the fair market value of all beneficial interests in the trust, except where subparagraph i applies and that time occurs before the distribution date, and

iv. in the case of a trust referred to in section 467, are owned at that time by the person referred to in that section from whom property of the trust or property for which it was substituted was directly or indirectly received.”

104. Section 1029.8.36.59.58 of the Act is amended

(1) by replacing “737.18.24” in the definition of “qualified corporation” by “1029.8.36.59.49.1”;

(2) by replacing “737.18.24” in paragraph *a* of the definition of “qualified partnership” by “1029.8.36.59.49.1”.

105. Section 1029.8.36.72.82.13 of the Act is amended by replacing “seventh” in paragraph *c* of the definition of “salary or wages” in the first paragraph by “sixth”.

106. Section 1029.8.36.166.40 of the Act is amended by striking out the definition of “associated group” in the first paragraph.

107. Section 1029.8.36.166.41 of the Act is repealed.

108. Section 1029.8.36.166.42 of the Act is amended

(1) by replacing “737.18.24” in the portion of the definition of “unused portion of the tax credit” in the second paragraph before paragraph *a* by “1029.8.36.59.49.1”;

(2) by replacing “737.18.24” in subparagraph *b* of the fourth paragraph by “1029.8.36.59.49.1”.

109. Section 1029.8.36.166.43 of the Act is amended by replacing “737.18.24” in the portion of subparagraph *a* of the first paragraph before subparagraph *i* by “1029.8.36.59.49.1”.

110. (1) Section 1029.8.36.166.44 of the Act is amended, in the first paragraph,

(1) by replacing the portion of subparagraph *a* before subparagraph *i* by the following:

“(a) if the paid-up capital attributed to the qualified partnership for the particular fiscal period, determined in accordance with section 1029.8.36.59.49.1 as if the partnership were a corporation whose taxation year corresponds to its fiscal period, is less than \$500,000,000, the total of”;

(2) by replacing all occurrences of “its share” in subparagraphs *a* and *b* by “the corporation’s share”.

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015. However, where section 1029.8.36.166.44 of the Act applies before 8 June 2022, it is to be read as if “1029.8.36.59.49.1” in the portion of subparagraph *a* of the first paragraph before subparagraph *i* were replaced by “737.18.24”.

111. (1) Section 1029.8.36.166.45 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) the lesser of \$500,000,000 and

i. for the purpose of determining the rate in relation to the portion of the corporation’s eligible expenses, in respect of the property, the paid-up capital attributed to the corporation for the year, determined in accordance with section 1029.8.36.59.49.1, or

ii. for the purpose of determining the rate in relation to the corporation’s share of the portion of the partnership’s eligible expenses, in respect of the property, the paid-up capital attributed to the partnership for the fiscal period

that ends in the year, determined in accordance with section 1029.8.36.59.49.1 as if the partnership were a corporation whose taxation year corresponds to its fiscal period.”

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015. However, where section 1029.8.36.166.45 of the Act applies before 8 June 2022, it is to be read as if “1029.8.36.59.49.1” in subparagraphs i and ii of subparagraph *b* of the second paragraph were replaced by “737.18.24”.

112. (1) Section 1029.8.36.166.45.1 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) the lesser of \$20,000,000 and

i. for the purpose of determining the rate in relation to the portion of the corporation’s eligible expenses, in respect of the property, the paid-up capital attributed to the corporation for the year, determined in accordance with section 737.18.24, as it read before being repealed, or

ii. for the purpose of determining the rate in relation to the corporation’s share of the portion of the partnership’s eligible expenses, in respect of the property, the paid-up capital attributed to the partnership for the fiscal period that ends in the year, determined in accordance with section 737.18.24, as it read before being repealed, as if the partnership were a corporation whose taxation year corresponds to its fiscal period.”

(2) Subsection 1 applies to a taxation year that begins after 26 March 2015 in respect of expenses incurred before 1 July 2015.

113. (1) Section 1029.8.36.166.45.2 of the Act is amended by replacing subparagraph *b* of the second paragraph by the following subparagraph:

“(b) the lesser of \$500,000,000 and

i. for the purpose of determining the rate in relation to the portion of the corporation’s eligible expenses, in respect of the property, the paid-up capital attributed to the corporation for the year, determined in accordance with section 737.18.24, as it read before being repealed, or

ii. for the purpose of determining the rate in relation to the corporation’s share of the portion of the partnership’s eligible expenses, in respect of the property, the paid-up capital attributed to the partnership for the fiscal period that ends in the year, determined in accordance with section 737.18.24, as it read before being repealed, as if the partnership were a corporation whose taxation year corresponds to its fiscal period.”

(2) Subsection 1 has effect from 16 August 2018 in respect of expenses incurred before 1 January 2020.

II4. (1) Section 1029.8.36.166.60.29 of the Act is amended

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

“(b) the lesser of \$20,000,000 and

i. when determining the rate for the purposes of the first paragraph of section 1029.8.36.166.60.27, the corporation’s paid-up capital for the year, determined in accordance with section 1029.8.36.166.60.23, or

ii. when determining the rate for the purposes of the first paragraph of section 1029.8.36.166.60.28, the paid-up capital of the partnership of which the corporation is a member for its fiscal period that ends in the year, determined in accordance with section 1029.8.36.166.60.23 as if the partnership were a corporation whose taxation year corresponds to its fiscal period.”;

(2) by replacing subparagraph *b* of the third paragraph by the following subparagraph:

“(b) the lesser of \$50,000,000 and

i. when determining the rate for the purposes of the first paragraph of section 1029.8.36.166.60.27, the corporation’s paid-up capital for the year, determined in accordance with section 1029.8.36.166.60.23, or

ii. when determining the rate for the purposes of the first paragraph of section 1029.8.36.166.60.28, the paid-up capital of the partnership of which the corporation is a member for its fiscal period that ends in the year, determined in accordance with section 1029.8.36.166.60.23 as if the partnership were a corporation whose taxation year corresponds to its fiscal period.”

(2) Paragraph 1 of subsection 1 applies to a taxation year that begins after 26 March 2015.

(3) Paragraph 2 of subsection 1 applies to a taxation year that ends after 17 March 2016.

II5. Section 1029.8.36.166.62 of the Act is amended by striking out the fourth and fifth paragraphs.**II6.** (1) Section 1029.8.61.104 of the Act is amended, in the second paragraph,

(1) by replacing “\$203” in subparagraphs i and ii of subparagraph *a* by “\$411”;

(2) by replacing “\$22,885” in subparagraph i of subparagraph *b* by “\$24,195”;

(3) by replacing “\$37,225” in subparagraph ii of subparagraph *b* by “\$39,350”.

(2) Subsection 1 applies from the taxation year 2021. However, where section 1029.8.61.104 of the Act applies to the taxation year 2021, the second paragraph of that section is to be read as if

(1) “\$411” in subparagraphs i and ii of subparagraph *a* were replaced by “\$400”;

(2) “\$24,195” in subparagraph i of subparagraph *b* were replaced by “\$23,575”; and

(3) “\$39,350” in subparagraph ii of subparagraph *b* were replaced by “\$38,340”.

II7. (1) Section 1029.8.66.1 of the Act is amended

(1) by replacing the portion of the definition of “eligible expenses” in the first paragraph before paragraph *a* by the following:

““eligible expenses” of an individual means the expenses paid by the individual after 31 December 2014 in respect of an eligible in vitro fertilization treatment or after 14 November 2021 in respect of an eligible artificial insemination treatment, if”;

(2) by replacing the portion of paragraph *b* of the definition of “eligible expenses” in the first paragraph before subparagraph i by the following:

“(b) where the expenses are incurred after 10 November 2015 and paid before 15 November 2021 in respect of an in vitro fertilization treatment,”;

(3) by replacing subparagraphs i and ii of paragraph *c* of the definition of “eligible expenses” in the first paragraph by the following subparagraphs:

“i. for an in vitro fertilization activity, or an artificial insemination activity, carried out in a centre for assisted procreation that holds a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01),

“ii. for an in vitro fertilization activity, or an artificial insemination activity, carried out in an establishment situated outside Québec, unless, where the individual or the person who is the other party to the parental project began in vitro fertilization activities in respect of that treatment after 31 December 2014 or artificial insemination activities in respect of that treatment after 14 November 2021, the person who began such activities was domiciled in Québec at the time the expenses were incurred,”;

(4) by replacing the portion of subparagraph iii of paragraph *c* of the definition of “eligible expenses” in the first paragraph before subparagraph 1 by the following:

“iii. for medications related to an in vitro fertilization activity or an artificial insemination activity that satisfy the following conditions:”;

(5) by replacing subparagraph iv of paragraph *c* of the definition of “eligible expenses” in the first paragraph by the following subparagraph:

“iv. for expenses related to an assessment referred to in section 10.2 of the Act respecting clinical and research activities relating to assisted procreation of the individual or of the person who is the other party to the parental project, where such an assessment allowed the in vitro fertilization treatment or the artificial insemination treatment, as the case may be, to be undertaken or continued,”;

(6) by replacing subparagraph vi of paragraph *c* of the definition of “eligible expenses” in the first paragraph by the following subparagraph:

“vi. for reasonable travel and lodging expenses of a particular person and, if the particular person cannot travel unassisted, of the person accompanying the particular person for participation in an in vitro fertilization treatment or an artificial insemination treatment, as the case may be, at a centre for assisted procreation described in subparagraph i that is situated in Québec, if a physician certifies that no such centre for assisted procreation exists in Québec within 200 kilometres of the locality, in Québec, where the particular person lives and, if such is the case, that the person is unable to travel unassisted;”;

(7) by replacing paragraph *b* of the definition of “eligible in vitro fertilization treatment” in the first paragraph by the following paragraph:

“(b) a single embryo or, in accordance with the decision of a physician who has considered the quality of the embryos, a maximum of two embryos, in the case of a woman 37 years of age or over, are transferred into the woman after 10 November 2015 and before 15 November 2021; or”;

(8) by adding the following paragraph at the end of the definition of “eligible in vitro fertilization treatment” in the first paragraph:

“(c) a single embryo or, in accordance with the decision of a physician who acts in accordance with the guidelines provided for in section 10 of the Act respecting clinical and research activities relating to assisted procreation, a maximum of two embryos, are transferred into a woman after 14 November 2021;”;

(9) by inserting the following definition in alphabetical order in the first paragraph:

““eligible artificial insemination treatment” means an artificial insemination treatment in respect of which no cost for artificial insemination activities is paid on behalf of a person participating in the treatment, or for which the person may not be reimbursed, by the administrator of a universal health insurance plan;”;

(10) by inserting the following paragraph after the second paragraph:

“For the purposes of subparagraphs i and vi of paragraph c of the definition of “eligible expenses” in the first paragraph, where an artificial insemination activity is carried out in Québec, at any time before 11 March 2022, in a centre for assisted procreation that does not, at that time, hold a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation, the activity is deemed to be carried out in a centre for assisted procreation that holds such a licence, if the centre was in operation on 11 March 2021 and was not required, before that date, to hold such a licence to carry out the activity.”;

(11) by replacing the third paragraph by the following paragraph:

“For the purposes of subparagraph ii of paragraph c of the definition of “eligible expenses” in the first paragraph, the following rules apply:

(a) a person is considered to have begun in vitro fertilization activities if

i. the person herself has received services required to retrieve eggs or ovarian tissue, or

ii. the person participating with her in the assisted procreation has received, as applicable, services required to retrieve sperm by means of medical intervention or services required to retrieve eggs or ovarian tissue; and

(b) a person is considered to have begun artificial insemination activities if the person herself or the person participating with her in the artificial insemination has received services required for intrauterine insemination.”

(2) Subsection 1 applies from the taxation year 2021.

118. (1) Section 1029.8.67 of the Act is amended

(1) by replacing “\$10,482” in the definition of “eligible child” by “\$11,081”;

(2) by replacing paragraph b of the definition of “qualified child care expense” by the following paragraph:

“(b) the total of the product obtained when \$14,605 is multiplied by the number of eligible children of the individual for the year each of whom is a

person described in section 1029.8.76 and in respect of whom child care expenses referred to in paragraph *a* were incurred, the product obtained when \$10,675 is multiplied by the number of eligible children of the individual for the year each of whom is under seven years of age on 31 December of that year, or would have been had the child then been living, and in respect of whom such expenses were incurred, and the product obtained when \$5,375 is multiplied by the number of all other eligible children of the individual for the year in respect of whom such expenses were incurred;”.

(2) Paragraph 1 of subsection 1 applies from the taxation year 2022.

(3) Paragraph 2 of subsection 1 applies from the taxation year 2021. However, where section 1029.8.67 of the Act applies to the taxation year 2021, paragraph *b* of the definition of “qualified child care expense” is to be read as if “\$14,605”, “\$10,675” and “\$5,375” were replaced by “\$14,230”, “\$10,400” and “\$5,235”, respectively.

119. (1) Section 1029.8.80 of the Act is replaced by the following section:

“1029.8.80. The percentage to which the first paragraph of each of sections 1029.8.79 and 1029.8.80.2 refers in respect of an individual for a taxation year is

(a) 78%, if the individual’s family income for the year does not exceed \$21,555;

(b) 75%, if the individual’s family income for the year exceeds \$21,555 but does not exceed \$38,010;

(c) 74%, if the individual’s family income for the year exceeds \$38,010 but does not exceed \$39,415;

(d) 73%, if the individual’s family income for the year exceeds \$39,415 but does not exceed \$40,830;

(e) 72%, if the individual’s family income for the year exceeds \$40,830 but does not exceed \$42,220;

(f) 71%, if the individual’s family income for the year exceeds \$42,220 but does not exceed \$43,635;

(g) 70%, if the individual’s family income for the year exceeds \$43,635 but does not exceed \$104,170; or

(h) 67%, if the individual’s family income for the year exceeds \$104,170.”

(2) Subsection 1 applies from the taxation year 2021, except where it replaces the portion of section 1029.8.80 of the Act before paragraph *a*, in which case it applies from the taxation year 2022. However, where that section 1029.8.80 applies to the taxation year 2021, paragraphs *a* to *h* are to be read as follows:

“(a) 78%, if the individual’s family income for the year does not exceed \$21,000;

“(b) 75%, if the individual’s family income for the year exceeds \$21,000 but does not exceed \$37,030;

“(c) 74%, if the individual’s family income for the year exceeds \$37,030 but does not exceed \$38,400;

“(d) 73%, if the individual’s family income for the year exceeds \$38,400 but does not exceed \$39,780;

“(e) 72%, if the individual’s family income for the year exceeds \$39,780 but does not exceed \$41,135;

“(f) 71%, if the individual’s family income for the year exceeds \$41,135 but does not exceed \$42,515;

“(g) 70%, if the individual’s family income for the year exceeds \$42,515 but does not exceed \$101,490; or

“(h) 67%, if the individual’s family income for the year exceeds \$101,490.”

120. (1) Section 1029.8.80.2 of the Act is amended by replacing “1029.8.80.3” in the portion before subparagraph *a* of the first paragraph by “1029.8.80”.

(2) Subsection 1 applies from the taxation year 2022.

121. (1) Section 1029.8.80.3 of the Act is repealed.

(2) Subsection 1 applies from the taxation year 2022.

122. (1) The Act is amended by inserting the following division after section 1029.8.116.40:

“DIVISION II.17.4

“CREDIT GRANTING A ONE-TIME AMOUNT TO MITIGATE THE INCREASE IN THE COST OF LIVING

“1029.8.116.41. In this division,

“eligible individual” means an individual, other than an excluded individual, who, at the end of 31 December 2021,

(a) is either 18 years of age or over, or an emancipated minor or a minor who is the father or mother of a child with whom the minor resides; and

(b) is, as the case may be,

i. a Canadian citizen,

ii. a permanent resident within the meaning of subsection 1 of section 2 of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27),

iii. a temporary resident or the holder of a temporary resident permit, within the meaning of the Immigration and Refugee Protection Act, who was resident in Canada during the 18-month period preceding that time, or

iv. a protected person within the meaning of the Immigration and Refugee Protection Act;

“excluded individual” means either

(a) a person who is exempt from tax for the taxation year 2021 under section 982 or 983 or any of subparagraphs *a* to *d* and *f* of the first paragraph of section 96 of the Tax Administration Act (chapter A-6.002); or

(b) a person who, at the end of the taxation year 2021, is confined to a prison or a similar institution and has been so confined in the year for one or more periods totalling more than 183 days.

For the purposes of paragraph *b* of the definition of “excluded individual” in the first paragraph, a person who has been allowed, in the taxation year 2021, to be temporarily absent from a prison or similar institution to which the person has been confined is deemed to be confined to that prison or similar institution during each day of the year during which the person has been so allowed to be temporarily absent.

“1029.8.116.42. An eligible individual who is resident in Québec at the end of 31 December of the taxation year 2021 and who files for that year a fiscal return under section 1000 is deemed to have paid to the Minister, on the eligible individual’s balance-due day for that year, on account of the eligible individual’s tax payable under this Part for that year, an amount equal to the amount determined by the formula

$A - B.$

In the formula in the first paragraph,

(a) *A* is an amount of \$500; and

(b) B is 10% of the amount by which the eligible individual's income for the year exceeds \$100,000.

“1029.8.116.43. Despite section 1052, no interest is payable to an individual on an amount that is refunded to, or applied to another liability of, the individual and that arises because of section 1029.8.116.42.”

(2) Subsection 1 applies to the taxation year 2021.

123. Section 1038 of the Act is amended by striking out the fifth and sixth paragraphs.

124. Section 1050 of the Act is replaced by the following section:

“1050. Where a contestation is filed or an appeal is initiated under the Tax Administration Act (chapter A-6.002) and the contestation or appeal pertains to a penalty, the burden of establishing the facts referred to in sections 1049 to 1049.34 is on the Minister.”

125. (1) Section 1079.8.1 of the Act is amended, in the second paragraph,

(1) by inserting the following subparagraph before subparagraph *b*:

“(a.1) any request related to the payment to a taxpayer of an amount the taxpayer is deemed to have paid to the Minister on account of the taxpayer's tax payable under this Part for a taxation year;”;

(2) by replacing subparagraph *c* by the following subparagraph:

“(c) any request related to the review of a fiscal return of a taxpayer for a taxation year following its filing under this Act; and”.

(2) Subsection 1 applies in respect of a request for which the time limit for filing an information return in the prescribed form containing prescribed information, in relation to the amount deemed to be paid, expires after 17 December 2021.

126. Section 1079.8.37 of the Act is amended by inserting “by” after “prescribed”.

127. Section 1089 of the Act is amended

(1) in subparagraphs *a* and *g* of the first paragraph,

(a) by striking out “an individual referred to in section 737.16.1.”;

(b) by replacing “sections 737.16.1,” by “sections”;

(2) by replacing the portion of the second paragraph before subparagraph *a* by the following:

“However, the income earned in Québec for a taxation year by an individual who is a foreign specialist, within the meaning of section 737.18.6, who is an eligible individual, within the meaning of section 737.22.0.9, or who is described in section 66 of the Act respecting international financial centres (chapter C-8.3) is the amount by which the particular amount that is determined in respect of the individual for the year under the first paragraph exceeds the aggregate of”;

(3) by striking out subparagraph *c* of the second paragraph;

(4) by striking out the third paragraph.

128. Section 1090 of the Act is amended

(1) in subparagraphs *a* and *g* of the first paragraph,

(a) by striking out “an individual referred to in section 737.16.1,”;

(b) by replacing “sections 737.16.1,” by “sections”;

(2) by replacing the portion of the second paragraph before subparagraph *a* by the following:

“However, the income earned in Canada for a taxation year by an individual who is a foreign specialist, within the meaning of section 737.18.6, who is an eligible individual, within the meaning of section 737.22.0.9, or who is described in section 66 of the Act respecting international financial centres (chapter C-8.3) is the amount by which the particular amount that is determined in respect of the individual for the year under the first paragraph exceeds the aggregate of”;

(3) by striking out subparagraph *c* of the second paragraph;

(4) by striking out the third paragraph.

129. Section 1091 of the Act is amended

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

“(c) where all or substantially all of the individual’s income for the year, as determined under section 28, is included in computing the individual’s taxable income earned in Canada for the year, determined with reference to the second paragraph, such of the other deductions from income, except the deductions described in sections 737.16, 737.18.10, 737.21, 737.22.0.0.3, 737.22.0.0.7,

737.22.0.3, 737.22.0.4.7, 737.22.0.7, 737.22.0.10 and 737.22.0.13, permitted for the purpose of computing the individual's taxable income as may reasonably be considered wholly applicable.”;

(2) by replacing “second, third and fourth” in the second paragraph by “second and third”.

130. (1) The Act is amended by inserting the following section after section 1120:

“1120.0.0.1. Where an amount (in this section referred to as the “allocated amount”) is paid or became payable to a beneficiary, in a taxation year, by a trust that is a mutual fund trust throughout the year, for the redemption of a unit of the trust that is owned by the beneficiary and where the beneficiary's proceeds from the disposition of the unit do not include the allocated amount, in computing the trust's income for the year no deduction may be made in respect of

(a) the portion of the allocated amount that would be, but for paragraph *a* of section 657, an amount paid out of the income (other than taxable capital gains) of the trust; and

(b) the portion of the allocated amount determined by the formula

$$A - 0.5 (B + C - D).$$

In the formula in subparagraph *b* of the first paragraph,

(a) *A* is the portion of the allocated amount that would be, but for paragraph *a* of section 657, an amount paid out of the taxable capital gains of the trust;

(b) *B* is the beneficiary's proceeds from the disposition of the unit on the redemption;

(c) *C* is the allocated amount; and

(d) *D* is the amount determined by the trustee to be the beneficiary's cost amount of the unit, the trustee being required to use reasonable efforts to obtain the information required to determine the cost amount.”

(2) Subsection 1 applies to a taxation year that begins after 18 March 2019. However, where section 1120.0.0.1 of the Act applies to a taxation year of a mutual fund trust that begins before 16 December 2021, it is to be read without reference to subparagraph *b* of the first paragraph if, in the taxation year, the units of the trust are

(1) listed on a designated stock exchange in Canada; and

(2) in continuous distribution.

131. Section 1129.0.9.1.1 of the Act is amended by replacing paragraph *a* by the following paragraph:

“(a) the partnership referred to in any of sections 1129.0.3, 1129.0.5, 1129.0.7 and 1129.0.9, in the case of tax paid under that section; or”.

132. Section 1129.40.1 of the Act is replaced by the following section:

“**1129.40.1.** For the purposes of Part I, except Division II.5.1 of Chapter III.1 of Title III of Book IX, the following rules are taken into account:

(a) the tax paid at any time by a taxpayer to the Minister under section 1129.39, in relation to a qualified expenditure incurred by the taxpayer, is deemed to be an amount of assistance repaid at that time by the taxpayer, in respect of the expenditure, pursuant to a legal obligation; and

(b) the tax paid at any time by a taxpayer to the Minister under section 1129.39 or 1129.40, in relation to a qualified expenditure incurred by the partnership referred to in that section, is deemed to be an amount of assistance repaid at that time by the partnership in respect of the expenditure, pursuant to a legal obligation.”

133. Section 1129.41.0.3 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

134. Section 1129.41.0.4 of the Act is replaced by the following section:

“**1129.41.0.4.** For the purposes of Part I, except Division II.5.1.1 of Chapter III.1 of Title III of Book IX, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.41.0.2, in relation to an eligible training expenditure, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the expenditure, pursuant to a legal obligation; and

(b) the tax paid at any time by a corporation to the Minister under section 1129.41.0.3, in relation to an eligible training expenditure, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenditure, pursuant to a legal obligation.”

135. Section 1129.41.0.8 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

136. Section 1129.41.0.9 of the Act is replaced by the following section:

“**1129.41.0.9.** For the purposes of Part I, except Division II.5.1.2 of Chapter III.1 of Title III of Book IX, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.41.0.7, in relation to an eligible training expenditure, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the expenditure, pursuant to a legal obligation; and

(b) the tax paid at any time by a corporation to the Minister under section 1129.41.0.8, in relation to an eligible training expenditure, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenditure, pursuant to a legal obligation.”

137. Section 1129.44.2.1 of the Act is replaced by the following section:

“1129.44.2.1. For the purposes of Part I, except Division II.6.2 of Chapter III.1 of Title III of Book IX, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.43 or 1129.44.1, in relation to an expenditure or wages, as the case may be, incurred by the corporation, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the expenditure or wages, pursuant to a legal obligation; and

(b) the tax paid at any time by a corporation to the Minister under section 1129.44 or 1129.44.2, in relation to an expenditure or wages, as the case may be, incurred by the partnership referred to in that section, is deemed to be an amount of assistance repaid at that time by the partnership, in respect of the expenditure or wages, pursuant to a legal obligation.”

138. Section 1129.45.0.3 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

139. Section 1129.45.0.4 of the Act is replaced by the following section:

“1129.45.0.4. For the purposes of Part I, the following rules are taken into account:

(a) the tax paid at any time by a taxpayer to the Minister under section 1129.45.0.2, in relation to eligible expenses, is deemed to be an amount of assistance repaid at that time by the taxpayer, in respect of the expenses, pursuant to a legal obligation; and

(b) the tax paid at any time by a taxpayer to the Minister under section 1129.45.0.3, in relation to eligible expenses, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenses, pursuant to a legal obligation.”

140. Section 1129.45.0.8 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

141. Section 1129.45.0.9 of the Act is replaced by the following section:

“1129.45.0.9. For the purposes of Part I, except Division II.6.4.2.1 of Chapter III.1 of Title III of Book IX, the following rules are taken into account:

(a) the tax paid at any time by a taxpayer to the Minister under section 1129.45.0.7, in relation to eligible expenses, is deemed to be an amount of assistance repaid at that time by the taxpayer, in respect of the expenses, pursuant to a legal obligation; and

(b) the tax paid at any time by a taxpayer to the Minister under section 1129.45.0.8, in relation to eligible expenses, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenses, pursuant to a legal obligation.”

142. Section 1129.45.3.5.3 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

143. Section 1129.45.3.5.9 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

144. Section 1129.45.20 of the Act is replaced by the following section:

“1129.45.20. For the purposes of Part I, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.45.18, in relation to a qualified solicitation expenditure, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the expenditure, pursuant to a legal obligation; and

(b) the tax paid at any time by a taxpayer to the Minister under section 1129.45.19, in relation to a qualified solicitation expenditure, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenditure, pursuant to a legal obligation.”

145. Section 1129.45.25 of the Act is replaced by the following section:

“1129.45.25. For the purposes of Part I, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.45.23, in relation to qualified wages, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the wages, pursuant to a legal obligation; and

(b) the tax paid at any time by a taxpayer to the Minister under section 1129.45.24, in relation to qualified wages, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the wages, pursuant to a legal obligation.”

146. Section 1129.45.30 of the Act is replaced by the following section:

“1129.45.30. For the purposes of Part I, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.45.28, in relation to a qualified solicitation expenditure, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the expenditure, pursuant to a legal obligation; and

(b) the tax paid at any time by a taxpayer to the Minister under section 1129.45.29, in relation to a qualified solicitation expenditure, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenditure, pursuant to a legal obligation.”

147. Section 1129.45.41.14 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

148. Section 1129.45.41.18.3 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

149. Section 1129.45.41.18.10 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

150. Section 1129.45.44 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

151. Section 1129.45.44.1 of the Act is replaced by the following section:

“1129.45.44.1. For the purposes of Part I, except Division II.6.15 of Chapter III.1 of Title III of Book IX, the following rules are taken into account:

(a) the tax paid at any time by a corporation to the Minister under section 1129.45.43, in relation to eligible expenses incurred after 12 June 2003, is deemed to be an amount of assistance repaid at that time by the corporation, in respect of the expenses, pursuant to a legal obligation; and

(b) the tax paid at any time by a corporation to the Minister under section 1129.45.44, in relation to eligible expenses incurred after 12 June 2003, is deemed to be an amount of assistance repaid at that time by the partnership referred to in that section in respect of the expenses, pursuant to a legal obligation.”

152. Sections 1138.2.3 to 1138.2.4 of the Act are repealed.

153. Section 1175.19.2 of the Act is amended by striking out “, otherwise determined,” in subparagraph *b* of the third paragraph.

154. (1) Section 1175.39 of the Act is replaced by the following section:

“1175.39. The following operators are exempt from the public utility tax for a particular calendar year:

(a) a municipality; and

(b) a corporation all of the shares of the capital stock of which, or a partnership all of the interests in which, are held, throughout its last fiscal period that ended in the calendar year that precedes the particular calendar year, by

i. a municipality,

ii. a corporation all of the shares of the capital stock of which are held, directly or indirectly through one or more corporations or partnerships, by a municipality, or

iii. a partnership all of the interests in which are held, directly or indirectly through one or more corporations or partnerships, by a municipality.”

(2) Subsection 1 applies from the calendar year 2005.

(3) For the purpose of determining the refund to which a corporation or a partnership may be entitled, because of the application of subsections 1 and 2, for a calendar year in respect of which the corporation or partnership paid a public utility tax before 18 December 2021, section 1051 of the Act is to be read as follows:

“1051. Where an operator has filed a fiscal return for a calendar year and has paid as a public utility tax, interest or a penalty for that year an amount greater than the amount that was exigible, the Minister may refund the overpayment to the operator if application is made for it by the operator on or before 30 June 2022.”

(4) For the purpose of determining an amount of interest payable on an amount owed, because of the application of subsection 3, to a corporation or a partnership for a calendar year in respect of which the corporation or partnership paid a public utility tax before 18 December 2021, section 1052 of the Act is to be read as follows:

“1052. Where the amount of an overpayment by an operator is refunded to, or applied to another liability of, the operator, interest thereon shall be paid to the operator for the period ending on the day the overpayment is refunded or applied, and beginning on the date on which an application for a refund is received by the Minister.”

(5) Despite sections 1010 to 1011 of the Act, the Minister of Revenue shall, under Part VI.4 of the Act, make any assessments of an operator’s public utility tax, interest and penalties as are necessary for any calendar year to give effect to this section.

155. (1) Section 1175.40 of the Act is amended

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

“An operator, other than a municipality, that is exempt from the payment of tax under this Part shall, for each calendar year for which such tax would otherwise be payable, file with the Minister, in the prescribed form, without notice or demand, a fiscal return containing prescribed information.”;

(2) by replacing subparagraphs *a* and *b* of the second paragraph by the following subparagraphs:

“(a) in the case of an operator that is a corporation or a partnership, by the corporation or partnership, as the case may be, or on its behalf, within six months after the end of the operator’s last fiscal period that ends in the preceding calendar year;

“(b) in the case of an operator that is a succession or a trust, by the liquidator of the succession, the executor or the trustee, as the case may be, within 90 days after the end of the operator’s last fiscal period that ends in the preceding calendar year; and”;

(3) by replacing “of the first” in the third paragraph by “of the third”;

(4) by replacing the fourth paragraph by the following paragraph:

“If the documents are not filed in accordance with the first, second or third paragraph, they must be filed by the person who is required by notice in writing from the Minister to file the documents, within such reasonable time as the notice specifies.”

(2) Subsection 1 applies from the calendar year 2022.

ACT RESPECTING THE SECTORAL PARAMETERS OF CERTAIN
FISCAL MEASURES

156. Section 38 of the Act respecting the sectoral parameters of certain fiscal measures (chapter P-5.1) is amended by inserting “by” after “prescribed”.

157. Section 1.1 of Schedule A to the Act is amended by striking out paragraph 2.

158. Chapter III of Schedule A to the Act, comprising sections 3.1 to 3.6, is repealed.

159. Section 1.1 of Schedule E to the Act is amended by striking out paragraph 4.

160. Section 3.1 of Schedule E to the Act is amended

(1) by replacing the portion of the definition of “eligible employer” in the first paragraph before paragraph 1 by the following:

““eligible employer” means a corporation operating a business that is recognized as an international financial centre, according to the following documents that were issued in its respect:”;

(2) by replacing paragraph 2 of the definition of “eligible employer” in the first paragraph by the following paragraph:

“(2) the business certificate for the taxation year of the corporation for which this definition is applied;”;

(3) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purposes of the definition of “eligible employer” in the first paragraph, the following presumptions apply to a corporation in respect of the qualification certificate or the certificate issued to it and referred to in that definition:”;

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

“(b) the corporation is deemed to hold, in respect of the business to which the qualification certificate relates, for the taxation year in which it was revoked, a valid business certificate for the period corresponding to the part of that year that ends on that date of issue; and”;

(5) by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) a revoked certificate is deemed to be valid for the whole taxation year for which it had been issued.”

161. Section 3.6 of Schedule E to the Act is amended by striking out “, or the qualification certificate referred to in section 14 of the Act respecting international financial centres,” in paragraph 1.

162. Section 3.9 of Schedule E to the Act is replaced by the following section:

“**3.9.** The effective date of the revocation of a specialist qualification certificate may not precede the date of the notice of revocation by more than four years. The same applies in the case of the revocation of a specialist certificate.”

163. Section 3.10 of Schedule E to the Act is replaced by the following section:

“**3.10.** The Minister may, before issuing a specialist qualification certificate or certificate, or before revoking such a document, obtain the advice of CFI Montréal — Centre Financier International or of any other body pursuing similar objectives.”

164. Chapter V of Schedule E to the Act, comprising sections 5.1 to 5.6, is repealed.

165. Section 3.10 of Schedule H to the Act is amended by replacing all occurrences of “show” and “shown” in the first paragraph by “exploit” and “exploited”, respectively.

ACT RESPECTING THE RÉGIE DE L'ASSURANCE MALADIE DU QUÉBEC

166. Section 33 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5) is amended, in the first paragraph,

(1) by replacing the definition of “exemption period” by the following definition:

““exemption period” of an eligible employer means the five-year period that begins at the beginning of the eligible employer’s first taxation year;”;

(2) by striking out paragraph *a* of the definition of “wages”;

(3) by striking out the definition of “qualified corporation”.

167. Section 34 of the Act is amended

- (1) by striking out the sixth paragraph;
- (2) by striking out subparagraph *e* of the seventh paragraph;
- (3) by replacing “seventh” in the eighth paragraph and the portion of the ninth paragraph before subparagraph *a* by “sixth”;
- (4) by replacing “ninth” in the portion of the tenth paragraph before subparagraph *a* by “eighth”;
- (5) by replacing “seventh” in subparagraphs *a* and *b* of the tenth paragraph by “sixth”;
- (6) by striking out the eleventh paragraph;
- (7) by replacing “seventh” in the twelfth paragraph by “sixth”.

168. Section 34.0.0.3 of the Act is amended by striking out the third and fourth paragraphs.**169.** Section 34.0.1 of the Act is amended by replacing “fifth, sixth and seventh” in the portion before paragraph *a* by “fifth and sixth”.**170.** Sections 34.1.0.1 and 34.1.0.2 of the Act are repealed.**171.** Section 34.1.0.3 of the Act is amended by replacing “seventh” in the first paragraph and in subparagraph *b* of the second paragraph by “sixth”.**172.** Section 34.1.4 of the Act is amended

- (1) by striking out “311.2,” in subparagraph 3 of subparagraph iv of paragraph *a*;
- (2) by replacing “section 311.1 or 311.2” in subparagraph 1 of subparagraph ii of paragraph *b* by “section 311.1”;
- (3) by striking out “, 926” in subparagraph 3 of subparagraph ii of paragraph *b*;
- (4) by replacing “section 961.20 or 961.21” in subparagraph 6 of subparagraph ii of paragraph *b* by “section 961.21”;
- (5) by striking out subparagraph iv.2 of paragraph *b*.

173. Section 34.1.5 of the Act is amended by striking out paragraph *c*.

174. Section 37.1 of the Act is amended by replacing “whole percentage point or, if equidistant from two percentage points” by “1/100th of a percent or, if equidistant from two 1/100th of a percent” in the following provisions:

- paragraphs *a* and *b* of the definition of “average contribution rate”;
- paragraph *b* and subparagraphs i and ii of paragraph *c* of the definition of “contribution rate”.

175. (1) Section 37.4 of the Act is amended, in subparagraph *a* of the first paragraph,

- (1) by replacing subparagraphs i to iv by the following subparagraphs:
 - “i. \$16,940 where, for the year, the individual has no eligible spouse and no dependent child,
 - “ii. \$27,460 where, for the year, the individual has no eligible spouse but has one dependent child,
 - “iii. \$31,035 where, for the year, the individual has no eligible spouse but has more than one dependent child,
 - “iv. \$27,460 where, for the year, the individual has an eligible spouse but has no dependent child, and”;

(2) by replacing subparagraphs 1 and 2 of subparagraph *v* by the following subparagraphs:

- “(1) \$31,035 where the individual has one dependent child for the year, or
- “(2) \$34,335 where the individual has more than one dependent child for the year; and”.

(2) Subsection 1 applies from the year 2021.

176. Section 37.6 of the Act is amended by replacing subparagraph *i* of subparagraph *d* of the second paragraph by the following subparagraph:

- “i. the average contribution rate applicable for the year in respect of this subparagraph, if the individual has an eligible spouse for the year; or”.

ACT RESPECTING THE QUÉBEC PENSION PLAN

177. (1) Section 59 of the Act respecting the Québec Pension Plan (chapter R-9) is amended

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

“For the purposes of the regulations made under this section, the Minister shall draw up Tables A and B determining the amount to be deducted from a remuneration paid to an employee during a particular period on account of the base contribution and the first additional contribution. In addition, the Minister shall draw up Table C determining the amount to be deducted from a remuneration paid to an employee during a particular period on account of the second additional contribution. The Minister shall post the tables on the Revenu Québec website.”;

(2) by replacing “and B” in the fourth paragraph by “, B and C”.

(2) Subsection 1 applies in respect of a year subsequent to the year 2023.

ACT RESPECTING THE QUÉBEC SALES TAX

178. (1) Section 1 of the Act respecting the Québec sales tax (chapter T-0.1) is amended

(1) by inserting the following definition in alphabetical order:

““virtual payment instrument” means property that is a digital representation of value, that functions as a medium of exchange and that only exists at a digital address of a publicly distributed ledger, other than property that

(1) confers a right, whether immediate or future and whether absolute or contingent, to be exchanged or redeemed for money or specific property or services or to be converted into money or specific property or services;

(2) is primarily for use within, or as part of, a gaming platform, an affinity or rewards program or a similar platform or program; or

(3) is prescribed property;”;

(2) by inserting the following paragraph after paragraph 6 of the definition of “financial instrument”:

“(6.1) a virtual payment instrument;”;

(3) by replacing paragraph 3 of the definition of “plan member” by the following paragraph:

“(3) in any other case, the deferred profit sharing plan, the employee benefit plan, the employee trust, the profit sharing plan, the registered education savings plan, the registered supplementary unemployment benefit plan or the retirement compensation arrangement, within the meaning assigned to those expressions by section 1 of the Taxation Act, as the case may be, that governs the investment plan;”;

(4) by inserting the following paragraph after paragraph 3 of the definition of “investment plan”:

“(3.1) an investment limited partnership; and”;

(5) by replacing paragraph 8 of the definition of “distributed investment plan” by the following paragraph:

“(8) a unit trust within the meaning of section 1 of the Taxation Act that is not a trust described in any of subparagraphs *a* to *h*, *k* and *l* of paragraph 1 of the definition of “investment plan”; or”;

(6) by adding the following paragraph at the end of the definition of “distributed investment plan”:

“(9) an investment limited partnership;”;

(7) by replacing the definition of “provincial investment plan” by the following definition:

““provincial investment plan” for a particular province at any time means an investment plan that

(1) is at that time a financial institution described in the definition of “provincial investment plan” in the first paragraph of section 433.15.1, the units of which may, under the laws of Canada or a province, be sold only in the particular province;

(2) is at that time a stratified investment plan, all the series of which are provincial series for the particular province; or

(3) meets the following conditions:

(a) it has, throughout the taxation year in which its fiscal year that includes that time ends, a permanent establishment in the particular province, as determined in accordance with the first paragraph of section 433.15.3, and

(b) it does not have, throughout that taxation year, a permanent establishment in a province other than the particular province, as determined in accordance with the first paragraph of section 433.15.3;”;

(8) by inserting the following definition in alphabetical order:

““provincial stratified investment plan” means a stratified investment plan (other than a provincial investment plan) with one or more provincial series;”;

(9) by adding the following paragraph at the end of the definition of “series”:

“(3) in respect of a partnership, a class of units of the partnership;”;

(10) by inserting the following definition in alphabetical order:

““investment limited partnership” means a limited partnership, the primary purpose of which is to invest funds in property consisting primarily of financial instruments, if

(1) the limited partnership is, or forms part of an arrangement or structure that is, represented or promoted as a hedge fund, investment limited partnership, mutual fund, private equity fund, venture capital fund or other similar collective investment vehicle; or

(2) the total value of all shares in the limited partnership held by listed financial institutions is 50% or more of the total value of all shares in the limited partnership;”;

(11) by inserting the following paragraphs after paragraph 4 of the definition of “unit”:

“(4.1) in respect of a partnership, a person’s share in the partnership;

“(4.2) in respect of a series of a partnership, a unit of the partnership of that series; and”.

(2) Paragraphs 1 and 2 of subsection 1 have effect from 18 May 2019.

(3) Paragraph 3 of subsection 1 applies in respect of a reporting period of a person that begins after 21 July 2016.

(4) Paragraph 3 of subsection 1 also applies in respect of any reporting period of a person that begins after 31 December 2012 and before 22 July 2016 (such a period being referred to in this subsection and subsection 5 as a “specified reporting period”), if

(1) the person was a trust governed by a registered education savings plan, within the meaning of section 1 of the Taxation Act (chapter I-3), throughout those specified reporting periods;

(2) for each of those specified reporting periods, either

(a) the person, or a manager of the person, within the meaning of the first paragraph of section 433.15.1 of the Act respecting the Québec sales tax, reported in the return for the specified reporting period an amount on account of net tax that was determined as though

i. the person were a selected listed financial institution throughout the specified reporting period; and

ii. section 35 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) applied in respect of the specified reporting period; or

(b) a manager of the person reported in the return for the manager's reporting period that ends in the specified reporting period an amount on account of net tax that was determined as though

i. the person were a selected listed financial institution throughout the specified reporting period;

ii. section 35 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations applied in respect of the specified reporting period; and

iii. a joint election referred to in the first or second paragraph of section 433.22 of the Act respecting the Québec sales tax and made by the manager and the person were in effect throughout the specified reporting period; and

(3) the person makes either of the following elections:

(a) a valid election under subparagraph iii of paragraph *b* of subsection 1 of section 41 of the Regulations Amending Various GST/HST Regulations, No. 11 (SOR/2019-59) in respect of those specified reporting periods; or

(b) where the person is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act, the election described in subsection 5.

(5) The election to which subparagraph *b* of paragraph 3 of subsection 4 refers is the election to apply paragraph 3 of subsection 1 of this section, paragraphs 4 and 7 of subsection 1 of section 203 and subsection 1 of section 210 of this Act, and section 20 of the Regulations Amending Various GST/HST Regulations, No. 11 to the specified reporting periods. The election must

(1) be made in a document in the form and containing the information determined by the Minister of Revenue; and

(2) be filed with the Minister of Revenue, in the manner determined by the Minister of Revenue, on or before 8 June 2023 or on any later date that the Minister of Revenue may determine.

(6) For the purposes of subsection 4, the rules set out in subsection 6 of section 203 apply.

(7) Paragraph 4 of subsection 1 applies in respect of

(1) a taxation year of a person that begins after 31 December 2018; or

(2) a taxation year of a person that begins in 2018 if the person made a valid election under paragraph *b* of subsection 2 of section 43 of the Budget Implementation Act, 2018, No. 2 (Statutes of Canada, 2018, chapter 27).

(8) Where a person makes an election under paragraph 2 of subsection 7, any reference to “2018” and “2019” in section 458.5.4 of the Act respecting the Québec sales tax, enacted by section 212 of this Act, is to be read as a reference to “2017” and “2018”, respectively, for the purpose of applying that section 458.5.4 in relation to the person.

(9) Paragraph 5 of subsection 1 has effect from 1 January 2013.

(10) Paragraph 6 of subsection 1 applies in respect of a reporting period of a person that begins

(1) after 31 December 2018; or

(2) in 2018 if the person is a listed financial institution throughout the reporting period of the person that includes 1 January 2018.

(11) Paragraphs 7 and 8 of subsection 1 have effect from 23 July 2016.

(12) Paragraphs 9 to 11 of subsection 1 have effect from 8 September 2017.

179. (1) Section 11.3 of the Act is repealed.

(2) Subsection 1 has effect from 23 July 2016.

180. (1) The Act is amended by inserting the following section after section 12.1:

“12.2. Subject to section 12, an investment limited partnership is deemed not to be resident in Québec at any time if, at that time, the total value of all shares in the investment limited partnership held by members of the investment limited partnership that are not resident in Québec (other than prescribed members) is 95% or more of the total value of all shares in the investment limited partnership.”

(2) Subsection 1 has effect from 8 September 2017.

181. (1) Section 17 of the Act is amended by adding the following subparagraph at the end of the fourth paragraph:

“(7) corporeal property that a person, that is a provincial investment plan as regards Québec or a provincial stratified investment plan, brings into Québec, that comes from Canada outside Québec, other than a road vehicle that must be registered under the Highway Safety Code as a consequence of an application by the person, and, where the person is a provincial stratified investment plan, that the person brings into Québec for consumption, use or supply in the course of activities relating to one or more provincial series of the person as regards Québec.”

(2) Subsection 1 applies in respect of the bringing into Québec of corporeal property after 22 July 2016.

182. (1) Section 18.0.1.1 of the Act is amended

(1) by replacing the portion before the formula in the first paragraph by the following:

“**18.0.1.1.** Subject to the sixth paragraph, every person that is the recipient of a taxable supply of property or a service made outside Québec and that is a provincial stratified investment plan with one or more provincial series as regards Québec at the time an amount of consideration for the supply becomes due or is paid without having become due shall pay to the Minister, for that amount of consideration, tax equal to the amount determined by the formula”;

(2) by inserting the following paragraph after the first paragraph:

“Every person that is a provincial stratified investment plan with one or more provincial series as regards Québec at the time an amount of consideration for the supply of property described in any of paragraphs 2.1 to 8 of section 18 of which the person is the recipient becomes due or is paid without having become due and that, if the supply is described in paragraph 3 of that section, is a registrant shall pay to the Minister, for that amount of consideration, tax equal to the amount determined by the formula

$A \times B \times C$.”;

(3) by replacing the portion of the second paragraph before subparagraph 1 by the following:

“For the purposes of the formulas in the first and second paragraphs,”;

(4) by striking out “or part of” in subparagraph 2 of the second paragraph;

(5) by replacing “of the investment plan” in subparagraph 3 of the second paragraph by “of the person”;

(6) by replacing the third and fourth paragraphs by the following paragraphs:

“No tax is payable under the first paragraph by a person that is a provincial stratified investment plan with one or more provincial series as regards Québec, in respect of an amount of consideration for the taxable supply of property or a service, if the quotient (expressed as a percentage) obtained by dividing the total of all amounts each of which is the extent to which the property or service is acquired for consumption, use or supply in the course of activities relating to a provincial series of the person as regards Québec, as determined in accordance with section 51 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations, by the total of all amounts each of which is the extent to which the property or service is acquired for consumption, use or supply in the course of activities relating to a provincial series of the person as regards any province, as determined in accordance with that section 51, is less than 10%.

No tax is payable by a person under the first paragraph in respect of a taxable supply of an incorporeal movable property or a service made outside Québec but within Canada that is described in subparagraph 9 of the third paragraph of section 18.0.1.”;

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

“Where a taxable supply of property or a service is made outside Canada, the first paragraph applies only if the supply is described in paragraph 1 or 2 of section 18.”

(2) Subsection 1 applies in respect of a supply made after 22 July 2016.

183. (1) Section 18.0.1.2 of the Act is amended

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

“Subject to the fourth paragraph, every person that is the recipient of a taxable supply of property or a service made outside Québec and that is a provincial investment plan as regards Québec at the time an amount of consideration for the supply becomes due or is paid without having become due shall pay to the Minister, for that amount of consideration, tax calculated at the rate of 9.975% on the value of the consideration that is paid or becomes due at that time.”;

(2) by inserting the following paragraph after the first paragraph:

“Every person that is a provincial investment plan as regards Québec at the time an amount of consideration for the supply of property described in any of paragraphs 2.1 to 8 of section 18 of which the person is the recipient becomes due or is paid without having become due and that, if the supply is described in paragraph 3 of that section, is a registrant shall pay to the Minister, for that amount of consideration, tax calculated at the rate of 9.975% on the value of the consideration that is paid or becomes due at that time.”;

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

“No tax is payable by a person under the first paragraph in respect of a taxable supply of an incorporeal movable property or a service made outside Québec but within Canada that is described in subparagraph 9 of the third paragraph of section 18.0.1.”;

(4) by adding the following paragraph at the end:

“Where a taxable supply of property or a service is made outside Canada, the first paragraph applies only if the supply is described in paragraph 1 or 2 of section 18.”

(2) Subsection 1 applies in respect of a supply made after 22 July 2016.

184. (1) Section 26.3 of the Act is amended

(1) by replacing subparagraphs *a* to *c* of subparagraph 1 of the second paragraph by the following subparagraphs:

“(a) in the case where the qualifying taxpayer is a provincial stratified investment plan in the qualifying taxpayer’s fiscal year that ends in the specified year, the aggregate of all amounts each of which is the percentage that is the extent to which the internal charge is attributable to outlays or expenses that were made or incurred to consume, use or supply the whole or part of a qualifying service or of property to which the internal charge is attributable, in carrying on, engaging in or conducting an activity of the qualifying taxpayer relating to a provincial series of the qualifying taxpayer as regards Québec, as determined in accordance with section 51 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act;

“(b) in the case where the qualifying taxpayer is, in the qualifying taxpayer’s fiscal year that ends in the specified year, a provincial investment plan as regards Québec, 100%;

“(c) in the case where the qualifying taxpayer is, in the qualifying taxpayer’s fiscal year that ends in the specified year, a provincial investment plan as regards a province other than Québec, 0%; and”;

(2) by inserting “admissible” after “contribuable” in subparagraph *d* of subparagraphs 1 and 2 of the second paragraph in the French text;

(3) by replacing subparagraphs *a* to *c* of subparagraph 2 of the second paragraph by the following subparagraphs:

“(a) in the case where the qualifying taxpayer is a provincial stratified investment plan in the qualifying taxpayer’s fiscal year that ends in the specified year, the aggregate of all amounts each of which is the percentage that is the

extent to which the whole or part of the outlay or expense, which corresponds to the external charge, was made or incurred to consume, use or supply the whole or part of a qualifying service or of property to which the external charge is attributable, in carrying on, engaging in or conducting an activity of the qualifying taxpayer relating to a provincial series of the qualifying taxpayer as regards Québec, as determined in accordance with section 51 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations;

“(b) in the case where the qualifying taxpayer is, in the qualifying taxpayer’s fiscal year that ends in the specified year, a provincial investment plan as regards Québec, 100%;

“(c) in the case where the qualifying taxpayer is, in the qualifying taxpayer’s fiscal year that ends in the specified year, a provincial investment plan as regards a province other than Québec, 0%; and”;

(4) by inserting the following paragraph after the second paragraph:

“In the case where the qualifying taxpayer is a provincial stratified investment plan or a provincial investment plan, the first paragraph is to be read without reference to “that is resident in Québec and”.”

(2) Subsection 1 applies to a specified year of a person that ends after 22 July 2016.

185. (1) Section 26.4 of the Act is amended

(1) by replacing paragraphs 1 to 3 by the following paragraphs:

“(1) in the case where the qualifying taxpayer is a provincial stratified investment plan in the qualifying taxpayer’s fiscal year that ends in the specified year, the aggregate of all amounts each of which is the percentage that is the extent to which the whole or part of the outlay or expense, which corresponds to the qualifying consideration, was made or incurred to consume, use or supply the whole or part of a qualifying service or of property to which the qualifying consideration is attributable, in carrying on, engaging in or conducting an activity of the qualifying taxpayer relating to a provincial series of the qualifying taxpayer as regards Québec, as determined in accordance with section 51 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15);

“(2) in the case where the qualifying taxpayer is, in the qualifying taxpayer’s fiscal year that ends in the specified year, a provincial investment plan as regards Québec, 100%;

“(3) in the case where the qualifying taxpayer is, in the qualifying taxpayer’s fiscal year that ends in the specified year, a provincial investment plan as regards a province other than Québec, 0%; and”;

(2) by inserting “admissible” after “contribuable” in paragraph 4 in the French text;

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

“In the case where the qualifying taxpayer is a provincial stratified investment plan or a provincial investment plan, the portion of the first paragraph before subparagraph 1 is to be read without reference to “that is resident in Québec and”.”

(2) Subsection 1 applies to a specified year of a person that ends after 22 July 2016.

186. Section 42.0.22 of the Act is amended by replacing the portion before paragraph 1 by the following:

“**42.0.22.** Where a contestation is filed or an appeal is initiated by a financial institution under the Tax Administration Act (chapter A-6.002) and the contestation or appeal pertains to an assessment under this Title for a reporting period in a fiscal year in respect of an issue relating to the determination, under any of sections 42.0.15 to 42.0.17, 42.0.20 and 42.0.21, of the operative extent or the procurative extent of a business input, the burden of establishing the following facts is on the financial institution:”.

187. (1) Section 279.1 of the Act is amended by replacing “third” in paragraph 2 by “fourth”.

(2) Subsection 1 applies to a specified year of a person that ends after 22 July 2016.

188. Section 297.0.2.3 of the Act is amended by replacing “in prescribed manner and containing prescribed information” in subparagraph 3 of the first paragraph by “in the prescribed form containing prescribed information”.

189. (1) Section 327.2 of the Act is amended by replacing “section 18” in subparagraph i of subparagraph c of subparagraph 4 of the first paragraph by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

(2) Subsection 1 applies in respect of a supply made after 14 December 2017. In addition, where section 327.2 of the Act applies in respect of a supply made after 22 July 2016 and before 15 December 2017, it is to be read as if “section 18” in subparagraph i of subparagraph c of subparagraph 3 of the first paragraph were replaced by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

190. (1) Section 327.2.1 of the Act is amended by replacing “section 18” in subparagraph iv of subparagraph a of subparagraph 3 of the first paragraph by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

(2) Subsection 1 applies in respect of a supply made after 14 December 2017. In addition, where section 327.2.1 of the Act applies in respect of a supply made after 22 July 2016 and before 15 December 2017, it is to be read as if “section 18” in subparagraph iv of subparagraph *a* of subparagraph 5 of the first paragraph were replaced by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

191. (1) Section 327.4 of the Act is amended, in the second paragraph,

(1) by replacing “section 18” in the portion of subparagraph *c* of subparagraph 1 before subparagraph *i* by “any of sections 18, 18.0.1.1 and 18.0.1.2”;

(2) by replacing “section 18” in the portion of subparagraph 2 before subparagraph *a* by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

(2) Subsection 1 applies in respect of a supply made after 14 December 2017. In addition, where section 327.4 of the Act applies in respect of a supply made after 22 July 2016 and before 15 December 2017, it is to be read as if “section 18” in the portion before subparagraph 1 of the first paragraph were replaced by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

192. (1) Section 327.5 of the Act is amended by replacing “section 18” in the portion before paragraph 1 by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

(2) Subsection 1 applies in respect of a supply made after 22 July 2016.

193. (1) Section 327.6 of the Act is amended by replacing “section 18” in the portion before paragraph 1 by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

(2) Subsection 1 applies in respect of a supply made after 22 July 2016.

194. (1) Sections 327.6.1 to 327.6.5 of the Act are amended by replacing all occurrences of “section 18” by “any of sections 18, 18.0.1.1 and 18.0.1.2”.

(2) Subsection 1 applies in respect of a supply made after 14 December 2017.

195. (1) Section 345.3 of the Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) where management or administrative services are rendered by a general partner of an investment limited partnership to the investment limited partnership under an agreement for the particular supply of those services,

(a) if section 32.3 applies in respect of the particular supply, for each separate supply of those services that is deemed under paragraph 1 of section 32.3 to be made by the general partner for a billing period within the meaning of section 32.3, the separate supply is deemed, despite paragraph 3 of section 32.3, to be made for consideration that becomes due on the last day of the billing period equal to the fair market value of the services rendered under the

agreement by the general partner to the investment limited partnership during the billing period, determined as if the general partner were not a member of the investment limited partnership and were dealing at arm's length with the investment limited partnership, and

(b) in any other case,

i. the general partner is deemed to have made, and the investment limited partnership is deemed to have received, a separate supply of those services for each reporting period of the general partner during which those services are, or are to be, rendered under the agreement, and

ii. each separate supply of those services that is deemed to be made under subparagraph i for a reporting period of the general partner is deemed to be made on the first day of the reporting period for consideration that becomes due on the last day of the reporting period equal to the fair market value of the services rendered under the agreement by the general partner to the investment limited partnership during the reporting period, determined as if the general partner were not a member of the investment limited partnership and were dealing at arm's length with the investment limited partnership; and".

(2) Subsection 1 applies in respect of a supply made after 7 September 2017.

(3) For the purposes of subsection 2 and Title I of the Act, if management or administrative services are rendered by a general partner of an investment limited partnership to the investment limited partnership under a particular agreement entered into before 8 September 2017 and if some or all of those services are rendered after 7 September 2017, the following rules apply:

(1) in respect of the management or administrative services that are rendered after 7 September 2017 (in this paragraph referred to as the "subsequent services"),

(a) the general partner is deemed to have made, and the investment limited partnership is deemed to have received, a particular supply of the subsequent services and the particular supply is deemed to have been made on 8 September 2017;

(b) the subsequent services are deemed to have been rendered under an agreement for the particular supply and not under the particular agreement and the agreement for the particular supply is deemed to have been entered into on 8 September 2017;

(c) any amount that is charged, collected or remitted at any time as or on account of tax under Title I of the Act in respect of an amount of consideration that is reasonably attributable to the rendering of the subsequent services is deemed to be an amount of tax that is collected at that time in respect of the particular supply; and

(d) if the total of all amounts of tax that are payable before 27 February 2018 under Title I of the Act in respect of the particular supply is in excess of the total of the amounts that are deemed under subparagraph *c* to be amounts collected before that date in respect of that supply, the excess is deemed, despite section 345.3 of the Act, to have become payable on that date and the general partner is deemed to have collected it on that date; and

(2) in respect of the management or administrative services that are rendered before 8 September 2017 (in this paragraph referred to as the “prior services”),

(a) the general partner is deemed to have made, and the investment limited partnership is deemed to have received, a supply of the prior services (in this paragraph referred to as the “earlier supply”) and the earlier supply is deemed to have been made on the date on which the particular agreement is entered into;

(b) the prior services are deemed to have been rendered under an agreement for the earlier supply and not under the particular agreement and the agreement for the earlier supply is deemed to have been entered into on the date on which the particular agreement is entered into; and

(c) any amount that is charged, collected or remitted at any time as or on account of tax under Title I of the Act in respect of an amount of consideration that is reasonably attributable to the rendering of the prior services under the particular agreement is deemed to be an amount of tax that is collected at that time in respect of the earlier supply.

196. (1) The Act is amended by inserting the following section after section 345.7:

“345.8. Where a general partner of an investment limited partnership renders a management or administrative service to the investment limited partnership, the following rules apply:

(1) the rendering of the service is deemed not to be done by the general partner as a member of the investment limited partnership; and

(2) the supply by the general partner to the investment limited partnership that includes the service is deemed to have been made otherwise than in the course of the investment limited partnership’s activities.”

(2) Subsection 1 has effect from 8 September 2017. In addition, it applies in respect of management or administrative services that are rendered under an agreement entered into before that date if an amount was, before that date, charged, collected or remitted as or on account of tax under Title I of the Act in respect of those services or in respect of any supply made under the agreement.

(3) For the purposes of Title I of the Act, if section 345.8 of the Act applies in respect of management or administrative services that were rendered by a general partner of an investment limited partnership to the investment limited partnership before 8 September 2017 under an agreement entered into before that date, the following rules apply:

(1) section 345.3 of the Act does not apply in respect of the supply of the management or administrative services made by the general partner to the investment limited partnership;

(2) any amount that the investment limited partnership pays or credits to the general partner after 7 September 2017 and that is reasonably attributable to the management or administrative services is deemed to be consideration for the supply of those services by the general partner to the investment limited partnership that becomes due at the time the amount is paid or credited to the general partner; and

(3) if an amount was charged, collected or remitted as or on account of tax in respect of a particular amount—being an amount that the investment limited partnership paid or credited to the general partner before 8 September 2017 and that is reasonably attributable to the management or administrative services—the particular amount is deemed to be consideration for a taxable supply of those services that becomes due at the time the amount is paid or credited to the general partner.

(4) For the purposes of subsections 2 and 3 and Title I of the Act, if management or administrative services are rendered by a general partner of an investment limited partnership to the investment limited partnership under a particular agreement entered into before 8 September 2017 and if some or all of those services are rendered after 7 September 2017, the following rules apply:

(1) in respect of the management or administrative services that are rendered after 7 September 2017 (in this paragraph referred to as the “subsequent services”),

(a) the general partner is deemed to have made, and the investment limited partnership is deemed to have received, a particular supply of the subsequent services and the particular supply is deemed to have been made on 8 September 2017;

(b) the subsequent services are deemed to have been rendered under an agreement for the particular supply and not under the particular agreement and the agreement for the particular supply is deemed to have been entered into on 8 September 2017;

(c) any amount that is charged, collected or remitted at any time as or on account of tax under Title I of the Act in respect of an amount of consideration that is reasonably attributable to the rendering of the subsequent services is deemed to be an amount of tax that is collected at that time in respect of the particular supply; and

(d) if the total of all amounts of tax that are payable before 27 February 2018 under Title I of the Act in respect of the particular supply is in excess of the total of the amounts that are deemed under subparagraph *c* to be amounts collected before that date in respect of that supply, the excess is deemed, despite section 345.3 of the Act, to have become payable on that date and the general partner is deemed to have collected it on that date; and

(2) in respect of the management or administrative services that are rendered before 8 September 2017 (in this paragraph referred to as the “prior services”),

(a) the general partner is deemed to have made, and the investment limited partnership is deemed to have received, a supply of the prior services (in this paragraph referred to as the “earlier supply”) and the earlier supply is deemed to have been made on the date on which the particular agreement is entered into;

(b) the prior services are deemed to have been rendered under an agreement for the earlier supply and not under the particular agreement and the agreement for the earlier supply is deemed to have been entered into on the date on which the particular agreement is entered into; and

(c) any amount that is charged, collected or remitted at any time as or on account of tax under Title I of the Act in respect of an amount of consideration that is reasonably attributable to the rendering of the prior services under the particular agreement is deemed to be an amount of tax that is collected at that time in respect of the earlier supply.

197. (1) Section 350.0.1 of the Act is amended by replacing “under sections 17, 18 and 18.0.1” in paragraph 1 of the definition of “tax amount” by “under any of sections 17 and 18 to 18.0.1.2”.

(2) Subsection 1 applies in respect of a fiscal year that begins after 31 December 2012.

198. Section 350.0.3 of the Act is amended by replacing “in the form and containing the information determined by the Minister” by “in the prescribed form containing prescribed information”.

199. Section 350.0.5 of the Act is amended by replacing “déterminé par lui” in the French text by “prescrit”.

200. (1) Section 402.23 of the Act is amended by replacing “stratified investment plan with one or more provincial series” by “provincial stratified investment plan”.

(2) Subsection 1 has effect from 23 July 2016.

201. Section 402.25 of the Act is amended

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

“An insurer and a segregated fund of the insurer may elect, in the prescribed form containing prescribed information, to have the insurer pay to, or credit in favour of, the segregated fund the amount of any rebates payable to the segregated fund under section 402.23 in respect of supplies made by the insurer to the segregated fund.”;

- (2) by replacing subparagraph 4 of the third paragraph by the following subparagraph:

“(4) the segregated fund, within one year after the day tax becomes payable in respect of the supply, submits to the insurer an application for the rebate in the prescribed form containing prescribed information.”

202. (1) Section 404.3 of the Act is amended by replacing “stratified investment plan with one or more provincial series” in the fourth paragraph by “provincial stratified investment plan”.

- (2) Subsection 1 has effect from 23 July 2016.

203. (1) Section 433.15.1 of the Act is amended

- (1) by replacing paragraph 3 of the definition of “permanent establishment” in the first paragraph by the following paragraph:

“(3) in the case of a partnership other than an investment plan,

(a) if every member of the partnership is either an individual or a trust, any establishment that would be an establishment of the partnership under any of sections 12, 13 and 15 of the Taxation Act if the partnership were an individual, and

(b) if subparagraph *a* does not apply, any establishment that would be an establishment of the partnership under any of sections 12 to 16.0.1 of the Taxation Act if the partnership were a corporation;”;

- (2) by striking out paragraph 4 of the definition of “permanent establishment” in the first paragraph;

- (3) by replacing “433.15.13” in paragraph 1 of the definition of “qualifying small investment plan” in the first paragraph by “433.15.12”;

(4) by replacing the definition of “investment plan” in the first paragraph by the following definition:

““investment plan” means a person described in paragraph 6 or 9 of the definition of “listed financial institution” in section 1, other than

(1) a trust governed by a registered retirement savings plan, a registered retirement income fund, a registered disability savings plan or a tax-free savings account; or

(2) a trust governed by a registered education savings plan if, as the case may be,

(a) the trust does not have more than one beneficiary at any one time, or

(b) each of the beneficiaries of the trust is connected to each living subscriber under the plan, or was connected to a deceased original subscriber under the plan, by blood relationship or by adoption, within the meaning of section 21 of the Taxation Act;”;

(5) by replacing paragraph 2 of the definition of “provincial investment plan” in the first paragraph by the following paragraph:

“(2) under the terms of the prospectus, registration statement, partnership agreement or other similar document for the financial institution, or under the laws of Canada or a province, the conditions for a person owning or acquiring units of the financial institution include that the person be resident in the particular province when the units are acquired and that the units are required to be sold, transferred or redeemed within a reasonable time if the person ceases to be resident in the particular province; and”;

(6) by replacing paragraph 2 of the definition of “provincial series” in the first paragraph by the following paragraph:

“(2) under the terms of the prospectus, registration statement, partnership agreement or other similar document for the series, or under the laws of Canada or a province, the conditions for a person owning or acquiring units of the series include that the person be resident in the particular province when the units are acquired and that the units are required to be sold, transferred or redeemed within a reasonable time if the person ceases to be resident in the particular province; and”;

(7) by adding the following definition at the end of the first paragraph:

““subscriber”, in relation to a registered education savings plan, has the meaning assigned by section 890.15 of the Taxation Act.”;

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

“For the purposes of the first paragraph, “registered disability savings plan”, “registered education savings plan”, “registered retirement income fund”, “registered retirement savings plan” and “tax-free savings account” have the meaning assigned by section 1 of the Taxation Act.”

(2) Paragraphs 1, 2, 5 and 6 of subsection 1 have effect from 8 September 2017.

(3) Paragraph 3 of subsection 1 has effect from 1 January 2013.

(4) Paragraphs 4, 7 and 8 of subsection 1 apply in respect of a reporting period of a person that begins after 21 July 2016.

(5) Paragraphs 4 and 7 of subsection 1 also apply in respect of any reporting period of a person that begins after 31 December 2012 and before 22 July 2016 (such a period being referred to in this subsection as a “specified reporting period”), if

(1) the person was a trust governed by a registered education savings plan throughout those specified reporting periods;

(2) for each of those specified reporting periods, either

(a) the person, or a manager of the person, reported in the return for the specified reporting period an amount on account of net tax that was determined as though

i. the person were a selected listed financial institution throughout the specified reporting period; and

ii. section 35 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) applied in respect of the specified reporting period; or

(b) a manager of the person reported in the return for the manager’s reporting period that ends in the specified reporting period an amount on account of net tax that was determined as though

i. the person were a selected listed financial institution throughout the specified reporting period;

ii. section 35 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations applied in respect of the specified reporting period; and

iii. a joint election referred to in the first or second paragraph of section 433.22 of the Act respecting the Québec sales tax were made by the manager and the person and were in effect throughout the specified reporting period; and

(3) the person makes either of the following elections:

(a) a valid election under subparagraph iii of paragraph *b* of subsection 1 of section 41 of the Regulations Amending Various GST/HST Regulations, No. 11 (SOR/2019-59) in respect of those specified reporting periods; or

(b) where the person is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act, the election described in subsection 5 of section 178 of this Act.

(6) For the purposes of subsection 5, the following rules apply:

(1) paragraph 1 of the definition of “investment plan” in the first paragraph of section 433.15.1 of the Act respecting the Québec sales tax is to be read as follows:

“(1) a trust governed by a registered retirement savings plan or a registered retirement income fund; or”;

(2) despite subparagraph 3 of the second paragraph of section 433.15.5, subparagraph 3 of the fourth paragraph of section 433.22, subparagraph 3 of the fifth paragraph of section 470.2 and subparagraph 3 of the sixth paragraph of section 470.5 of the Act, where a selected listed financial institution that is a trust governed by a registered education savings plan makes an election under the first paragraph of any of those sections 433.15.5, 433.22, 470.2 and 470.5 that applies in respect of a specified reporting period of the financial institution referred to in subsection 5, the deadline for filing the election with the Minister of Revenue, in the manner determined by the Minister, is 8 December 2022 or any later date determined by the Minister;

(3) despite subparagraph 1.5 of the first paragraph of section 410.1 of the Act, where a selected listed financial institution that is a trust governed by a registered education savings plan makes an election under the first paragraph of section 433.22 or 470.2 of the Act that applies in respect of a specified reporting period of the financial institution referred to in subsection 5 and no election made under the first paragraph of section 470.5 of the Act applies in respect of the specified reporting period, for the purposes of subparagraph 1.5 of the first paragraph of that section 410.1, the particular day is 8 November 2022;

(4) despite subparagraph 1.5 of the first paragraph of section 410.1 of the Act, where, in accordance with section 470.6 or 470.7 of the Act, a selected listed financial institution that is a trust governed by a registered education savings plan withdraws from or revokes an election made under the first paragraph of section 470.5 of the Act that applies in respect of a specified reporting period of the financial institution referred to in subsection 5, where the withdrawal or revocation becomes effective on a date that is before 22 July 2016 and where an election made by the financial institution under the first paragraph of section 433.22 or 470.2 of the Act is in effect on that effective date, for the purposes of subparagraph 1.5 of the first paragraph of that section 410.1, the particular day is 8 November 2022;

(5) despite the second paragraph of section 410.1 of the Act, where two or more selected listed financial institutions and a manager of those financial institutions make a joint election under the first paragraph of section 470.5 of the Act that applies in respect of a specified reporting period of the financial institutions referred to in subsection 5 and where each of those financial institutions is a trust governed by a registered education savings plan, for the purposes of the second paragraph of section 410.1 of the Act, the day on which that election becomes effective is 8 December 2022;

(6) where a selected listed financial institution that is a trust governed by a registered education savings plan and a manager of the financial institution make a particular election under the second paragraph of section 470.5 of the Act to include the financial institution in the election made under the first paragraph of that section 470.5 that applies in respect of a specified reporting period of the financial institution referred to in subsection 5 and where the particular election becomes effective before 22 July 2016, the deadline by which the financial institution or the manager may file an application with the Minister of Revenue under the third paragraph of section 410.1 of the Act is, despite subparagraph 1 of that third paragraph, 8 December 2022;

(7) where a selected listed financial institution that is a trust governed by a registered education savings plan makes an election under the first paragraph of section 433.22 of the Act that applies in respect of a specified reporting period of the financial institution referred to in subsection 5, the deadline for filing a return in accordance with section 468 or 470.1 of the Act for the specified reporting period is, despite those sections 468 and 470.1 and despite the fourth paragraph of section 470.5 of the Act, 8 December 2022;

(8) despite the second paragraph of section 25 of the Tax Administration Act (chapter A-6.002), the Minister of Revenue may at any time determine the amount of the duties and interest and make an assessment under that section 25 in respect of the net tax of a trust governed by a registered education savings plan for a specified reporting period of the trust referred to in subsection 5, provided that the assessment is made

(a) solely for the purpose of determining the amount that, under section 433.16 or 433.16.2 of the Act respecting the Québec sales tax, is required to be added to, or may be deducted from, that net tax; and

(b) on or before the date that is four years after 8 June 2022 or, if it is later, the date on which the return provided for in any of sections 468 to 470.1 and 471 of the Act for the specified reporting period was filed;

(9) despite the second paragraph of section 25 of the Tax Administration Act, the Minister of Revenue may at any time determine the amount of a penalty under that section 25 that is payable by a trust governed by a registered education savings plan, provided that

(a) the assessment relates solely to the amount that, under section 433.16 or 433.16.2 of the Act respecting the Québec sales tax, is required to be added to, or may be deducted from, the net tax of the trust for a specified reporting period of the trust referred to in subsection 5; and

(b) in the case of a penalty other than a penalty referred to in any of sections 59, 59.3, 59.5.3, 59.5.10 and 59.5.11 of the Tax Administration Act, the assessment is made on or before the date that is four years after 8 June 2022 or, if it is later, the date on which the trust becomes liable to pay the penalty; and

(10) despite the second paragraph of section 25 of the Tax Administration Act, if an election referred to in the first or second paragraph of section 433.22 of the Act respecting the Québec sales tax is made by a trust governed by a registered education savings plan and a manager of the trust and is in effect in a particular reporting period of the manager that ends in a specified reporting period of the trust referred to in subsection 5, the following rules apply:

(a) the Minister of Revenue may at any time determine the amount of the duties and interest and make an assessment in respect of the net tax of the manager for the particular reporting period, provided that the assessment is made

i. solely for the purpose of determining the amount applicable to the trust that, under section 433.16 or 433.16.2 of the Act and due to the application of section 55 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations or the first paragraph of section 433.22 of the Act, is required to be added to, or may be deducted from, that net tax; and

ii. on or before the date that is four years after 8 June 2022 or, if it is later, the date on which the return provided for in any of sections 468 to 470.1 and 471 of the Act for the particular reporting period was filed; and

(b) the Minister of Revenue may, at any time, determine the amount of a penalty payable by the manager, provided that

i. the assessment relates solely to the amount applicable to the trust that, under section 433.16 or 433.16.2 of the Act and due to the application of section 55 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations or of the first paragraph of section 433.22 of the Act, is required to be added to, or may be deducted from, the net tax of the manager for the particular reporting period; and

ii. in the case of a penalty other than a penalty referred to in any of sections 59, 59.3, 59.5.3, 59.5.10 and 59.5.11 of the Tax Administration Act, the assessment is made on or before the date that is four years after 8 June 2022 or, if it is later, the date on which the manager becomes liable to pay the penalty.

204. (1) Section 433.15.3 of the Act is amended by inserting “or a credit union” after “is a bank” in the portion of subparagraph 1 of the first paragraph before subparagraph *a*.

(2) Subsection 1 applies in respect of a reporting period of a person that begins after 22 July 2016.

205. (1) Section 433.15.4 of the Act is amended by replacing the portion before paragraph 1 by the following:

“433.15.4. For the purposes of paragraph 2 of the definition of “selected listed financial institution” in the first paragraph of section 433.15.1, a qualifying partnership during a taxation year of the qualifying partnership means a partnership (other than an investment plan) in respect of which the following conditions are met at any time in the taxation year:”.

(2) Subsection 1 has effect from 8 September 2017.

206. (1) Section 433.16.2 of the Act is amended by replacing subparagraph *b* of subparagraph 4 of the second paragraph by the following subparagraph:

“(b) where the financial institution made an election under subsection 4 of section 225.2 of the Excise Tax Act or under section 433.17, in respect of a supply of property or a service made by another person to the financial institution in the particular reporting period, the aggregate of all amounts each of which is an amount equal to the tax payable by the other person under the first paragraph of section 16, the first paragraph of section 17, or section 18 or 18.0.1 that is included in the cost to the other person of supplying the property or service to the financial institution; and”.

(2) Subsection 1 applies in respect of a supply that is the subject of an election that becomes effective after 14 December 2017.

207. Section 433.17 of the Act is amended by replacing “in the form and containing the information determined by the Minister” by “in the prescribed form containing prescribed information”.

208. Section 433.19.0.1 of the Act is amended by replacing “in the form and containing the information determined by the Minister” by “in the prescribed form containing prescribed information”.

209. (1) The Act is amended by inserting the following sections after section 433.19.19:

“433.19.20. A particular investment limited partnership to which paragraph 9 of the definition of “listed financial institution” in section 1 does not apply is deemed to be an investment plan that is a distributed investment plan for the following purposes:

(1) the determination, that would be made under section 30 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) if Québec were a participating province within the meaning of subsection 1 of

section 123 of that Act, of the percentage for a series of a selected listed financial institution or of another investment limited partnership described in section 433.19.21, for Québec and for a particular period, within the meaning of subsection 1 of section 16 of those Regulations, of the financial institution or other investment limited partnership, and the determination, that would be made under section 32 of those Regulations if Québec were a participating province within the meaning of subsection 1 of section 123 of the Excise Tax Act, of the percentage for Québec and for a particular period, within the meaning of subsection 1 of section 16 of those Regulations, of a selected listed financial institution or of another investment limited partnership described in section 433.19.21, but only if the percentage is to be used in the determination of

(a) the positive amount that the financial institution or other investment limited partnership is required to add, or the negative amount that the financial institution or other investment limited partnership may deduct, in determining its net tax under section 433.16 or 433.16.2 for a reporting period in a fiscal year of the financial institution or other investment limited partnership that begins in 2019,

(b) the instalment base determined under section 458.0.2 for a reporting period in a fiscal year of the financial institution or other investment limited partnership that begins in 2019,

(c) the interim net tax determined under sections 437.1 and 437.2 for a reporting period in a fiscal year of the financial institution or other investment limited partnership that begins in 2019, or

(d) if a joint election referred to in the first or second paragraph of section 433.22 that is made by the financial institution or other investment limited partnership and the manager of the financial institution or other investment limited partnership is in effect at any time in a fiscal year of the manager that begins in 2019,

i. an amount that, under section 433.16R15 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2), is a prescribed amount for the purposes of subparagraph 7 of the second paragraph of section 433.16, or of subparagraph 5 of the second paragraph of section 433.16.2, for a reporting period in the fiscal year, or

ii. the positive amount that the manager is required to add, or the negative amount that the manager may deduct, in determining its net tax under section 433.16 or 433.16.2, in accordance with subparagraph 3 of the third paragraph of section 433.22, for a reporting period in the fiscal year;

(2) the determination of the investor percentage of the particular investment limited partnership as of a day in the year 2018; and

(3) the application of sections 433.25 to 433.29, 433.31 and 433.32 to the particular investment limited partnership in respect of any information requested under those sections by a selected listed financial institution or by another investment limited partnership described in section 433.19.21, but only if the information is required for

(a) the determination of the percentage referred to in paragraph 1 that applies to the financial institution or other investment limited partnership and that is to be used in the determination of an amount described in any of subparagraphs *a* to *d* of paragraph 1, or

(b) the determination of the investor percentage of the financial institution or other investment limited partnership as of a day in the year 2018.

“433.19.21. Where an investment limited partnership is a selected listed financial institution throughout the reporting period of the investment limited partnership that includes 1 January 2019 but is not a selected listed financial institution throughout the preceding reporting period of the investment limited partnership, the following rules apply:

(1) for the purpose of determining the investor percentage of the investment limited partnership as of a day in the year 2018, the investment limited partnership is deemed to be a selected listed financial institution;

(2) the investment limited partnership is deemed to be, throughout the year 2018, a selected listed financial institution and an investment plan that is a distributed investment plan for the determination, that would be made under section 30 or 33 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) if Québec were a participating province within the meaning of subsection 1 of section 123 of the Excise Tax Act, of the investment limited partnership’s percentage for a series of the investment limited partnership, for Québec and for a particular period, within the meaning of subsection 1 of section 16 of those Regulations, of the investment limited partnership, and for the determination, that would be made under section 32 or 34 of those Regulations if Québec were a participating province within the meaning of subsection 1 of section 123 of the Excise Tax Act, of the investment limited partnership’s percentage for Québec and for a particular period, within the meaning of subsection 1 of section 16 of those Regulations, of the investment limited partnership, but only if the percentage is to be used in the determination of

(a) the positive amount that the investment limited partnership is required to add, or the negative amount that the investment limited partnership may deduct, in determining its net tax under section 433.16 or 433.16.2 for a reporting period in a fiscal year of the investment limited partnership that begins in 2019,

(b) the instalment base determined under section 458.0.2 for a reporting period in a fiscal year of the investment limited partnership that begins in 2019,

(c) the interim net tax determined under sections 437.1 and 437.2 for a reporting period in a fiscal year of the investment limited partnership that begins in 2019, or

(d) if a joint election referred to in the first or second paragraph of section 433.22 that is made by the investment limited partnership and the manager of the investment limited partnership is in effect at any time in a fiscal year of the manager that begins in 2019,

i. an amount that, under section 433.16R15 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2), is a prescribed amount for the purposes of subparagraph 7 of the second paragraph of section 433.16, or of subparagraph 5 of the second paragraph of section 433.16.2, for a reporting period in the fiscal year, or

ii. the positive amount that the manager is required to add, or the negative amount that the manager may deduct, in determining its net tax under section 433.16 or 433.16.2, in accordance with subparagraph 3 of the third paragraph of section 433.22, for a reporting period in the fiscal year; and

(3) for the purposes of sections 433.25 to 433.29, 433.31 and 433.32, the investment limited partnership is deemed to be

(a) if the units of the investment limited partnership are issued in two or more series, a selected stratified investment plan throughout the year 2018, or

(b) in any other case, a selected non-stratified investment plan throughout the year 2018.”

(2) Subsection 1 has effect from 8 September 2017.

210. (1) Section 433.25 of the Act is amended by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) trusts governed by the same deferred profit sharing plan, employee benefit plan, profit sharing plan, registered education savings plan, registered supplementary unemployment benefit plan, retirement compensation arrangement or employee trust, within the meaning assigned to those expressions by section 1 of the Taxation Act (chapter I-3);”.

(2) Subsection 1 applies in respect of a reporting period of a person that begins after 21 July 2016.

(3) Subsection 1 also applies in respect of any reporting period of a person that begins after 31 December 2012 and before 22 July 2016 (such a period being referred to in this subsection as a “specified reporting period”), if

(1) the person was a trust governed by a registered education savings plan throughout those specified reporting periods;

(2) for each of those specified reporting periods, either

(a) the person, or a manager of the person, reported in the return for the specified reporting period an amount on account of net tax that was determined as though

i. the person were a selected listed financial institution throughout the specified reporting period; and

ii. section 35 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations made under the Excise Tax Act (Revised Statutes of Canada, 1985, chapter E-15) applied in respect of the specified reporting period; or

(b) a manager of the person reported in the return for the manager's reporting period that ends in the specified reporting period an amount on account of net tax that was determined as though

i. the person were a selected listed financial institution throughout the specified reporting period;

ii. section 35 of the Selected Listed Financial Institutions Attribution Method (GST/HST) Regulations applied in respect of the specified reporting period; and

iii. a joint election referred to in the first or second paragraph of section 433.22 of the Act respecting the Québec sales tax were made by the manager and the person and were in effect throughout the specified reporting period; and

(3) the person makes either of the following elections:

(a) a valid election under subparagraph iii of paragraph *b* of subsection 1 of section 41 of the Regulations Amending Various GST/HST Regulations, No. 11 (SOR/2019-59) in respect of those specified reporting periods; or

(b) where the person is not a selected listed financial institution for the purposes of Part IX of the Excise Tax Act, the election described in subsection 5 of section 178 of this Act.

(4) For the purposes of subsection 3, the rules provided for in subsection 6 of section 203 apply.

211. (1) Section 441 of the Act is amended by replacing “section 17, 18, 18.0.1, 437.2 or 438” by “any of sections 17, 18 to 18.0.1.2, 437.2 and 438”.

(2) Subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

212. (1) The Act is amended by inserting the following section after section 458.5.3:

“458.5.4. Where a particular fiscal year of an investment limited partnership begins in 2018 and includes 1 January 2019 and the investment limited partnership would be a selected listed financial institution throughout a reporting period in the particular fiscal year if the particular fiscal year began on 1 January 2019 and ended on 31 December 2019, the following rules apply:

- (1) the particular fiscal year ends on 31 December 2018;
- (2) subject to section 458.5.2, the fiscal years of the investment limited partnership are calendar years as of 1 January 2019;
- (3) any election made by the investment limited partnership under section 458.4 ceases to have effect as of 1 January 2019; and
- (4) if the first taxation year of the investment limited partnership that begins after 31 December 2018 does not begin on 1 January 2019, for the purposes of Title I (other than the definitions of “financial institution” and “listed financial institution” in section 1 and sections 349 and 350) the investment limited partnership is deemed, for the period beginning on 1 January 2019 and ending on the day preceding the first day of that taxation year, to be a financial institution, a listed financial institution and a person referred to in paragraph 9 of that definition of “listed financial institution”.

- (2) Subsection 1 has effect from 8 September 2017.

213. (1) Section 472 of the Act is amended

- (1) by replacing “section 18 or 18.0.1” in the portion before paragraph 1 by “any of sections 18 to 18.0.1.2”;

- (2) by replacing “in the form and containing the information determined by the Minister” in subparagraph *b* of paragraph 1 by “in the prescribed form containing prescribed information”.

- (2) Paragraph 1 of subsection 1 applies in respect of a reporting period that ends after 31 December 2012.

214. (1) Section 477.5.6 of the Act is amended, in the first paragraph,

- (1) by inserting “, as the case may be,” after “arise” in the portion before subparagraph 1;

- (2) by replacing “and” in subparagraph 1 by “or”.

- (2) Subsection 1 has effect from 1 July 2021.

215. (1) Section 477.18.5 of the Act is amended, in the first paragraph,

(1) by inserting “, as the case may be,” after “arise” in the portion before subparagraph 1;

(2) by replacing “and” in subparagraph 1 by “or”.

(2) Subsection 1 has effect from 1 July 2021.

216. Section 522 of the Act is amended

(1) by replacing “ou” in the third paragraph in the French text by “et”;

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

“Where the reimbursement exceeds the amount of the tax collected by the person for the period provided for in any of sections 527, 527.1 and 527.2 in which the person makes the reimbursement or no payment of any insurance premium subject to the tax has been received in that period, the person may apply to the Minister, in the prescribed form relating to that period, for the reimbursement of that excess amount or the reimbursement of the tax, as the case may be.”

217. (1) Section 677 of the Act is amended, in the first paragraph,

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

“(1) determine, for the purposes of the definition of “specified corporeal movable property” in section 1, which movable property is prescribed movable property;”;

(2) by inserting the following subparagraph after subparagraph 1:

“(1.1) determine, for the purposes of the definition of “virtual payment instrument” in section 1, which property is prescribed property;”;

(3) by replacing subparagraph 2 by the following subparagraph:

“(2) determine, for the purposes of the definition of “financial instrument” in section 1, which instruments are prescribed instruments;”;

(4) by replacing subparagraph 3.1 by the following subparagraph:

“(3.1) determine, for the purposes of the definition of “asset management service” in section 1, which services are prescribed services;”;

(5) by inserting the following subparagraph after subparagraph 3.2:

“(3.3) determine, for the purposes of section 12.2, the prescribed members;”.

- (2) Paragraph 2 of subsection 1 has effect from 18 May 2019.
- (3) Paragraph 5 of subsection 1 has effect from 8 September 2017.

REGULATION RESPECTING THE TAXATION ACT

218. (1) Section 1015R1 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by adding the following paragraph at the end of the definition of “remuneration”:

“(u) an amount that is required under section 313.15 of the Act to be included in computing a taxpayer’s income;”.

- (2) Subsection 1 has effect from 1 January 2020.

219. (1) The Regulation is amended by inserting the following section after section 1086R4:

“1086R4.1. A licensed annuities provider must file an information return in prescribed form in respect of a calendar year in which, as the case may be,

(a) a payment is made that is required under Title VI.0.3 of Book VII of Part I of the Act to be included in computing a taxpayer’s income; or

(b) an amount is deemed to be received by a taxpayer under paragraph *a* of section 965.0.44 of the Act.”

- (2) Subsection 1 has effect from 1 January 2020.

REGULATION RESPECTING THE QUÉBEC SALES TAX

220. (1) The Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is amended by inserting the following after section 1R3:

“RESIDENCE

“12.2R1. For the purposes of section 12.2 of the Act, a prescribed member is either of the following members of an investment limited partnership:

(1) a member that is a trust not resident in Québec if the total value of the assets of the member in which one or more persons resident in Québec have a beneficial interest is more than 5% of the total value of the assets of the member; or

(2) a member that is a limited partnership not resident in Québec if the total value of all shares in the member held by persons resident in Québec is more than 5% of the total value of all shares in the member.”

- (2) Subsection 1 has effect from 8 September 2017.

MISCELLANEOUS AND FINAL PROVISIONS

221. An individual is deemed to have made an overpayment to the Minister of Revenue on account of the individual's tax payable under Part I of the Taxation Act (chapter I-3) for the taxation year ending on 31 December 2021, if

(1) the individual qualifies as an eligible individual for the purposes of Division II.17.2 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act in respect of the period that begins on 1 July 2021 and ends on 30 June 2022 (in this section referred to as the “designated period”);

(2) an amount was determined under section 1029.8.116.25 of the Taxation Act in respect of the individual for the designated period on account of the amount deemed, under section 1029.8.116.16 of that Act, to be an overpayment of the individual's tax payable under Part I of that Act (the deemed amount being referred to in this section as the “solidarity tax credit”);

(3) except where section 1029.8.116.18.1 of the Taxation Act applied in respect of the individual for the designated period, the determination under subparagraph 2 was made after a fiscal return referred to in section 1000 of that Act for the taxation year 2020 was filed, before 1 July 2022, by the individual and, if applicable, the individual's cohabiting spouse or was made after an amendment to such a return was applied for in writing before 1 July 2022; and

(4) the amount resulting from the last determination by the Minister of Revenue, before the particular date mentioned in the third paragraph, of the individual's solidarity tax credit for the designated period is greater than zero.

The amount deemed to have been an overpayment by the individual under the first paragraph is equal to the aggregate of

- (1) \$200;

(2) \$200, if the amount referred to in subparagraph ii of subparagraph *a* of the second paragraph of section 1029.8.116.16 of the Taxation Act was taken into account in the last determination by the Minister of Revenue, before the particular date mentioned in the third paragraph, of the individual's solidarity tax credit for the designated period; and

(3) \$75, if the amount referred to in subparagraph iii of subparagraph *a* of the second paragraph of section 1029.8.116.16 of the Taxation Act was taken into account in the last determination by the Minister of Revenue, before the particular date mentioned in the third paragraph, of the individual's solidarity tax credit for the designated period.

The Minister of Revenue shall pay, without application, on a date determined by the Minister in relation to the individual (in this paragraph referred to as the “particular date”), the amount determined under the second paragraph in respect of the individual to either of the following persons, and send that person a notice to that effect:

- (1) the individual, unless subparagraph 2 applies; or
- (2) the individual’s cohabiting spouse, if the spouse is the person to whom all or part of the individual’s solidarity tax credit for the designated period is paid as a consequence of the application of
 - (a) section 1029.8.116.26.2 of the Taxation Act, where the application of that provision results from the individual’s death before 1 January 2022 or from an application filed, after the individual was confined to a prison or a similar institution, by the cohabiting spouse with the Minister of Revenue before the particular date; or
 - (b) section 1029.8.116.27 of the Taxation Act.

However, the Minister of Revenue is not required to make the payment provided for in the third paragraph where the person referred to in that paragraph died before 1 January 2022 or ceased to be resident in Québec before that date for the purposes of the Taxation Act or where the person was confined to a prison or a similar institution at the end of 31 December 2021 or was, at that time, allowed to be temporarily absent from the prison or similar institution to which the person has been confined.

Any amount that is not paid to an individual or to the individual’s cohabiting spouse, as the case may be, because of the application of the fourth paragraph is deemed, despite the first paragraph, not to be an overpayment by the individual on account of the individual’s tax payable under Part I of the Taxation Act for the taxation year ending on 31 December 2021.

If, after having made the payment provided for in the third paragraph, the Minister of Revenue makes a new determination of the individual’s solidarity tax credit for the designated period following an application in writing, filed after the particular date mentioned in that paragraph and before 1 July 2022, for an amendment to a fiscal return referred to in section 1000 of the Taxation Act that was filed by the individual or the individual’s cohabiting spouse, if applicable, for the taxation year 2020, and if the new determination, had it been the last one made before the particular date, would have had the effect of increasing by \$75 or \$200, as the case may be, the amount determined in respect of the individual under the second paragraph, the Minister of Revenue shall pay, without application, the additional amount to the person to whom the Minister would have made the payment provided for in the third paragraph if the particular date had been the date of the additional payment and the Minister shall send a notice to that effect to the person.

No interest is payable on an amount paid under the third or sixth paragraph.

The sums necessary for the payment provided for in the third or sixth paragraph are taken out of the tax revenues collected under the Taxation Act.

In this section, “taxation year” has the meaning assigned by Part I of the Taxation Act and “cohabiting spouse” of an individual means the person who is the individual’s cohabiting spouse at the end of 31 December 2020 for the purposes of Division II.17.2 of Chapter III.1 of Title III of Book IX of Part I of that Act.

222. This Act comes into force on 8 June 2022.

2022, chapter 24
**AN ACT TO FOSTER VOTING IN THE NEXT GENERAL
ELECTION IN QUÉBEC**

Bill 29

Introduced by Madam Sonia LeBel, Minister Responsible for Democratic Institutions and Electoral Reform

Introduced 23 March 2022

Passed in principle 7 April 2022

Passed 8 June 2022

Assented to 9 June 2022

Coming into force: 1 August 2022, except section 28, which comes into force on 9 June 2022

Legislation amended: None

Explanatory notes

The purpose of this Act is to foster voting so as to properly reflect the electors' intentions at the next general election in Québec in the context of the transmission of COVID-19. The Act prescribes special provisions applicable to that election which supplement or depart from the provisions of the Election Act and prevail over any contrary or inconsistent provision of that Act.

The Act introduces special provisions applicable to mobile boards of revisors, in particular to allow those boards to sit at the same time as the poll is being held in a residential facility, at a mobile polling station or at an elector's domicile, for the electors eligible to vote there.

The Act also provides that a returning officer who notes that access to the place where a mobile board of revisors must sit or to a polling station is restricted because of the risk of transmission of COVID-19 must notify the Chief Electoral Officer who, in turn, consults the public health department concerned to ensure that the restriction is justified and that, if so, a mobile board of revisors is established or a polling station is set up in a manner that protects the health of the population. Moreover, the Act provides that the Chief Electoral Officer consults the public health department to obtain its opinion concerning the procedure to be followed to protect the health of the population in domiciliary polling stations.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Act also contains special provisions allowing electors who are more at risk of developing complications in case of contamination with COVID-19 because of their state of health and electors who are in isolation as ordered or recommended by the public health authorities because of COVID-19 to vote by mail.

The Act establishes rules applicable to requests to vote by mail, the exercise of the right to vote by mail and the counting of votes on mail-in ballot papers.

Lastly, the Act includes miscellaneous provisions, in particular to allow the Chief Electoral Officer to exercise the same duties and powers as those provided for in the Election Act for the purposes of this Act.



Chapter 24

AN ACT TO FOSTER VOTING IN THE NEXT GENERAL ELECTION IN QUÉBEC

[Assented to 9 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE

1. In order to foster voting so as to properly reflect the electors' intentions at the next general election in Québec in the context of the transmission of COVID-19, the purpose of this Act is to prescribe special provisions applicable to that election, including provisions applicable to a polling day that is postponed in the case of the death of a candidate of an authorized party and to a new election that is held in case of a tie-vote.

The provisions of this Act supplement or depart from those of the Election Act (chapter E-3.3). They prevail over any contrary or inconsistent provision of the Election Act, a regulation made under that Act or an agreement entered into between the Chief Electoral Officer and the leaders of the authorized parties represented in the National Assembly under section 489 of that Act.

CHAPTER II

SPECIAL PROVISIONS APPLICABLE TO MOBILE BOARDS OF REVISORS AND CERTAIN POLLING STATIONS

2. A mobile board of revisors sits on the same days and at the same times as those determined by the returning officer for

(1) the poll held in a residential facility referred to section 180 of the Election Act, on the eighth and seventh days before polling day; and

(2) the poll held in a mobile polling station at a place referred to in section 301.15 of the Election Act and the poll held at the domicile of an elector referred to in section 301.19 of that Act, on the tenth, ninth, sixth, fifth and fourth days before polling day.

3. A mobile board of revisors is composed of three revisors, including a chair appointed in accordance with section 185 of the Election Act, and of a deputy returning officer and a poll clerk, appointed in accordance with section 310 of that Act, who act as revisors. The deputy returning officer acts as vice-chair of the board.

4. A returning officer who notes that access to a residential facility referred to in section 180 of the Election Act or to a place referred to in section 301.15 of that Act is restricted because of the risk of transmission of COVID-19 must, for the purpose of establishing a mobile board of revisors or setting up a polling station, notify the Chief Electoral Officer who, in turn, consults the public health department concerned.

If the public health department concerned is of the opinion that the restriction is justified, it must ensure that a mobile board of revisors is established or a polling station is set up in a manner that protects the health of the population. It issues a written notice of that decision. The notice is posted by the Chief Electoral Officer on the Chief Electoral Officer's website.

The returning officer then uses all necessary means to inform the candidates and electors concerned.

5. The Chief Electoral Officer consults the public health department to obtain its opinion concerning the procedure to be followed to protect the health of the population in domiciliary polling stations set up in accordance with section 301.20 of the Election Act.

The Chief Electoral Officer posts the opinion on the Chief Electoral Officer's website and then uses all necessary means to inform the candidates and electors concerned.

CHAPTER III

SPECIAL PROVISIONS ALLOWING VOTING BY MAIL FOR CERTAIN ELECTORS

DIVISION I

ELIGIBLE ELECTORS

6. The following electors are eligible to vote by mail:

(1) an elector who is more at risk of developing complications in case of contamination by COVID-19 because of the elector's state of health, according to the public health authorities; and

(2) an elector who is in isolation as ordered or recommended by the public health authorities due to COVID-19.

DIVISION II**REQUEST TO VOTE BY MAIL**

7. An elector eligible to vote by mail must submit a request to the returning officer of the elector's electoral division in order to vote by mail.

An elector referred to in paragraph 1 of section 6 who has already submitted a request to vote by mail does not have to submit a new request if polling day is postponed in the case of the death of a candidate of an authorized party or if a new election is held in case of a tie-vote during the next general election.

8. A request to vote by mail is submitted in writing, by telephone or using a means of transmission determined by the Chief Electoral Officer and adapted to the latter's technological environment.

Such request may be submitted by an elector

(1) who is referred to in paragraph 1 of section 6, from the day on which the order instituting the holding of the election is issued; or

(2) who is referred to in paragraph 2 of section 6, from the twenty-first day before polling day.

An elector who is an elector's spouse or relative, within the meaning of the second paragraph of section 204 of the Election Act, or who lives with an elector may submit a request to vote by mail on that elector's behalf.

9. A request to vote by mail must be received not later than

(1) the eighth day before polling day for an elector referred to in paragraph 1 of section 6; or

(2) polling day, before the close of the poll, for an elector referred to in paragraph 2 of section 6.

10. The returning officer draws up a list of the electors eligible to vote by mail who submitted a request to that effect. The returning officer sends the candidates the list on the seventh day and on the day before polling day.

DIVISION III**EXERCISE OF THE RIGHT TO VOTE**

11. Not later than the seventh day before polling day, the returning officer sends any elector whose name is entered on the list of electors eligible to vote by mail the required voting materials, including a standard ballot paper that is in conformity with the model provided in Schedule III to the Election Act.

12. If an elector referred to in paragraph 2 of section 6 submits a request to vote by mail between the seventh day before polling day and polling day, the required voting materials must be collected at the office of the returning officer of the elector's electoral division. If the materials are to be collected by a person other than the elector, the elector must, when submitting the request, mention the name of the person who will collect the materials.

The persons who collect the materials must identify themselves in accordance with the second paragraph of section 337 of the Election Act and may collect the required materials only for one or more electors at the same address as their own and for one or more electors at only one address other than their own. Those persons are not considered to be assisting any of those electors in accordance with section 16.

13. Electors mark the ballot paper in one of the circles.

14. Electors must insert the ballot paper in an unidentified inside envelope, seal the envelope and insert it in a second envelope.

Electors also insert in the second envelope a copy of one of the identification documents referred to in the second paragraph of section 337 of the Election Act. If the elector's signature is not reproduced on the document, the elector must also insert in the second envelope a copy of another identification document bearing the elector's signature.

All electors must also insert in the second envelope an elector's declaration prescribed by the Chief Electoral Officer duly signed by the elector and, where applicable, by the person who assisted the elector.

15. Electors must send the second envelope to the returning officer of their electoral division so that the envelope is received before 8:00 p.m. on polling day.

That envelope may also be submitted at any place determined by the Chief Electoral Officer within the time prescribed in the first paragraph.

16. An elector who declares being unable to perform a formality required for the exercise of the elector's right to vote by mail may be assisted

(1) by a person who is the elector's spouse or relative within the meaning of section 204 of the Election Act; or

(2) by another person who declares on the elector's declaration provided for in the third paragraph of section 14 not having assisted, during the poll, any elector other than the person's spouse or relative within the meaning of section 204 of the Election Act.

DIVISION IV**COUNTING OF VOTES ON MAIL-IN BALLOT PAPERS**

17. The verification of envelopes preceding the counting of votes starts on the days and at the times determined by the Chief Electoral Officer.

18. The returning officer designates one or more persons to verify the envelopes.

19. A person designated to verify the envelopes must make sure that

(1) the elector's name is entered on the list of electors and appears on the list of the electors eligible to vote by mail;

(2) the copy of the identification document or documents provided for in the second paragraph of section 14 is attached and bears the elector's signature;

(3) the elector's declaration provided for in the third paragraph of section 14 is attached and bears the elector's signature;

(4) the signature on the elector's declaration corresponds to the signature on the copy of one of the identification documents provided for in the second paragraph of section 14;

(5) the second envelope is received before 8:00 p.m. on polling day; and

(6) the ballot paper was placed in an unidentified inside envelope which was then inserted in a second envelope.

20. Once these verifications have been made, if everything is in compliance, the envelope containing the ballot paper is removed from the second envelope and placed in the ballot box.

If an irregularity is discovered during the verifications, the envelope in question is not placed in the ballot box and the ballot paper is considered cancelled.

No ballot paper may be cancelled for the sole reason that the inside envelope containing the ballot paper is not sealed.

21. The reason for considering a ballot paper as cancelled must be written on the second envelope.

22. The returning officer sets up as many stations as necessary to count the votes and, for each of the stations, appoints a deputy returning officer and a poll clerk in accordance with section 310 of the Election Act.

23. The votes are counted at the place and time determined by the returning officer in accordance with sections 361 to 370.2 of the Election Act, with the necessary modifications. The candidates and their representatives may be present.

No ballot paper may be rejected for the sole reason that it does not bear the election officer's initials. This paragraph also applies in the case of a judicial recount.

CHAPTER IV

MISCELLANEOUS AND FINAL PROVISIONS

24. The returning officer transmits to the Chief Electoral Officer, along with the complete return on the election proceedings provided for in section 378 of the Election Act (chapter E-3.3), all documents relating to voting by mail required under this Act.

25. The Chief Electoral Officer must, by any means the Chief Electoral Officer determines and as soon as possible after the election, make available to the public a detailed report on the application of the special provisions of this Act.

The Chief Electoral Officer transmits the report to the Secretary General of the National Assembly.

26. For the purposes of this Act, unless the context indicates otherwise, the Chief Electoral Officer has the same duties and powers as those provided for in the Election Act, with the necessary modifications.

27. Sections 551.1.0.1 and 551.2 of the Election Act apply to a document sent in accordance with section 14 of this Act.

28. Despite any contrary or inconsistent provision of the Election Act, the list of electoral divisions published under the second paragraph of section 179 of the Act respecting French, the official and common language of Québec (2022, chapter 14) comes into force on the day the 42nd Legislature ends.

29. This Act comes into force on 1 August 2022, except section 28, which comes into force on 9 June 2022.

2022, chapter 25 AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS MAINLY WITH RESPECT TO HOUSING

Bill 37

Introduced by Madam Andrée Laforest, Minister of Municipal Affairs and Housing

Introduced 25 May 2022

Passed in principle 1 June 2022

Passed 9 June 2022

Assented to 10 June 2022

Coming into force: 10 June 2022

Legislation amended:

Civil Code of Québec

Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4)

Cities and Towns Act (chapter C-19)

Municipal Code of Québec (chapter C-27.1)

Companies Act (chapter C-38)

Cooperatives Act (chapter C-67.2)

Education Act (chapter I-13.3)

Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1)

Act respecting the Société d'habitation du Québec (chapter S-8)

Act respecting public transit authorities (chapter S-30.01)

Explanatory notes

The Act amends the Civil Code to prescribe, in the case of a dwelling that has been the subject of a change of destination and that was formerly intended for seniors, that a proceeding may be brought before the Administrative Housing Tribunal to have the rent fixed or the conditions of the lease modified and that the lessor cannot evict the lessee without first offering the latter the possibility, on certain conditions, of remaining in the dwelling. In addition, it adds rules for the fixing of the rent payable under the first lease entered into following the change of destination.

A number of Acts in the municipal sector are amended to grant the municipalities, intermunicipal boards and public transit authorities the power to acquire immovables by means of a pre-emptive right.

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Explanatory notes (*cont'd*)

The Act amends the Companies Act to subject a non-profit organization to certain requirements with respect to a housing immovable with a social or community destination that was financed by public funds, including the requirement to obtain the authorization of the minister responsible for housing before alienating the immovable. The Act prescribes penal sanctions for any failure to comply on the part of the organization.

The Cooperatives Act is amended so that the authorization a housing cooperative must obtain before alienating an immovable with a social or community destination that was financed by public funds is to be given jointly by the minister responsible for housing and the Minister of Economy and Innovation. Furthermore, the latter is empowered to designate a liquidator for a cooperative the Minister has dissolved.

The Act respecting the Société d'habitation du Québec is amended to allow the Société to determine, by by-law, the financial compensation that may be required from a lessee of a modest-rental housing dwelling whose revenue increases beyond the eligibility threshold for such a dwelling as well as the rules relating to such compensation.

Lastly, the Act contains transitional provisions and a final provision.



Chapter 25

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS MAINLY WITH RESPECT TO HOUSING

[Assented to 10 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 1896 of the Civil Code of Québec is amended by replacing “and 1956” in the second paragraph by “to 1956”.

2. Article 1955 of the Code is amended by adding the following paragraph at the end:

“The above rules do not apply in the case of a dwelling that has been the subject of a change of destination referred to in article 1955.1.”

3. The Code is amended by inserting the following article after article 1955:

“1955.1. Where a dwelling situated in a private seniors’ residence or in another lodging facility where services of a personal nature provided to the lessee are provided to seniors is the subject of a change of destination while remaining offered for dwelling purposes, the rent stipulated in the first lease entered into following the change must correspond to the rent that was charged under the previous lease, less the part of the rent relating to the cost of the services, including services of a personal nature provided to the lessee, accessories, dependencies and other benefits that will no longer be provided under the new lease. The lessor may nevertheless adjust the rent according to the criteria prescribed by the regulations concerning the fixing of rent.

The lessor must, upon entering into the first lease following the change of destination, give a new lessee a notice indicating the rent charged under the previous lease and the services, accessories, dependencies and other benefits provided under the previous lease that will no longer be provided, as well as the cost of each of them.

A new lessee who considers that the rent charged does not comply with the provisions of the first paragraph may, within one month after entering into the lease, file an application to have the rent fixed by the court. Such an application must be filed within two months after the beginning of the lease if the lessee did not receive the notice referred to in the second paragraph; if the lessor gave a notice containing a misrepresentation, the lessee must file the application within two months after becoming aware of that fact.”

4. The Code is amended by inserting the following article after article 1959.1:

“1959.2. A lessor may not evict a lessee solely because of a change of destination referred to in article 1955.1, unless the lessor offered, not later than one month before sending the notice of eviction, to resiliate the lease and to enter into a new lease, without interruption and in accordance with the first paragraph of that article, and the lessee has refused that offer. The offer must indicate, in particular, the services, accessories, dependencies and other benefits provided under the previous lease that will no longer be provided, as well as the cost of each of them. It must also reproduce the content of article 1955.1 and of this article.

Within one month after receiving the lessor’s offer, the lessee is bound to inform the lessor of whether or not the lessee accepts the offer; the proposal is deemed to have been refused if the lessee fails to respond.

A lessee who accepts such an offer may nevertheless, within one month after entering into the lease, apply to the court to have the rent fixed in accordance with the first paragraph of article 1955.1 or, as applicable, for a ruling on any other modification in comparison with the resiliated lease.”

5. Article 1961 of the Code is amended by adding the following sentence at the end of the third paragraph: “In the case of a notice of eviction that concerns a dwelling situated in a private seniors’ residence or in another lodging facility where services of a personal nature provided to the lessee are provided to seniors, the notice must also reproduce the content of articles 1955.1 and 1959.2.”.

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

6. Subdivision 15.1 of Division II of Chapter III of Schedule C to the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4), comprising sections 151.1 to 151.7, is repealed.

CITIES AND TOWNS ACT

7. Section 468.51 of the Cities and Towns Act (chapter C-19) is amended by replacing “572.1, 573” in the first paragraph by “572.0.1”.

8. The Act is amended by inserting the following subdivision after section 572:

“§32.1. — *Pre-emptive right*

“572.0.1. Any municipality may, in all or part of its territory as determined by the by-law provided for in section 572.0.2, exercise a pre-emptive right to acquire any immovable, excluding immovables owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The municipality's pre-emptive right may only be exercised to acquire an immovable in respect of which a notice of the municipality's pre-emptive right has been registered. The right is exercised subject to the pre-emptive right provided for in section 56 of the Cultural Heritage Act (chapter P-9.002) and that provided for in section 68.3 of the Act respecting the Société d'habitation du Québec (chapter S-8).

“572.0.2. The municipality shall determine, by by-law, the territory in which its pre-emptive right may be exercised and the municipal purposes for which immovables may be acquired in that manner.

“572.0.3. The notice of the municipality's pre-emptive right must identify the immovable concerned and describe the purposes for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for the period specified in the notice, which may not exceed 10 years.

The municipality may not have a notice of pre-emptive right registered in respect of an immovable that is already the subject of such a notice registered by another municipal body under this Act, the Municipal Code of Québec (chapter C-27.1) or the Act respecting public transit authorities (chapter S-30.01).

The municipality may, for the purpose of exercising the pre-emptive right, act as mandatary of a municipal body that has adopted a pre-emptive right by-law under any of the Acts referred to in the third paragraph. It may then provide, in its notice of pre-emptive right, that the immovable may be acquired for a purpose within the jurisdiction of that body.

For the purposes of this section, a municipal body is a municipality, an intermunicipal management board or a public transit authority.

“572.0.4. The owner of an immovable in respect of which a notice of the municipality's pre-emptive right has been issued may not, on pain of nullity, alienate the immovable if the owner has not notified a notice to the municipality of the owner's intention to alienate the immovable.

The owner's notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is to be alienated, in whole or in part, for non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

The first and second paragraphs do not apply to an alienation made for the benefit of a person related to the owner within the meaning of the Taxation Act (chapter I-3) or for the benefit of a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“572.0.5. The municipality may, not later than 60 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The municipality may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours’ prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the municipality does not notify the notice provided for in the first paragraph to the owner within that 60-day period, it is deemed to have waived its pre-emptive right.

If the municipality waives its pre-emptive right and the proposed alienation occurs, it must have the notice of its pre-emptive right removed from the land register.

“572.0.6. If the municipality exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the municipality cannot pay the amount to the owner, it may deposit it, on the owner’s behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the municipality becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the municipality will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the amount has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

“572.0.7. If the municipality avails itself of its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation.”

MUNICIPAL CODE OF QUÉBEC

9. Article 620 of the Municipal Code of Québec (chapter C-27.1) is amended by replacing “572.1, 573” in the first paragraph by “572.0.1”.

10. The Code is amended by inserting the following Title after article 1104.1:

“TITLE XXVIII.0.1**“PRE-EMPTIVE RIGHT**

“1104.1.1. Any municipality may, in all or part of its territory as determined by the by-law provided for in article 1104.1.2, exercise a pre-emptive right to acquire any immovable, excluding immovables owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The municipality’s pre-emptive right may only be exercised to acquire an immovable in respect of which a notice of the municipality’s pre-emptive right has been registered. The right is exercised subject to the pre-emptive right provided for in section 56 of the Cultural Heritage Act (chapter P-9.002) and that provided for in section 68.3 of the Act respecting the Société d’habitation du Québec (chapter S-8).

“1104.1.2. The municipality shall determine, by by-law, the territory in which its pre-emptive right may be exercised and the municipal purposes for which immovables may be acquired in that manner.

“1104.1.3. The notice of the municipality’s pre-emptive right must identify the immovable concerned and describe the purposes for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for the period specified in the notice, which may not exceed 10 years.

The municipality may not have a notice of pre-emptive right registered in respect of an immovable that is already the subject of such a notice registered by another municipal body under this Act, the Cities and Towns Act (chapter C-19) or the Act respecting public transit authorities (chapter S-30.01).

The municipality may, for the purpose of exercising the pre-emptive right, act as mandatary of a municipal body that has adopted a pre-emptive right by-law under any of the Acts referred to in the third paragraph. It may then provide, in its notice of pre-emptive right, that the immovable may be acquired for a purpose within the jurisdiction of that body.

For the purposes of this section, a municipal body is a municipality, an intermunicipal management board or a public transit authority.

“1104.1.4. The owner of an immovable in respect of which a notice of the municipality’s pre-emptive right has been issued may not, on pain of nullity, alienate the immovable if the owner has not notified a notice to the municipality of the owner’s intention to alienate the immovable.

The owner’s notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is to be alienated, in whole or in part, for non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

The first and second paragraphs do not apply to an alienation made for the benefit of a person related to the owner within the meaning of the Taxation Act (chapter I-3) or for the benefit of a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“1104.1.5. The municipality may, not later than 60 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The municipality may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours’ prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the municipality does not notify the notice provided for in the first paragraph to the owner within that 60-day period, it is deemed to have waived its pre-emptive right.

If the municipality waives its pre-emptive right and the proposed alienation occurs, the municipality must have the notice of its pre-emptive right removed from the land register.

“1104.1.6. If the municipality exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the municipality cannot pay the amount to the owner, it may deposit it, on the owner’s behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the municipality becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the municipality will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the amount has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

“1104.1.7. If the municipality avails itself of its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation.”

COMPANIES ACT

11. Section 1 of the Companies Act (chapter C-38) is amended by inserting “the provisions of Division III.2 of Part III, which are administered by the Minister of Municipal Affairs, Regions and Land Occupancy, and” after “except”.

12. The Act is amended by inserting the following division after section 227.6:

“DIVISION III.2

“IMMOVABLE BUILT, ACQUIRED, RESTORED OR RENOVATED WITH THE HELP OF HOUSING ASSISTANCE

“227.7. This division applies to any legal person that is the owner of an immovable with a social or community destination that was built or acquired or has been restored or renovated with the help of housing assistance granted by the Government, the federal government or one of their departments, agencies or bodies.

“227.8. The legal person must

- (1) maintain the social or community destination of the immovable;
- (2) set up a reserve sufficient to ensure the sound and prudent management, maintenance and preservation of the immovable;
- (3) appoint an auditor, who must be a member of the Ordre professionnel des comptables professionnels agréés du Québec;

(4) have the immovable inspected by an expert at least every five years and submit the expert's report at the legal person's meeting that follows the filing of the report;

(5) prepare a five-year plan for the maintenance and preservation of the immovable and the related budgets; and

(6) on its balance sheet, in addition to the requirements set out in subsection 3 of section 98, give the date of the last inspection of the immovable, and report on the maintenance and preservation work done and on the budgets related to the five-year plan.

“227.9. The alienation of the immovable, other than by expropriation or forced sale, the establishment of emphyteusis on it or a change of its destination must be authorized by the Minister, who may subject such authorization to the conditions the Minister determines.

The first paragraph does not apply to an immovable referred to in section 68.1 of the Act respecting the Société d'habitation du Québec (chapter S-8), or if an immovable is taken in payment or another hypothecary right relating to an immovable is exercised

(1) by a hypothecary creditor whose business is making loans on real security; or

(2) by the Government, the federal government or one of their departments, agencies or bodies, or by a legal person established in the public interest.

“227.10. The application for authorization must contain the name and domicile of the legal person, a description of the immovable, the total amount obtained under any assistance referred to in section 227.7 and a certified statement from the Land Registrar of the charges encumbering the immovable. In the case of an alienation or the establishment of emphyteusis, the application must also state the nature and conditions of the juridical act contemplated, the name of the future acquirer, assignee or beneficiary, and the sale price of the immovable; in the case of a change of destination, it must specify the proposed new destination.

On receiving an application for authorization, the Minister shall inform the Réseau québécois des organismes sans but lucratif d'habitation and, if applicable, the federation of non-profit housing organizations operating in the region where the immovable is located, which have 30 days to submit their observations.

In analyzing the application, in addition to the elements specified in the first paragraph, the Minister takes into account the impact of the act contemplated on the social or community destination of the immovable and the observations submitted by the community sector.

“227.11. The Minister may require the registration in the land register of a statement specifying that the immovable is subject to section 227.9. The registration is required by way of a notice sent to the Land Registry Office.

“227.12. Any act done in contravention of this division is absolutely null.

“227.13. The Attorney General may obtain from the Superior Court an order to stop any act or transaction undertaken or continued without the Minister’s authorization.

The application of the Attorney General is heard and judged on an urgent basis.

“227.14. In the case of the winding-up of the legal person, any immovable referred to in section 227.7 is assigned, by the meeting of the members, to another legal person governed by this Part or, in the absence of a decision to that effect, to the Réseau québécois des organismes sans but lucratif d’habitation.

“227.15. The following commit an offence and are liable to a fine of not less than \$500 nor more than \$10,000:

(1) whoever provides false or inaccurate information to the Minister;

(2) whoever hinders or attempts to hinder a person performing an action that this division requires or authorizes the person to perform or that the person is authorized to perform within the scope of the person’s verification powers relating to the carrying out of this division; and

(3) whoever contravenes any of paragraphs 2 to 6 of section 227.8.

The fines are doubled for a subsequent offence.

“227.16. Whoever contravenes paragraph 1 of section 227.8, section 227.9 or section 227.14 commits an offence and is liable to a fine of not less than \$2,500 nor more than \$10,000. The fines are doubled for a subsequent offence.

On a finding of guilty, a judge may, in addition to imposing any other penalty and on an application by the prosecutor filed with the statement of offence, impose an additional fine equal to the value of the property involved in the offence, even if the maximum fine under the first paragraph has been imposed on the offender.

“227.17. Whoever, by an act or omission, helps or, by encouragement, advice, consent, authorization or order, induces a person to commit an offence under this division commits the same offence.

“227.18. Penal proceedings for an offence under this division are prescribed three years from the date on which the offence was committed.”

COOPERATIVES ACT

13. Section 191 of the Cooperatives Act (chapter C-67.2) is replaced by the following section:

“191. The Minister shall designate the liquidator of the cooperative.

If the Minister fails to designate a liquidator, the Minister of Revenue shall act as liquidator.

The Minister of Revenue or the designated liquidator, as the case may be, shall render an account to the Minister.”

14. Section 221.2.4 of the Act is amended by replacing “destination, in particular the social or community vocation,” by “social or community destination”.

15. Section 221.2.5 of the Act is amended

(1) by replacing “by the Minister, who may subject such authorization to the conditions the Minister determines” in the first paragraph by “jointly by the Minister and by the Minister of Municipal Affairs, Regions and Land Occupancy, who may each subject their authorization to the conditions they determine”;

(2) by replacing “if the building is taken in payment or” in the second paragraph by “to an immovable referred to in section 68.1 of the Act respecting the Société d’habitation du Québec (chapter S-8), or if the building is taken in payment or”.

16. Section 221.2.6 of the Act is amended

(1) by replacing “acquirer, assignee or future beneficiary” in the first paragraph by “future acquirer, assignee or beneficiary”;

(2) in the third paragraph,

(a) by replacing “the Minister takes into account” by “the ministers shall take into account”;

(b) by replacing “destination, in particular the social or community vocation,” by “social or community destination”;

(3) by replacing “the Minister must” in the fourth paragraph by “the ministers must”.

17. Section 221.2.9 of the Act is amended by replacing “the Minister’s authorization” in the first paragraph by “the joint authorization of the Minister and of the Minister of Municipal Affairs, Regions and Land Occupancy”.

EDUCATION ACT

18. Sections 272.17 to 272.22 of the Education Act (chapter I-13.3) are repealed.

ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES, DES RÉGIONS ET DE L’OCCUPATION DU TERRITOIRE

19. Section 15 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (chapter M-22.1) is amended by adding the following paragraph at the end:

“In the case of a person designated to conduct a verification to ascertain that Division III.2 of Part III of the Companies Act (chapter C-38) is being properly enforced, this section applies in respect of the legal person referred to in that division, with the necessary modifications.”

20. Section 17 of the Act is amended by replacing “member of the council or of an officer or employee of the visited municipal body,” by “council member, officer or employee of the municipal body, or of the legal person referred to in Division III.2 of Part III of the Companies Act (chapter C-38), that the person visits,”.

ACT RESPECTING THE SOCIÉTÉ D’HABITATION DU QUÉBEC

21. Section 86 of the Act respecting the Société d’habitation du Québec (chapter S-8) is amended by replacing subparagraph g.1 of the first paragraph by the following subparagraph:

“(g.1) establish the categories of modest-rental housing dwellings, the terms governing the allocation of such dwellings and the conditions upon which leases for such dwellings may be taken or granted, and prescribe any compensation that may be exigible from lessees who cease to be eligible for such dwellings as well as the rules relating to such compensation;”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

22. The Act respecting public transit authorities (chapter S-30.01) is amended by inserting the following sections after section 92:

“92.0.1. A transit authority may, in all or part of its territory as determined by the by-law provided for in section 92.0.2, exercise a pre-emptive right to acquire any immovable, excluding immovables owned by a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

A transit authority's pre-emptive right may only be exercised to acquire an immovable in respect of which a notice of the transit authority's pre-emptive right has been registered. The right is exercised subject to the pre-emptive right provided for in section 56 of the Cultural Heritage Act (chapter P-9.002) and that provided for in section 68.3 of the Act respecting the Société d'habitation du Québec (chapter S-8).

“92.0.2. The transit authority shall determine, by by-law, the territory in which its pre-emptive right may be exercised and the purposes for which immovables may be acquired in that manner.

“92.0.3. The notice of the transit authority's pre-emptive right must identify the immovable concerned and describe the purposes for which it may be acquired.

The notice must be notified to the owner of the immovable and takes effect on being registered in the land register. It is valid for the period specified in the notice, which may not exceed 10 years.

The transit authority may not have a notice of pre-emptive right registered in respect of an immovable that is already the subject of such a notice registered by another municipal body under the Cities and Towns Act (chapter C-19) or the Municipal Code of Québec (chapter C-27.1).

The transit authority may, for the purpose of exercising the pre-emptive right, act as mandatory of a municipal body that has adopted a pre-emptive right by-law under any of the Acts referred to in the third paragraph. It may then provide, in its notice of pre-emptive right, that the immovable may be acquired for a purpose within the jurisdiction of that body.

For the purposes of this section, a municipal body is a municipality or an intermunicipal management board.

“92.0.4. The owner of an immovable in respect of which a notice of the transit authority's pre-emptive right has been issued may not, on pain of nullity, alienate the immovable if the owner has not notified a notice to the transit authority of the owner's intention to alienate the immovable.

The owner's notice must state the price of the proposed alienation, the conditions to which it is subject, and the name of the person who intends to acquire the immovable. If the immovable is to be alienated, in whole or in part, for non-monetary consideration, the notice must include a reliable and objective estimate of the value of that consideration.

The first and second paragraphs do not apply to an alienation made for the benefit of a person related to the owner within the meaning of the Taxation Act (chapter I-3) or for the benefit of a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

“92.0.5. The transit authority may, not later than 60 days following notification of the notice of intention to alienate, notify a notice to the owner of its intention to exercise its pre-emptive right and to acquire the immovable at the price and on the conditions stated in the notice of intention to alienate, subject to any modifications subsequently agreed on with the owner. If the notice of intention to alienate contains an estimate of the value of a non-monetary consideration, the price must be increased by an equal amount.

The transit authority may, during that period, require from the owner any information allowing it to assess the condition of the immovable. It may also, after giving 48 hours’ prior notice, access the immovable to conduct, at its own expense, any study or analysis it considers useful.

If the transit authority does not notify the notice provided for in the first paragraph to the owner within that 60-day period, it is deemed to have waived its pre-emptive right.

If the transit authority waives its pre-emptive right and the proposed alienation occurs, the transit authority must have the notice of its pre-emptive right removed from the land register.

“92.0.6. If the transit authority exercises its pre-emptive right, it must pay the price of the immovable within 60 days after notifying the notice of its intention to acquire the immovable. If the transit authority cannot pay the amount to the owner, it may deposit it, on the owner’s behalf, at the office of the Superior Court.

Sections 53.15 to 53.17 of the Expropriation Act (chapter E-24) apply, with the necessary modifications.

In the absence of a notarial contract, the transit authority becomes the owner of the immovable by registering a notice of transfer of ownership in the land register; the notice must include a description of the immovable, the price and conditions of its acquisition, and the date on which the transit authority will take possession of the immovable.

The notice of transfer must be served on the owner at least 30 days before it is registered in the land register.

To be registered, the notice must be accompanied by documents confirming that the amount has been paid to the owner or deposited at the office of the Superior Court and proof that the notice has been served on the owner.

“92.0.7. If the transit authority avails itself of its pre-emptive right, it must compensate the person who intended to acquire the immovable for reasonable expenses incurred during negotiation of the price and conditions of the proposed alienation.”

TRANSITIONAL AND FINAL PROVISIONS

23. Article 1955 of the Civil Code, as it reads on 9 June 2022, continues to apply in respect of a dwelling situated in an immovable ready for its intended use before 10 June 2022.

24. Article 1959.2 of the Code, enacted by section 4, does not apply to an eviction process for which the notice of eviction was given before 10 June 2022.

25. Any act performed under sections 151.1 to 151.7 of Schedule C to the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4), or under sections 272.17 to 272.22 of the Education Act (chapter I-13.3), repealed by, respectively, sections 6 and 18, is considered to have been performed under sections 572.0.1 to 572.0.7 of the Cities and Towns Act (chapter C-19) or under articles 1104.1.1 to 1104.1.7 of the Municipal Code of Québec (chapter C-27.1), enacted by sections 8 and 10, respectively, depending on the Act governing the municipality concerned.

Any notice of pre-emptive right registered in the land register before 10 June 2022 is valid for 10 years from the registration date.

In the case of a notice of intention to alienate referred to in section 272.20 of the Education Act and received by the municipality before 10 June 2022, the municipality may, not later than the 90th day following notification of the notice, notify a notice to the owner of its intention to exercise its pre-emptive right.

26. Paragraphs 2 to 6 of section 227.8 of the Companies Act (chapter C-38), enacted by section 12, apply to legal persons constituted before 10 June 2022 only from the end of their fiscal year in progress on that date.

Such legal persons must have the inspection required under paragraph 4 of section 227.8 of the Companies Act, enacted by section 12, carried out for the first time before the later of the following dates:

(1) the date of the end of the fiscal year that follows the fiscal year in progress on 10 June 2022; or

(2) the date that is five years after the filing date of an expert's report relating to the inspection of the immovable, where such a report was filed before 10 June 2022.

27. The first regulation amending the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (chapter T-15.01, r. 3) is not subject to sections 8 to 14 of the Regulations Act (chapter R-18.1), to the extent that the amendments it contains are required by the amendments made to the Civil Code by sections 1 to 4.

Until that first regulation is made, any lease governed by the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee and entered into after 9 June 2022 must be read with the modifications required by the amendments made to the Civil Code by sections 1 to 4.

28. This Act comes into force on 10 June 2022.

2022, chapter 26

AN ACT TO IMPROVE ACCESS TO JUSTICE BY BROADENING THE RANGE OF LEGAL SERVICES PROVIDED FREE OF CHARGE OR AT A MODERATE COST

Bill 34

Introduced by Mr. Simon Jolin-Barrette, Minister of Justice

Introduced 12 April 2022

Passed in principle 26 May 2022

Passed 9 June 2022

Assented to 10 June 2022

Coming into force: 10 June 2022, except

(1) sections 1 to 7, which come into force on the date of coming into force of the first by-law adopted under section 131.1 of the Act respecting the Barreau du Québec (chapter B-1), enacted by section 5;

(2) section 8, which comes into force on the date of coming into force of the first regulation made under section 26.1 of the Notaries Act (chapter N-3), enacted by section 8; and

(3) sections 9 and 10, which come into force on the date of coming into force of the first by-law adopted under section 131.1 of the Act respecting the Barreau du Québec, enacted by section 5, or on the date of coming into force of the first regulation made under section 26.1 of the Notaries Act, enacted by section 8, whichever comes first.

Legislation amended:

Insurers Act (chapter A-32.1)

Act respecting the Barreau du Québec (chapter B-1)

Notaries Act (chapter N-3)

Youth Protection Act (chapter P-34.1)

Explanatory notes

This Act allows the board of directors of the Barreau du Québec and that of the Ordre des notaires du Québec to determine by by-law or regulation the conditions on which an advocate or a notary, as applicable, may practise their profession within a non-profit legal person and those on which a retired advocate may carry on certain professional activities within such a legal person.

The Act specifies that only professional fees or costs that, together, do not exceed a moderate cost may be charged in consideration of professional activities carried on within a non-profit legal person.



Chapter 26

AN ACT TO IMPROVE ACCESS TO JUSTICE BY BROADENING THE RANGE OF LEGAL SERVICES PROVIDED FREE OF CHARGE OR AT A MODERATE COST

[Assented to 10 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE BARREAU DU QUÉBEC

1. Section 54.1 of the Act respecting the Barreau du Québec (chapter B-1) is amended

(1) by striking out “who does not practise” in the first paragraph;

(2) by replacing “, in particular perform the acts described in section 128, including pleading or acting before a tribunal referred to in subparagraphs 1 to 7 of paragraph *a* of subsection 2 of that section” in the second paragraph by “. Nevertheless, he may perform the acts referred to in subsection 1 of section 128 within a legal person referred to in section 131.1 in accordance with the by-law adopted under that section”.

2. Section 123.1 of the Act is repealed.

3. Section 125 of the Act is amended by replacing “, the company” in subsection 1 by “or within a non-profit legal person in accordance with the by-law adopted by the board of directors under section 131.1 of this Act, the company or legal person”.

4. Section 129 of the Act is amended by adding the following paragraph at the end:

“(f) the right of a retired advocate to perform the acts referred to in subsection 1 of section 128 within a legal person referred to in section 131.1 in accordance with the by-law adopted under that section.”

5. The Act is amended by inserting the following division after section 131:

“DIVISION XIII.1

**“PRACTICE OF THE PROFESSION OF ADVOCATE WITHIN A
NON-PROFIT LEGAL PERSON**

“131.1. The board of directors may determine, by by-law, the terms, conditions and restrictions applicable to the practice of the profession of advocate within a non-profit legal person, such as one constituted under Part III of the Companies Act (chapter C-38) or under the Cooperatives Act (chapter C-67.2).

In the by-law, the board must prescribe, among other things and with regard to the carrying on of professional activities within a legal person referred to in the first paragraph, standards of the same nature as those that it must prescribe under paragraphs *g* and *h* of section 93 of the Professional Code (chapter C-26) with regard to the carrying on of professional activities within a joint-stock company.

The regulatory standards determined under this section may vary according to the category of members to which the advocate belongs.

Section 95.2 of the Professional Code applies to any by-law adopted under this section. However, such a by-law shall be transmitted to the Office des professions du Québec for examination, on the recommendation of the Minister of Justice.

“131.2. An advocate must not allow, in consideration of the professional activities that he carries on within a legal person referred to in section 131.1 or in the course of such activities, professional fees or costs to be charged that, together, exceed a moderate cost. The client may, however, be required to reimburse disbursements.

“131.3. Subject to the provisions of this division, a legal person referred to in section 131.1 of this Act is considered, for the purposes of the Professional Code (chapter C-26), to be a joint-stock company referred to in section 187.11 of that Code.

Similarly, a by-law adopted under section 131.1 of this Act is considered, for the purposes of the Professional Code, to be a regulation adopted under subparagraph *p* of the first paragraph of section 94 of that Code, with the exception of the provisions adopted under the second paragraph of section 131.1 of this Act, which are considered to be a regulation adopted under paragraph *g* or *h* of section 93 of that Code, as the case may be.

“131.4. No director, officer or representative of a legal person referred to in section 131.1 may help or, by encouragement, advice or consent, or by an authorization or order, induce an advocate carrying on his professional activities within the legal person to contravene a provision of this Act, the Professional Code (chapter C-26) or the by-laws or regulations made under this Act or that Code.

Whoever contravenes the first paragraph is guilty of an offence and is liable to the penalties provided in section 188 of the Professional Code. The second, third and fourth paragraphs of section 189.1 and sections 190 and 191 of that Code apply to such an offence, with the necessary modifications.”

6. Section 134 of the Act is amended by replacing “the company or partnership within which” in the third paragraph by “, as the case may be, the company, partnership or legal person within which”.

7. Section 139 of the Act is amended by replacing “practises the profession of advocate, in particular who does anything described in sections 133 to 136” by “contravenes the second paragraph of section 54.1”.

NOTARIES ACT

8. The Notaries Act (chapter N-3) is amended by inserting the following division after section 26:

“DIVISION III.1

“PROFESSIONAL PRACTICE WITHIN A NON-PROFIT LEGAL PERSON

“26.1. The board of directors may determine, by regulation, the terms, conditions and restrictions applicable to the practice of the notarial profession within a non-profit legal person, such as one constituted under Part III of the Companies Act (chapter C-38) or the Cooperatives Act (chapter C-67.2).

In the regulation, the board must prescribe, among other things and with regard to the carrying on of professional activities within a legal person referred to in the first paragraph, standards of the same nature as those that it must prescribe under paragraphs *g* and *h* of section 93 of the Professional Code (chapter C-26) with regard to the carrying on of professional activities within a joint-stock company.

Section 95.2 of the Professional Code applies to any regulation made under this section. However, such a regulation shall be sent to the Office des professions du Québec for examination, on the recommendation of the Minister of Justice.

“26.2. A notary must not allow, in consideration of the professional activities that he or she carries on within a legal person referred to in section 26.1 or in the course of such activities, professional fees or costs to be charged that, together, exceed a moderate cost. The client may, however, be required to reimburse disbursements.

“26.3. Subject to the provisions of this division, a legal person referred to in section 26.1 of this Act is considered, for the purposes of the Professional Code (chapter C-26), to be a joint-stock company referred to in section 187.11 of that Code.

Similarly, a regulation made under section 26.1 of this Act is considered, for the purposes of the Professional Code, to be a regulation made under subparagraph *p* of the first paragraph of section 94 of that Code, with the exception of the provisions made under the second paragraph of section 26.1 of this Act, which are considered to be a regulation made under paragraph *g* or *h* of section 93 of that Code, as the case may be.

“26.4. No director, officer or representative of a legal person referred to in section 26.1 may help or, by encouragement, advice or consent, or by an authorization or order, induce a notary carrying on his or her professional activities within the legal person to contravene a provision of this Act, the Professional Code (chapter C-26) or the regulations made under this Act or that Code.

Every person who contravenes the first paragraph is guilty of an offence and is liable to the penalties provided for in section 188 of the Professional Code. Sections 189.1, 190 and 191 of that Code apply to such an offence, with the necessary modifications.”

INSURERS ACT

9. Section 35 of the Insurers Act (chapter A-32.1) is amended by adding the following sentence at the end of the second paragraph: “A legal person referred to in section 131.1 of the Act respecting the Barreau du Québec (chapter B-1) or section 26.1 of the Notaries Act (chapter N-3) is considered such a partnership or company for the purposes of this section.”

10. Section 41 of the Act is amended by adding the following sentence at the end of the second paragraph: “A legal person referred to in section 131.1 of the Act respecting the Barreau du Québec (chapter B-1) or section 26.1 of the Notaries Act (chapter N-3) is considered such a partnership or company for the purposes of this section.”

YOUTH PROTECTION ACT

11. The Youth Protection Act (chapter P-34.1) is amended by adding the following section after section 159:

“**160.** From 26 April 2022 to 25 April 2023,

(1) the director of youth protection or a person referred to in section 32 has the powers provided for in section 36, as it read on 25 April 2022, and must, on a request made in the context of the exercise of one of those powers, identify himself and produce a certificate of his capacity; and

(2) an institution must, on request, forward to the director a copy of the record kept on a child regarding whom the director has accepted a report.”

FINAL PROVISIONS

12. Despite the fourth paragraph of section 131.1 of the Act respecting the Barreau du Québec (chapter B-1), enacted by section 5, and the third paragraph of section 26.1 of the Notaries Act (chapter N-3), enacted by section 8, the first by-law or regulation adopted or made by a professional order’s board of directors under those sections must be transmitted, on the recommendation of the Minister of Justice, to the Office des professions du Québec for examination; it must be submitted, with the recommendation of the Office, to the Government, which may approve it with or without amendment.

13. Not later than 7 December 2022, the board of directors of the Barreau du Québec and the board of directors of the Ordre des notaires du Québec must transmit for examination to the Office des professions du Québec, on the recommendation of the Minister of Justice, a by-law or regulation adopted or made under, as applicable, section 131.1 of the Act respecting the Barreau du Québec, enacted by section 5, or section 26.1 of the Notaries Act, enacted by section 8.

At the expiry of the time limit specified in the first paragraph, the Minister of Justice may adopt a by-law or regulation referred to in that paragraph in the place and stead of the professional order that failed to do so, and may transmit it for examination to the Office des professions du Québec in accordance with section 95 of the Professional Code (chapter C-26).

14. This Act comes into force on 10 June 2022, except

(1) sections 1 to 7, which come into force on the date of coming into force of the first by-law adopted under section 131.1 of the Act respecting the Barreau du Québec, enacted by section 5;

(2) section 8, which comes into force on the date of coming into force of the first regulation made under section 26.1 of the Notaries Act, enacted by section 8; and

(3) sections 9 and 10, which come into force on the date of coming into force of the first by-law adopted under section 131.1 of the Act respecting the Barreau du Québec, enacted by section 5, or on the date of coming into force of the first regulation made under section 26.1 of the Notaries Act, enacted by section 8, whichever comes first.

2022, chapter 27

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY TO ESTABLISH THE OFFICE OF COMMISSIONER FOR RESPECT

Bill 998

Introduced by Madam Maryse Gaudreault, Member for Hull

Introduced 10 June 2022

Passed in principle 10 June 2022

Passed 10 June 2022

Assented to 10 June 2022

Coming into force: on the first day of the 43rd Legislature

Legislation amended:

Act respecting the National Assembly (chapter A-23.1)

Explanatory notes

This Act amends the Act respecting the National Assembly to establish the office of Commissioner for Respect, who is to be responsible for dealing with situations of incivility, conflict and harassment involving a Member or a member of his staff, a staff member of a National Assembly office or any other person prescribed by regulation of the Office of the National Assembly.



Chapter 27

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY TO ESTABLISH THE OFFICE OF COMMISSIONER FOR RESPECT

[Assented to 10 June 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE NATIONAL ASSEMBLY

1. The Act respecting the National Assembly (chapter A-23.1) is amended by inserting the following division after section 124.3:

“DIVISION III.2

“COMMISSIONER FOR RESPECT

“124.4. The Office of the National Assembly shall, by a unanimous decision of its members and for a fixed period not exceeding five years, appoint the Commissioner for Respect to be responsible for dealing with situations of incivility, conflict and harassment involving a Member or a member of his staff, a staff member of a National Assembly office or any other person prescribed by regulation of the Office. At the expiry of the term, the Commissioner remains in office until replaced or reappointed.

The Office may, by a unanimous decision of its members, appoint a substitute to replace the Commissioner when the latter is unable to act.

In addition, the Office shall, by regulation, determine the situations where a person is ineligible for the office of Commissioner, as well as the Commissioner’s remuneration and reimbursable expenses, the rules applicable to the Commissioner concerning conflicts of interest and the conditions applicable to the contracts of the Commissioner.”

FINAL PROVISION

2. This Act comes into force on the first day of the 43rd Legislature.

2022, chapter 28

**AN ACT TO RATIFY THE AGREEMENT RELATING
TO THE CONCEPT OF PARLIAMENTARY GROUP,
TO THE CONDUCT OF PROCEEDINGS IN THE ASSEMBLY
AND IN PARLIAMENTARY COMMITTEES, TO BUDGETARY
ASPECTS AND TO OTHER MEASURES PROMOTING
WORK-FAMILY BALANCE**

Bill 5

Introduced by Mr. Simon Jolin-Barrette, Government House Leader and Minister of Justice
Mr. Marc Tanguay, Leader of the Official Opposition

Mr. Alexandre Leduc, House Leader of the Second Opposition Group

Introduced 2 December 2022

Passed in principle 2 December 2022

Passed 2 December 2022

Assented to 2 December 2022

Coming into force: 2 December 2022

Legislation amended:

Act respecting the National Assembly (chapter A-23.1)

Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1)

Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1)

Explanatory notes

The purpose of this Act is to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance.

The Act modifies, for the duration of the 43rd Legislature, the conditions for opposition parties, other than the party of the Official Opposition, to be entitled to the parliamentary offices of leader, House leader and whip, as the case may be.

(cont'd on next page)

Explanatory notes (*cont'd*)

The Office of the National Assembly is given the power to establish the conditions, scales and modalities of payment of expenses for lodgings in the electoral division of Members whose principal residence is in the territory of Ville de Québec or in its immediate vicinity but who do not represent an electoral division located there.

The Act specifies, in the Code of ethics and conduct of the Members of the National Assembly, that a Member is not in default of maintaining a good attendance record when absent in connection with the Member's pregnancy, the birth of the Member's child or the adoption of a child, while on maternity leave, paternity leave or parental leave, or because of the state of health of a relative or a person for whom the Member acts as a caregiver.

Lastly, the Act empowers the Office of the National Assembly to make any regulation necessary to implement these changes; such a regulation may be retroactive to the date of the beginning of the 43rd Legislature.



Chapter 28

AN ACT TO RATIFY THE AGREEMENT RELATING TO THE CONCEPT OF PARLIAMENTARY GROUP, TO THE CONDUCT OF PROCEEDINGS IN THE ASSEMBLY AND IN PARLIAMENTARY COMMITTEES, TO BUDGETARY ASPECTS AND TO OTHER MEASURES PROMOTING WORK-FAMILY BALANCE

[Assented to 2 December 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE NATIONAL ASSEMBLY

1. Section 25 of the Act respecting the National Assembly (chapter A-23.1) is amended by adding the following paragraph at the end:

“For the duration of the 43rd Legislature, the second paragraph is amended by replacing “twenty” by “twenty-five”.”

2. Section 87 of the Act is amended by striking out the second paragraph.

3. Section 88 of the Act is amended by striking out the second paragraph.

4. Section 95 of the Act is amended by adding the following paragraph at the end:

“For the duration of the 43rd Legislature, a Member designated by the party recognized as the Third Opposition Group may take part, without the right to vote, in the proceedings of the Office.”

5. Section 97 of the Act is amended by striking out the second paragraph.

6. Section 104 of the Act is amended by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) expenses for lodgings,

(a) in the territory of Ville de Québec or in its immediate vicinity, of a Member whose principal residence is outside the territory formed by that of Ville de Québec and an electoral division adjacent to the territory of that city, or of the Member whose principal residence is within the electoral division of Charlevoix–Côte-de-Beaupré and more than 50 kilometres from the Parliament Building by the shortest road, or

(b) in the electoral division of a Member whose principal residence is in the territory of Ville de Québec or in its immediate vicinity but who does not represent an electoral division located there; and”.

7. Section 124.1 of the Act is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 43rd Legislature, the first paragraph is replaced by the following paragraph:

“The Leader of the Official Opposition, the Leader of the party recognized as the Second Opposition Group, the Leader of the party recognized as the Third Opposition Group, the President and the Vice-Presidents of the National Assembly, the Government House Leader, the Official Opposition House Leader, the House Leader of the party recognized as the Second Opposition Group, the Chief Government Whip, the Chief Official Opposition Whip and the Whip of the party recognized as the Second Opposition Group may appoint their respective executive secretaries and the other persons required for the orderly administration of their respective offices.””

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

8. Section 35 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by adding the following paragraph at the end:

“A Member is not in default of maintaining a good attendance record when absent for the following reasons:

(1) in connection with the Member’s pregnancy, the birth of the Member’s child or the adoption of a child;

(2) while on maternity leave, paternity leave or parental leave; or

(3) because of the state of health of a relative or a person for whom the Member acts as a caregiver.”

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

9. Section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1) is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 43rd Legislature, the first paragraph is amended

(1) by replacing subparagraph 6 by the following subparagraph:

“(6) a Member, other than the Member contemplated in subparagraph 4, who leads an opposition party represented in the Assembly following the 3 October 2022 general election shall receive on an annual basis an indemnity equal to 35% of the annual indemnity;”;

(2) by replacing subparagraph 6.1 by the following subparagraph:

“(6.1) the Member occupying the position of House Leader of the party recognized as the Second Opposition Group shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;”;

(3) by replacing “of a party contemplated in paragraph 6” in subparagraph 11 by “of the party recognized as the Second Opposition Group”.

MISCELLANEOUS AND FINAL PROVISIONS

10. The persons appointed as members of the staff of a Member who holds the position of Leader of a party other than the party of the Official Opposition or of House Leader or Whip of the party recognized as the Second Opposition Group, during the period beginning on 12 October 2022 and ending on 1 December 2022, are deemed to have been appointed as members of the Member’s office staff.

11. The Office of the National Assembly may make any regulation necessary for the purposes of this Act. Such a regulation may have retroactive effect to any date not prior to 12 October 2022.

12. This Act comes into force on 2 December 2022.

2022, chapter 29 AN ACT TO LIMIT THE INDEXATION OF SEVERAL GOVERNMENT TARIFFS

Bill 1

Introduced by Mr. Eric Girard, Minister of Finance

Introduced 1 December 2022

Passed in principle 8 December 2022

Passed 9 December 2022

Assented to 9 December 2022

Coming into force: 9 December 2022

Legislation amended:

Financial Administration Act (chapter A-6.001)

Act respecting registry offices (chapter B-9)

Explanatory notes

This Act limits to 3% the annual indexation rate of several tariffs payable with regard to the prestations provided mostly by government departments, public bodies, public institutions governed by the Act respecting health services and social services and by institutions in the education and higher education sector for the period from 1 January 2023 to 31 December 2026.

The Act also applies the above indexation cap to the reduced contribution for educational childcare services, to the tuition fees, contributions and other fees required with respect to a student and set in budgetary rules, to the parking fees of public health and social services institutions, to the rates for using a public fast-charging service for electric vehicles, and to the tariffs, duties, contributions or other fees set by the Government, a minister or a body as consideration for a particular prestation that the Government determines by regulation.

The Act lists the regulations setting tariffs to which the indexation cap does not apply and gives the Government the power to remove regulations from the list.

The Act amends the Financial Administration Act to allow indexation of a tariff set on 1 January of the year preceding the indexation. It also amends the Act respecting registry offices to put an end to indexation of the fee payable to consult documents kept on a technological medium at a registry office.

Lastly, the Act includes transitional and final provisions.



Chapter 29

AN ACT TO LIMIT THE INDEXATION OF SEVERAL GOVERNMENT TARIFFS

[Assented to 9 December 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

1. Despite any inconsistent provision, for the period from 1 January 2023 to 31 December 2026, the annual indexation rate determined under a provision of an Act or regulation applicable to a tariff corresponds to the lesser of the indexation rate determined as prescribed in that provision and a rate of 3%.

The indexation rule established in the first paragraph also applies

(1) to the reduced contribution for educational childcare services set in the Reduced Contribution Regulation (chapter S-4.1.1, r. 1);

(2) to tuition fees, contributions and other fees required with respect to a student and prescribed by the budgetary rules established with regard to universities or under the General and Vocational Colleges Act (chapter C-29) or the Education Act (chapter I-13.3);

(3) to parking fees set by the Directive relative aux activités de stationnement des établissements publics (French only) for public institutions governed by the Act respecting health services and social services (chapter S-4.2) and the Act respecting health services and social services for Cree Native persons (chapter S-5);

(4) to the rates for using the public fast-charging service for electric vehicles set in the Regulation respecting the rates for using the public fast-charging service for electric vehicles (chapter H-5, r. 1); and

(5) to the tariffs, duties, contributions or other fees set by the Government, a minister or a body as consideration for a particular prestation the Government determines by regulation.

For the purposes of this Act,

(1) “body” means a government department, a budget-funded body or a body other than a budget-funded body listed respectively in Schedules 1 and 2

to the Financial Administration Act (chapter A-6.001), and an institution referred to in subparagraph 2 of the first paragraph of section 83.1 of that Act;

(2) “prestation” means the supply of a service, the delivery of a property, or the granting of a right; and

(3) “tariff” means the consideration in money, other than a charge or an amount payable established with regard to an insurance plan, set by an Act, the Government, a minister or a body, for a prestation provided in the course of a body’s activities.

2. The indexation rule established in the first paragraph of section 1 is not, however, applicable to tariffs set in the regulations listed in Schedule I.

The Government may remove a regulation from that schedule.

3. The indexation rate and the amount of the tariffs, duties, contributions or fees indexed under section 1 are published, with the necessary modifications, in accordance with the provisions prescribed for that purpose with regard to the indexation rule that would otherwise be applicable or, in the absence of such provisions, in the *Gazette officielle du Québec* and by any other appropriate means.

4. Despite sections 11 and 17 of the Regulations Act (chapter R-18.1), no regulation under subparagraph 5 of the second paragraph of section 1 may be made before the expiry of 15 days after the publication of the draft regulation in the *Gazette officielle du Québec*; such a regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date set in the regulation.

CHAPTER II

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

5. Section 83.4 of the Financial Administration Act (chapter A-6.001) is amended by inserting the following paragraph after the first paragraph:

“However, a fee that was set on 1 January of the preceding year is adjusted in accordance with section 83.3 if the fee is not subject to another adjustment measure.”

ACT RESPECTING REGISTRY OFFICES

6. Section 17 of Schedule I to the Act respecting registry offices (chapter B-9) is amended by inserting “other than the fee established in section 15” after “this Tariff” in the first paragraph.

CHAPTER III**TRANSITIONAL AND FINAL PROVISIONS**

- 7.** The indexation rule established in the first paragraph of section 1 does not apply for the year 2023 with regard to the tariffs set by the Regulation amending various regulations setting fees for certain services provided by bodies and institutions, enacted by Order in Council 1698-2022 (2022, G.O. 2, 3853).
- 8.** The Minister of Finance is responsible for the administration of this Act.
- 9.** This Act comes into force on 9 December 2022.

SCHEDULE I
(Section 2)

LIST OF REGULATIONS

- Regulation respecting clinical activities related to assisted procreation (chapter A-5.01, r. 1);
- Regulation respecting the application of the Funeral Operations Act (chapter A-5.02, r. 1);
- Regulation respecting the fees payable to the Institut national d'excellence en santé et en services sociaux for the scientific evaluation of a drug, stable blood product or technology for listing purposes (chapter A-6.001, r. 6.1);
- Regulation respecting the fees for users of the advance rulings and written opinions service of the Direction générale de la législation of the Agence du revenu du Québec (chapter A-6.002, r. 4.1);
- Regulation respecting operating permits for wood processing plants (chapter A-18.1, r. 8);
- Regulation under the Act respecting insurance (chapter A-32.1, r. 1);
- Regulation respecting the tariff of fees and the annual contribution payable under the Act respecting international financial centres (chapter C-8.3, r. 1);
- Tariff of judicial fees applicable to the recovery of small claims (chapter C-25.01, r. 13), as concerns the tariffs payable by a legal person;
- Fee related to an application for authorization filed by an enterprise with the Autorité des marchés publics for public contracts and subcontracts (chapter C-65.1, r. 7.2);
- Tariff of fees exigible under the Act respecting financial services cooperatives (chapter C-67.3, r. 3);
- Regulation respecting fees and contributions payable (chapter D-9.2, r. 9);
- Tariff of duties and fees related to applications heard by the Financial Markets Administrative Tribunal (chapter E-6.1, r. 2);
- Regulation respecting fees and tariffs payable under the Money-Services Businesses Act (chapter E-12.000001, r. 2);
- Regulation respecting petroleum exploration, production and storage in a body of water (chapter H-4.2, r. 1);

- Regulation respecting petroleum exploration, production and storage on land (chapter H-4.2, r. 2);
- Regulation respecting petroleum exploration, production and storage licences, and the pipeline construction or use authorization (chapter H-4.2, r. 3);
- Règlement sur la tarification des services rendus par la Société québécoise des infrastructures (chapter I-8.3, r. 4, French only);
- Regulation respecting the application of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2, r. 1);
- Tariffs for costs and fees payable in respect of derivatives (chapter I-14.01, r. 2);
- Regulation respecting the application of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2, r. 1);
- Regulation respecting the fees payable with respect to the traceability of excavated contaminated soils (chapter M-11.6, r. 1);
- Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- Regulation respecting permits and certificates for the sale and use of pesticides (chapter P-9.3, r. 2);
- Regulation respecting the amounts payable by municipalities for the services provided by the Sûreté du Québec (chapter P-13.1, r. 7);
- Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3);
- Regulation respecting compensation for adverse effects on wetlands and bodies of water (chapter Q-2, r. 9.1);
- Regulation respecting the operation of industrial establishments (chapter Q-2, r. 26.1);
- Regulation respecting the fees payable with respect to the environmental authorization scheme and other fees (chapter Q-2, r. 28.02);
- Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1);
- Regulation respecting the application of the Act respecting the collection of certain debts (chapter R-2.2, r. 1);

- Regulation respecting fees and costs payable for the issuance of an authorization under the Voluntary Retirement Savings Plans Act (chapter R-17.0.1, r. 2);
- Dam Safety Regulation (chapter S-3.1.01, r. 1);
- Regulation respecting the fees payable for the issue or renewal of a specialized medical centre permit (chapter S-4.2, r. 15);
- Regulation under the Trust Companies and Savings Companies Act (chapter S-29.02, r. 1);
- Regulation respecting the application of the Fuel Tax Act (chapter T-1, r. 1);
- Regulation respecting fees exigible for the transfer of land management (chapter T-8.1, r. 4);
- Regulation respecting the leasing of land in the domain of the State for the building, operation and maintenance by private producers of hydroelectric power plants having a capacity of 25 MW or less (chapter T-8.1, r. 5);
- Tariff of fees respecting the lobbyists registry (chapter T-11.011, r. 4);
- Tariff of judicial fees in civil matters (chapter T-16, r. 10), as concerns the tariffs payable by a legal person;
- Securities Regulation (chapter V-1.1, r. 50).

2022, chapter 30

AN ACT TO RECOGNIZE THE OATH PROVIDED IN THE ACT RESPECTING THE NATIONAL ASSEMBLY AS THE SOLE OATH REQUIRED IN ORDER TO SIT IN THE ASSEMBLY

Bill 4

Introduced by Mr. Jean-François Roberge, Minister Responsible for Democratic Institutions
and Minister Responsible for Canadian Relations and the Canadian Francophonie

Introduced 6 December 2022

Passed in principle 9 December 2022

Passed 9 December 2022

Assented to 9 December 2022

Coming into force: 9 December 2022

Legislation amended:

Constitution Act, 1867

Explanatory notes

The purpose of this Act is to abolish the requirement to take and subscribe the Oath of Allegiance to the King prescribed by the Constitution Act, 1867, which Members must fulfil in order to sit in the National Assembly.

To that end, the Act adds to the Constitution Act, 1867 a section exempting Québec from the application of section 128 of that Act, which provides for such a requirement.



Chapter 30

AN ACT TO RECOGNIZE THE OATH PROVIDED IN THE ACT RESPECTING THE NATIONAL ASSEMBLY AS THE SOLE OATH REQUIRED IN ORDER TO SIT IN THE ASSEMBLY

[Assented to 9 December 2022]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CONSTITUTION ACT, 1867

1. The Constitution Act, 1867 is amended by inserting the following section after section 128:

“128Q.1. Section 128 does not apply to Quebec.”

FINAL PROVISION

2. This Act comes into force on 9 December 2022.

TABLE OF AMENDMENTS TO PUBLIC ACTS IN 2022

This table contains the amendments made in 2022 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts without regard to the date of coming into force of the amendments. It includes all legislative amendments but does not include amendments from other sources, such as amendments by order in council. In addition to the reference and title of each Act amended during the year, the table lists each amended section (in bold), followed by a reference to the amending section or sections.

The other public Acts, that is, those not included in the Compilation of Québec Laws and Regulations, follow the laws of Québec included in the Compilation of Québec Laws and Regulations.

The cumulative table of amendments, listing all amendments made since 1977 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts, is now available on the website of Les Publications du Québec.

Abbreviations

a. = article	c. = chapter	ss. = sections
aa. = articles	Rp. = Replaced	Sched. = Schedule
Ab. = Abrogated	s. = section	

Reference	Title Amendments
1- LAWS OF QUÉBEC INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS	
c. A-2.001	Act respecting the acceleration of certain infrastructure projects 10 , 2022, c. 18, s. 84
c. A-2.2	Act to promote access to family medicine and specialized medicine services 11 , 2022, c. 16, s. 1 11.1 , 2022, c. 16, s. 1 21 , 2022, c. 16, s. 2 23 , 2022, c. 16, s. 3 24 , 2022, c. 16, s. 4 30 , 2022, c. 16, s. 5 31 , 2022, c. 16, s. 6 39 , 2022, c. 16, s. 7 63 , 2022, c. 16, s. 8 72 , 2022, c. 16, s. 9
c. A-3.001	Act respecting industrial accidents and occupational diseases 92 , 2022, c. 22, s. 208 94 , 2022, c. 22, s. 209 110 , 2022, c. 22, s. 210
c. A-5.01	Act respecting clinical and research activities relating to assisted procreation 1 , 2022, c. 22, s. 122 2 , 2022, c. 22, s. 123 10 , 2022, c. 22, s. 124 10.3 , 2022, c. 22, s. 125
c. A-5.02	Funeral Operations Act 2 , 2022, c. 22, s. 211

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-6.001	Financial Administration Act 83 , 2022, c. 3, s. 56 83.4 , 2022, c. 29, s. 5 Sched. 1 , 2022, c. 14, s. 131; 2022, c. 17, s. 68
c. A-6.002	Tax Administration Act 27.3 , 2022, c. 23, s. 1 59.0.2 , 2022, c. 23, s. 2 59.2 , 2022, c. 23, s. 3 69.1 , 2022, c. 10, s. 2; 2022, c. 14, s. 132; 2022, c. 18, s. 85 69.4.1 , 2022, c. 18, s. 86 69.5.0.1 , 2022, c. 3, s. 21 69.5.3 , 2022, c. 18, s. 87 78 , 2022, c. 23, s. 4 93.1.8 , 2022, c. 23, s. 5 93.1.12 , 2022, c. 23, s. 6 94.9 , 2022, c. 19, s. 25
c. A-7.003	Act respecting the Agence du revenu du Québec 9 , 2022, c. 19, s. 26 11 , Ab. 2022, c. 19, s. 27 12 , Ab. 2022, c. 19, s. 27 13 , Ab. 2022, c. 19, s. 27 14 , 2022, c. 19, s. 28 15 , Ab. 2022, c. 19, s. 29 16 , Ab. 2022, c. 19, s. 29 18 , Ab. 2022, c. 19, s. 29 19 , Ab. 2022, c. 19, s. 29 20 , Ab. 2022, c. 19, s. 29 21 , 2022, c. 19, s. 30 25 , Ab. 2022, c. 19, s. 31 26 , 2022, c. 19, s. 32 27 , Ab. 2022, c. 19, s. 33 28 , Ab. 2022, c. 19, s. 33 30 , Ab. 2022, c. 19, s. 33 33 , Ab. 2022, c. 19, s. 33 34 , 2022, c. 19, s. 34 35 , 2022, c. 19, s. 35 36 , Ab. 2022, c. 19, s. 36 51.1 , 2022, c. 3, s. 117 70 , Ab. 2022, c. 19, s. 38 71 , Ab. 2022, c. 19, s. 38 72 , 2022, c. 19, s. 39 75 , 2022, c. 19, s. 40 76 , 2022, c. 19, s. 41
c. A-8.2	Credit Assessment Agents Act 63 , 2022, c. 3, s. 118
c. A-13.1.1	Individual and Family Assistance Act 23 , 2022, c. 22, s. 212 55 , 2022, c. 22, s. 213 57 , 2022, c. 22, s. 214 86 , 2022, c. 22, s. 215 131 , 2022, c. 22, s. 216 132 , 2022, c. 22, s. 217
c. A-13.3	Act respecting financial assistance for education expenses 2 , 2022, c. 22, s. 218 4 , 2022, c. 22, s. 219

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-14	Act respecting legal aid and the provision of certain other legal services 1.1 , 2022, c. 22, s. 126 1.2 , 2022, c. 22, s. 127 4.0.1 , 2022, c. 22, s. 128 80 , 2022, c. 22, s. 129 83.1.1 , 2022, c. 22, s. 130
c. A-18.1	Sustainable Forest Development Act 131 , 2022, c. 3, s. 1
c. A-19.1	Act respecting land use planning and development 6 , 2022, c. 10, s. 3 53.7 , 2022, c. 10, s. 4 120 , 2022, c. 8, s. 2 121 , 2022, c. 8, s. 3 246 , 2022, c. 10, s. 5
c. A-23.1	Act respecting the National Assembly 25 , 2022, c. 28, s. 1 87 , 2022, c. 28, s. 2 88 , 2022, c. 28, s. 3 95 , 2022, c. 28, s. 4 97 , 2022, c. 28, s. 5 104 , 2022, c. 28, s. 6 124.1 , 2022, c. 28, s. 7 124.4 , 2022, c. 27, s. 1
c. A-25	Automobile Insurance Act 2 , 2022, c. 22, s. 220 26.1 , 2022, c. 13, s. 1 26.2 , 2022, c. 13, s. 1 40 , 2022, c. 13, s. 2 43 , Ab. 2022, c. 13, s. 3 51 , 2022, c. 13, s. 4 57 , 2022, c. 13, s. 5 57.1 , 2022, c. 13, s. 6 57.2 , 2022, c. 13, s. 6 60 , 2022, c. 22, s. 221 63 , 2022, c. 13, s. 7 69 , 2022, c. 22, s. 222 70 , 2022, c. 13, s. 8 79 , 2022, c. 13, s. 9 80 , 2022, c. 13, s. 10 83 , 2022, c. 13, s. 11 83.22.1 , 2022, c. 13, s. 12 83.24 , 2022, c. 13, s. 13 83.31 , 2022, c. 13, s. 14 83.34 , 2022, c. 13, s. 15 151.4 , Ab. 2022, c. 13, s. 16 195 , 2022, c. 13, s. 17 Sched. I , Ab. 2022, c. 13, s. 18 Sched. II , Ab. 2022, c. 13, s. 18
c. A-29	Health Insurance Act 19 , 2022, c. 16, s. 10 19.1 , 2022, c. 16, s. 11 22.0.0.0.3 , 2022, c. 16, s. 12 22.2 , 2022, c. 16, s. 13 54 , 2022, c. 16, s. 14 65 , 2022, c. 16, s. 15 67 , 2022, c. 16, s. 16 69.0.1.1 , 2022, c. 16, s. 17

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-29.01	Act respecting prescription drug insurance 17 , 2022, c. 22, s. 223 18.1 , 2022, c. 22, s. 224
c. A-29.011	Act respecting parental insurance 2 , 2022, c. 22, s. 131 7 , 2022, c. 22, s. 133 8 , 2022, c. 22, s. 134 9 , 2022, c. 22, s. 136 12.1 , 2022, c. 22, s. 137 94 , 2022, c. 19, s. 42 95 , Ab. 2022, c. 19, s. 43 96 , 2022, c. 19, s. 44 97 , Ab. 2022, c. 19, s. 45 98 , 2022, c. 19, s. 46 99 , Ab. 2022, c. 19, s. 47 100 , 2022, c. 19, s. 48 104 , 2022, c. 19, s. 432 105 , 2022, c. 19, s. 432 110.1 , Ab. 2022, c. 19, s. 49 110.2 , Ab. 2022, c. 19, s. 49 110.3 , Ab. 2022, c. 19, s. 49 115.18 , 2022, c. 19, s. 432 117 , 2022, c. 19, ss. 50, 432 118 , 2022, c. 19, s. 51 118.1 , 2022, c. 19, s. 432 120 , 2022, c. 19, s. 431
c. A-32.1	Insurers Act 35 , 2022, c. 26, s. 9 41 , 2022, c. 26, s. 10
c. A-33.02	Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions 9 , 2022, c. 8, s. 4 16 , 2022, c. 8, s. 5 17 , 2022, c. 8, s. 5 18 , 2022, c. 8, s. 5 18.1 , 2022, c. 8, s. 6 19 , 2022, c. 8, s. 7 20 , 2022, c. 8, s. 8 21 , 2022, c. 8, s. 8 22 , 2022, c. 8, s. 8 23 , 2022, c. 8, s. 8 24 , 2022, c. 8, s. 8 25 , 2022, c. 8, s. 8 26 , 2022, c. 8, s. 8 27 , 2022, c. 8, s. 8 28 , 2022, c. 8, s. 8 29 , 2022, c. 8, s. 8 31 , Ab. 2022, c. 8, s. 9 33 , 2022, c. 8, s. 10 34 , 2022, c. 8, s. 10 35 , 2022, c. 8, s. 10 36 , 2022, c. 8, s. 10 37 , 2022, c. 8, s. 10 38 , 2022, c. 8, s. 10 39 , 2022, c. 8, s. 10 40 , 2022, c. 8, s. 10 41 , 2022, c. 8, s. 10 42 , 2022, c. 8, s. 10 43 , 2022, c. 8, s. 10

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-33.02	Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions — <i>Cont'd</i> 44 , 2022, c. 8, s. 10 45 , 2022, c. 8, s. 10 46 , 2022, c. 8, s. 10 47 , 2022, c. 8, s. 11 48 , 2022, c. 8, s. 11 49 , 2022, c. 8, s. 11 50 , 2022, c. 8, s. 11 51 , 2022, c. 8, s. 11 52 , 2022, c. 8, s. 11 53 , 2022, c. 8, s. 11 54 , 2022, c. 8, s. 11 55 , 2022, c. 8, s. 11 56 , 2022, c. 8, s. 11 57 , 2022, c. 8, s. 11 58 , 2022, c. 8, s. 11 62 , 2022, c. 8, s. 12 62.1 , Ab. 2022, c. 8, s. 13
c. A-33.1	Act respecting Cree, Inuit and Naskapi Native persons 1 , 2022, c. 1, s. 1
c. A-33.2.1	Act respecting the Autorité des marchés publics 19 , 2022, c. 18, s. 61 20 , 2022, c. 18, s. 62 21 , 2022, c. 18, s. 63 23 , 2022, c. 18, s. 64 26 , 2022, c. 18, s. 65 27 , 2022, c. 18, s. 66 28 , Ab. 2022, c. 18, s. 67 29 , 2022, c. 18, s. 68 31 , 2022, c. 18, s. 69 34 , 2022, c. 18, s. 70 36 , 2022, c. 18, s. 71 49 , 2022, c. 18, s. 72 52.1 , 2022, c. 18, s. 73 52.2 , 2022, c. 18, s. 73 52.3 , 2022, c. 18, s. 73 52.4 , 2022, c. 18, s. 73 53 , 2022, c. 18, s. 74 55 , 2022, c. 18, s. 75 58 , 2022, c. 18, s. 76 59 , 2022, c. 18, s. 77 62 , 2022, c. 18, s. 78 63 , 2022, c. 18, s. 79 66 , Ab. 2022, c. 18, s. 80 67.1 , 2022, c. 18, s. 81 67.2 , 2022, c. 18, s. 81 67.3 , 2022, c. 18, s. 81 67.4 , 2022, c. 18, s. 81 67.5 , 2022, c. 18, s. 82 69 , 2022, c. 18, s. 83
c. A-33.3	Act respecting the Autorité régionale de transport métropolitain 85 , 2022, c. 3, s. 57
c. B-1	Act respecting the Barreau du Québec 54.1 , 2022, c. 26, s. 1 123.1 , Ab. 2022, c. 26, s. 2 125 , 2022, c. 26, s. 3 129 , 2022, c. 26, s. 4

TABLE OF AMENDMENTS

Reference	Title Amendments
c. B-1	Act respecting the Barreau du Québec — <i>Cont'd</i> 131.1 , 2022, c. 26, s. 5 131.2 , 2022, c. 26, s. 5 131.3 , 2022, c. 26, s. 5 131.4 , 2022, c. 26, s. 5 134 , 2022, c. 26, s. 6 139 , 2022, c. 26, s. 7
c. B-1.1	Building Act 65.1 , 2022, c. 18, s. 88 65.1.0.1 , 2022, c. 18, s. 89 65.1.0.2 , 2022, c. 18, s. 90 65.2.1 , 2022, c. 18, s. 91 90 , 2022, c. 19, s. 52 91 , 2022, c. 19, s. 53 91.1 , Ab. 2022, c. 19, s. 54 91.2 , Ab. 2022, c. 19, s. 54 91.3 , Ab. 2022, c. 19, s. 54 91.4 , 2022, c. 19, s. 55 93 , 2022, c. 19, s. 56 96 , 2022, c. 19, s. 57 100 , 2022, c. 19, s. 58 101 , 2022, c. 19, s. 59 147 , 2022, c. 19, s. 431 149 , 2022, c. 19, s. 60
c. B-1.2	Act respecting Bibliothèque et Archives nationales du Québec 4 , 2022, c. 19, ss. 61, 433 4.1 , 2022, c. 19, s. 62 4.2 , Ab. 2022, c. 19, s. 63 4.3 , Ab. 2022, c. 19, s. 63 4.4 , 2022, c. 19, s. 64 4.5 , Ab. 2022, c. 19, s. 65 5 , Ab. 2022, c. 19, s. 65 6 , Ab. 2022, c. 19, s. 65 8 , Ab. 2022, c. 19, s. 65 9 , Ab. 2022, c. 19, s. 65 10 , Ab. 2022, c. 19, s. 65 11 , Ab. 2022, c. 19, s. 65 12 , Ab. 2022, c. 19, s. 65 13 , Ab. 2022, c. 19, s. 65 13.1 , Ab. 2022, c. 19, s. 65 13.2 , 2022, c. 19, s. 66 13.3 , Ab. 2022, c. 19, s. 67 13.4 , Ab. 2022, c. 19, s. 67 13.5 , Ab. 2022, c. 19, s. 67 13.7 , 2022, c. 19, s. 68 13.10 , Ab. 2022, c. 19, s. 69 13.11 , Ab. 2022, c. 19, s. 69 13.13 , Ab. 2022, c. 19, s. 69 25 , 2022, c. 19, s. 70 27 , 2022, c. 19, s. 71 29 , 2022, c. 19, s. 431 29.1 , Ab. 2022, c. 19, s. 72 29.2 , Ab. 2022, c. 19, s. 72
c. B-5.1	Unclaimed Property Act 3 , 2022, c. 3, s. 24 6 , 2022, c. 3, s. 25 13.1 , 2022, c. 3, s. 26 30 , 2022, c. 23, s. 7

TABLE OF AMENDMENTS

Reference	Title Amendments
c. B-9	Act respecting registry offices 17 (Sched. I) , 2022, c. 29, s. 6
c. C-2	Act respecting the Caisse de dépôt et placement du Québec 5 , 2022, c. 19, s. 73 5.1 , 2022, c. 19, s. 74 5.3.1 , 2022, c. 19, s. 75 5.3.2 , 2022, c. 19, s. 75 5.3.3 , 2022, c. 19, s. 75 5.5 , 2022, c. 19, s. 76 5.5.1 , 2022, c. 19, s. 76 5.5.2 , 2022, c. 19, s. 76 5.6 , 2022, c. 19, s. 77 5.7.1 , 2022, c. 19, s. 78 5.9 , 2022, c. 19, s. 79 5.12 , 2022, c. 19, s. 80 13.1 , 2022, c. 19, s. 81 13.2 , 2022, c. 19, s. 82 13.2.1 , 2022, c. 19, s. 83 13.3 , 2022, c. 19, s. 84 13.4 , 2022, c. 19, s. 85 13.8 , 2022, c. 19, s. 86 13.9 , 2022, c. 19, s. 87 13.9.1 , 2022, c. 19, s. 88 13.10 , 2022, c. 19, s. 89 13.11 , 2022, c. 19, s. 90 13.12 , 2022, c. 19, s. 91 15.1 , Ab. 2022, c. 19, s. 92 15.2 , 2022, c. 19, s. 93 46 , 2022, c. 19, s. 94 46.1 , 2022, c. 19, s. 95 46.2 , 2022, c. 19, s. 95 48 , 2022, c. 19, s. 96 51.1 , 2022, c. 19, s. 97
c. C-5.3	Cannabis Regulation Act 26 , 2022, c. 18, s. 92
c. C-6.1	Act constituting Capital régional et coopératif Desjardins 4.2 , 2022, c. 22, s. 225
c. C-6.2	Act to affirm the collective nature of water resources and to promote better governance of water and associated environments 14 , 2022, c. 8, s. 14
c. C-7.01	Act respecting the Centre d'acquisitions gouvernementales 4 , 2022, c. 18, s. 93
c. C-7.1	Act respecting the Centre de la francophonie des Amériques 8 , 2022, c. 14, s. 133 20 , 2022, c. 14, s. 134
c. C-8.3	Act respecting international financial centres 49 , 2022, c. 23, s. 8 51 , 2022, c. 23, s. 9 51.3 , Ab. 2022, c. 23, s. 10 51.4 , Ab. 2022, c. 23, s. 10 51.5 , Ab. 2022, c. 23, s. 10 52 , Ab. 2022, c. 23, s. 12 53 , Ab. 2022, c. 23, s. 12 54 , Ab. 2022, c. 23, s. 12

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-8.3	Act respecting international financial centres — <i>Cont'd</i> 55, Ab. 2022, c. 23, s. 12 56, Ab. 2022, c. 23, s. 12 56.1, Ab. 2022, c. 23, s. 12 56.2, Ab. 2022, c. 23, s. 12 57, Ab. 2022, c. 23, s. 13 57.1, Ab. 2022, c. 23, s. 13 57.2, Ab. 2022, c. 23, s. 13 60.1, Ab. 2022, c. 23, s. 13 61, 2022, c. 23, s. 14 63, 2022, c. 23, s. 15 64, Ab. 2022, c. 23, s. 16 64.2, Ab. 2022, c. 23, s. 16 65, 2022, c. 23, s. 17 65.1, 2022, c. 23, s. 18 66, 2022, c. 23, s. 19 67, 2022, c. 23, s. 20 68, 2022, c. 23, s. 21 69, 2022, c. 23, s. 22 69.1.1, 2022, c. 23, s. 23 69.2, 2022, c. 23, s. 24 69.3, 2022, c. 23, s. 25 69.4, Ab. 2022, c. 23, s. 26 71, Ab. 2022, c. 23, s. 27 72, Ab. 2022, c. 23, s. 27 72.1, Ab. 2022, c. 23, s. 27 73, Ab. 2022, c. 23, s. 27 73.1, Ab. 2022, c. 23, s. 27
c. C-11	Charter of the French language Preamble, 2022, c. 14, s. 1 1, 2022, c. 14, s. 2 2, 2022, c. 14, s. 3 6.1, 2022, c. 14, s. 4 6.2, 2022, c. 14, s. 4 7.1, 2022, c. 14, s. 5 8, 2022, c. 14, s. 5 9, 2022, c. 14, s. 5 10, 2022, c. 14, s. 5 11, 2022, c. 14, s. 5 12, 2022, c. 14, s. 5 13, 2022, c. 14, s. 5 13.1, 2022, c. 14, s. 6 13.2, 2022, c. 14, s. 6 15, Ab. 2022, c. 14, s. 7 16.1, 2022, c. 14, s. 8 18, 2022, c. 14, s. 9 18.1, 2022, c. 14, s. 10 18.2, 2022, c. 14, s. 10 19, 2022, c. 14, s. 11 20.1, 2022, c. 14, s. 12 21, 2022, c. 14, s. 13 21.1, 2022, c. 14, s. 14 21.2, 2022, c. 14, s. 14 21.3, 2022, c. 14, s. 14 21.4, 2022, c. 14, s. 14 21.5, 2022, c. 14, s. 14 21.6, 2022, c. 14, s. 14 21.7, 2022, c. 14, s. 14 21.8, 2022, c. 14, s. 14 21.9, 2022, c. 14, s. 14 21.10, 2022, c. 14, s. 14 21.11, 2022, c. 14, s. 14

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11	Charter of the French language — <i>Cont'd</i> 21.12 , 2022, c. 14, s. 14 22.2 , 2022, c. 14, s. 15 22.3 , 2022, c. 14, s. 15 22.4 , 2022, c. 14, s. 15 22.5 , 2022, c. 14, s. 15 26 , 2022, c. 14, s. 16 27 , 2022, c. 14, s. 17 29.1 , 2022, c. 14, s. 18 29.2 , 2022, c. 14, s. 19 29.3 , 2022, c. 14, s. 19 29.4 , 2022, c. 14, s. 19 29.5 , 2022, c. 14, s. 19 29.6 , 2022, c. 14, s. 19 29.7 , 2022, c. 14, s. 19 29.8 , 2022, c. 14, s. 19 29.9 , 2022, c. 14, s. 19 29.10 , 2022, c. 14, s. 19 29.11 , 2022, c. 14, s. 19 29.12 , 2022, c. 14, s. 19 29.13 , 2022, c. 14, s. 19 29.14 , 2022, c. 14, s. 19 29.15 , 2022, c. 14, s. 19 29.16 , 2022, c. 14, s. 19 29.17 , 2022, c. 14, s. 19 29.18 , 2022, c. 14, s. 19 29.19 , 2022, c. 14, s. 19 29.20 , 2022, c. 14, s. 19 29.21 , 2022, c. 14, s. 19 29.22 , 2022, c. 14, s. 19 29.23 , 2022, c. 14, s. 19 29.24 , 2022, c. 14, s. 19 30.1 , 2022, c. 14, s. 20 32 , 2022, c. 14, s. 21 35 , 2022, c. 14, s. 22 35.1 , 2022, c. 14, s. 23 35.2 , 2022, c. 14, s. 23 37 , 2022, c. 14, s. 24 39 , Ab. 2022, c. 14, s. 25 40 , 2022, c. 14, s. 26 40.1 , 2022, c. 14, s. 27 40.2 , 2022, c. 14, s. 27 40.3 , 2022, c. 14, s. 28 41 , 2022, c. 14, s. 29 42 , 2022, c. 14, s. 30 43 , 2022, c. 14, s. 31 44 , 2022, c. 14, s. 32 45 , 2022, c. 14, s. 33 45.1 , 2022, c. 14, s. 34 46 , 2022, c. 14, s. 35 46.1 , 2022, c. 14, s. 36 47 , 2022, c. 14, s. 37 47.1 , 2022, c. 14, s. 37 47.2 , 2022, c. 14, s. 37 47.3 , 2022, c. 14, s. 37 47.4 , 2022, c. 14, s. 37 47.5 , 2022, c. 14, s. 37 48 , 2022, c. 14, s. 37 49 , 2022, c. 14, s. 38 50 , 2022, c. 14, s. 39 50.1 , 2022, c. 14, s. 40 50.2 , 2022, c. 14, s. 41 51 , 2022, c. 14, s. 42

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11	Charter of the French language — <i>Cont'd</i> 51.1, 2022, c. 14, s. 43 52, 2022, c. 14, s. 44 55, 2022, c. 14, s. 45 55.1, 2022, c. 14, s. 46 57, 2022, c. 14, s. 47 58.1, 2022, c. 14, s. 48 68.1, 2022, c. 14, s. 49 72, 2022, c. 14, s. 51 73.1, 2022, c. 14, s. 52 74, 2022, c. 14, s. 53 75, 2022, c. 14, s. 54 78.2, 2022, c. 14, s. 55 79, 2022, c. 14, s. 55 83.4, 2022, c. 14, s. 56 84.1, 2022, c. 14, s. 57 85, 2022, c. 14, s. 58 87, 2022, c. 14, s. 59 88.0.1, 2022, c. 14, s. 60 88.0.2, 2022, c. 14, s. 60 88.0.3, 2022, c. 14, s. 60 88.0.4, 2022, c. 14, s. 60 88.0.5, 2022, c. 14, s. 60 88.0.6, 2022, c. 14, s. 60 88.0.7, 2022, c. 14, s. 60 88.0.8, 2022, c. 14, s. 60 88.0.9, 2022, c. 14, s. 60 88.0.10, 2022, c. 14, s. 60 88.0.11, 2022, c. 14, s. 60 88.0.12, 2022, c. 14, s. 60 88.0.13, 2022, c. 14, s. 60 88.0.14, 2022, c. 14, s. 60 88.0.15, 2022, c. 14, s. 60 88.0.16, 2022, c. 14, s. 60 88.0.17, 2022, c. 14, s. 60 88.0.18, 2022, c. 14, s. 60 88.0.19, 2022, c. 14, s. 60 88.0.20, 2022, c. 14, s. 60 88.1, 2022, c. 14, s. 61 88.1.1, 2022, c. 14, s. 62 88.2, 2022, c. 14, s. 63 88.3, 2022, c. 14, s. 64 88.4, 2022, c. 14, s. 64 88.5, 2022, c. 14, s. 64 88.6, 2022, c. 14, s. 64 88.7, 2022, c. 14, s. 64 88.8, 2022, c. 14, s. 64 88.9, 2022, c. 14, s. 64 88.10, 2022, c. 14, s. 64 88.11, 2022, c. 14, s. 64 88.12, 2022, c. 14, s. 64 88.13, 2022, c. 14, s. 64 88.14, 2022, c. 14, s. 64 88.15, 2022, c. 14, s. 65 88.16, 2022, c. 14, s. 65 89, 2022, c. 14, s. 66 89.1, 2022, c. 14, s. 67 91, 2022, c. 14, s. 68 92, 2022, c. 14, s. 69 97, 2022, c. 14, s. 70 98, 2022, c. 14, s. 71 123.2, 2022, c. 14, s. 73 123.3, 2022, c. 14, s. 73

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11	Charter of the French language — <i>Cont'd</i> 126.1, 2022, c. 14, s. 74 128.1, 2022, c. 14, s. 75 128.2, 2022, c. 14, s. 75 128.3, 2022, c. 14, s. 75 128.4, 2022, c. 14, s. 75 128.5, 2022, c. 14, s. 75 128.6, 2022, c. 14, s. 75 128.7, 2022, c. 14, s. 75 128.8, 2022, c. 14, s. 75 129, 2022, c. 14, s. 75 130, 2022, c. 14, s. 75 131, 2022, c. 14, s. 75 132, 2022, c. 14, s. 75 133, 2022, c. 14, s. 75 134, 2022, c. 14, s. 75 134.1, 2022, c. 14, s. 75 134.2, 2022, c. 14, s. 75 134.3, 2022, c. 14, s. 75 134.4, 2022, c. 14, s. 75 134.5, 2022, c. 14, s. 75 134.6, 2022, c. 14, s. 75 136, 2022, c. 14, s. 78 137, 2022, c. 14, s. 79 137.1, 2022, c. 14, s. 80 138, 2022, c. 14, s. 81 138.1, 2022, c. 14, s. 82 138.2, 2022, c. 14, s. 82 138.3, 2022, c. 14, s. 82 138.4, 2022, c. 14, s. 82 138.5, 2022, c. 14, s. 82 139, 2022, c. 14, s. 83 139.1, 2022, c. 14, s. 84 139.2, 2022, c. 14, s. 84 140, 2022, c. 14, s. 85 141, 2022, c. 14, s. 86 142, 2022, c. 14, s. 87 143, 2022, c. 14, s. 88 144.1, 2022, c. 14, s. 89 146, 2022, c. 14, s. 90 146.1, 2022, c. 14, s. 91 146.2, 2022, c. 14, s. 91 149, 2022, c. 14, s. 92 150, 2022, c. 14, s. 92 151, 2022, c. 14, s. 93 151.1, 2022, c. 14, s. 95 152, 2022, c. 14, s. 96 152.1, 2022, c. 14, s. 96 154, 2022, c. 14, s. 97 155, 2022, c. 14, s. 97 156, 2022, c. 14, s. 97 156.1, 2022, c. 14, s. 97 156.2, 2022, c. 14, s. 97 156.3, 2022, c. 14, s. 97 156.4, 2022, c. 14, s. 97 156.5, 2022, c. 14, s. 97 156.6, 2022, c. 14, s. 97 156.7, 2022, c. 14, s. 97 156.8, 2022, c. 14, s. 97 156.9, 2022, c. 14, s. 97 156.10, 2022, c. 14, s. 97 156.11, 2022, c. 14, s. 97 156.12, 2022, c. 14, s. 97

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11	Charter of the French language — <i>Cont'd</i> 156.13, 2022, c. 14, s. 97 156.14, 2022, c. 14, s. 97 156.15, 2022, c. 14, s. 97 156.16, 2022, c. 14, s. 97 156.17, 2022, c. 14, s. 97 156.18, 2022, c. 14, s. 97 156.19, 2022, c. 14, s. 97 156.20, 2022, c. 14, s. 97 156.21, 2022, c. 14, s. 97 156.22, 2022, c. 14, s. 97 156.23, 2022, c. 14, s. 97 156.24, 2022, c. 14, s. 97 156.25, 2022, c. 14, s. 97 156.26, 2022, c. 14, s. 97 159, 2022, c. 14, s. 98 160, 2022, c. 14, s. 99 161, 2022, c. 14, s. 100 161.1, 2022, c. 14, s. 101 163, 2022, c. 14, s. 102 163.1, 2022, c. 14, s. 103 165, 2022, c. 14, s. 104 165.3, 2022, c. 14, s. 105 165.8, 2022, c. 14, s. 106 165.10, 2022, c. 14, s. 107 165.12, 2022, c. 14, s. 108 165.15, 2022, c. 14, s. 110 165.16, 2022, c. 14, s. 110 165.17, 2022, c. 14, s. 110 165.18, 2022, c. 14, s. 110 165.19, 2022, c. 14, s. 110 165.20, 2022, c. 14, s. 110 165.21, 2022, c. 14, s. 110 165.22, 2022, c. 14, s. 110 165.23, 2022, c. 14, s. 110 165.24, 2022, c. 14, s. 110 165.25, 2022, c. 14, s. 110 165.26, 2022, c. 14, s. 110 166, 2022, c. 14, s. 111 167, 2022, c. 14, s. 112 168, 2022, c. 14, s. 112 169, 2022, c. 14, s. 112 172, 2022, c. 14, s. 113 174, 2022, c. 14, s. 114 175, 2022, c. 14, s. 115 177, 2022, c. 14, s. 116 178, 2022, c. 14, s. 116 179, 2022, c. 14, s. 116 180, 2022, c. 14, s. 116 181, 2022, c. 14, s. 116 182, 2022, c. 14, s. 116 183, 2022, c. 14, s. 116 184, 2022, c. 14, s. 116 185, 2022, c. 14, s. 116 186, 2022, c. 14, s. 116 187, 2022, c. 14, s. 116 188, 2022, c. 14, s. 116 189, 2022, c. 14, s. 116 190, 2022, c. 14, s. 116 191, 2022, c. 14, s. 116 192, 2022, c. 14, s. 116 193, 2022, c. 14, s. 116 194, 2022, c. 14, s. 116

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11	Charter of the French language — <i>Cont'd</i> 195, 2022, c. 14, s. 116 196, 2022, c. 14, s. 116 197, 2022, c. 14, s. 116 198, 2022, c. 14, s. 116 199, 2022, c. 14, s. 116 200, 2022, c. 14, s. 116 201, 2022, c. 14, s. 116 202, 2022, c. 14, s. 116 203, 2022, c. 14, s. 116 204, 2022, c. 14, s. 116 204.1, 2022, c. 14, s. 116 204.2, 2022, c. 14, s. 116 204.3, 2022, c. 14, s. 116 204.4, 2022, c. 14, s. 116 204.5, 2022, c. 14, s. 116 204.6, 2022, c. 14, s. 116 204.7, 2022, c. 14, s. 116 204.8, 2022, c. 14, s. 116 204.9, 2022, c. 14, s. 116 204.10, 2022, c. 14, s. 116 204.11, 2022, c. 14, s. 116 204.12, 2022, c. 14, s. 116 204.13, 2022, c. 14, s. 116 204.14, 2022, c. 14, s. 116 204.15, 2022, c. 14, s. 116 204.16, 2022, c. 14, s. 117 204.17, 2022, c. 14, s. 117 204.18, 2022, c. 14, s. 117 204.19, 2022, c. 14, s. 117 204.20, 2022, c. 14, s. 117 204.21, 2022, c. 14, s. 117 204.22, 2022, c. 14, s. 117 204.23, 2022, c. 14, s. 117 204.24, 2022, c. 14, s. 117 204.25, 2022, c. 14, s. 117 204.26, 2022, c. 14, s. 117 204.27, 2022, c. 14, s. 117 204.28, 2022, c. 14, s. 117 204.29, 2022, c. 14, s. 117 204.30, 2022, c. 14, s. 117 204.31, 2022, c. 14, s. 117 204.32, 2022, c. 14, s. 117 205, 2022, c. 14, s. 117 205.1, 2022, c. 14, s. 117 206, 2022, c. 14, s. 117 207, 2022, c. 14, s. 117 208, 2022, c. 14, s. 117 208.0.1, 2022, c. 14, s. 117 208.4.1, 2022, c. 14, s. 118 208.4.2, 2022, c. 14, s. 118 208.4.3, 2022, c. 14, s. 118 208.4.4, 2022, c. 14, s. 118 208.4.5, 2022, c. 14, s. 118 208.6, 2022, c. 14, s. 119 212, 2022, c. 14, s. 120 213.1, 2022, c. 14, s. 121 214, 2022, c. 14, s. 121 Sched., 2022, c. 14, s. 122 Sched. I, 2022, c. 14, s. 122 Sched. II, 2022, c. 14, s. 122

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11.3	Charter of Ville de Longueuil 12 , 2022, c. 14, s. 135 54.15 , 2022, c. 37, s. 1 54.16 , 2022, c. 37, s. 1 54.17 , 2022, c. 37, s. 1 54.18 , 2022, c. 37, s. 1 54.19 , 2022, c. 37, s. 1 54.20 , 2022, c. 37, s. 1 54.21 , 2022, c. 37, s. 1 54.22 , 2022, c. 37, s. 1 54.23 , 2022, c. 37, s. 1 54.24 , 2022, c. 37, s. 1 54.25 , 2022, c. 37, s. 1 54.26 , 2022, c. 37, s. 1 54.27 , 2022, c. 37, s. 1 54.28 , 2022, c. 37, s. 1 58.3 , 2022, c. 37, s. 2
c. C-11.4	Charter of Ville de Montréal, metropolis of Québec 11 , 2022, c. 14, s. 136 57.1.15 , 2022, c. 18, s. 94 57.1.16 , 2022, c. 18, s. 95 57.1.18 , 2022, c. 18, s. 96 151.1 (Sched. C) , Ab. 2022, c. 25, s. 6 151.2 (Sched. C) , Ab. 2022, c. 25, s. 6 151.3 (Sched. C) , Ab. 2022, c. 25, s. 6 151.4 (Sched. C) , Ab. 2022, c. 25, s. 6 151.5 (Sched. C) , Ab. 2022, c. 25, s. 6 151.6 (Sched. C) , Ab. 2022, c. 25, s. 6 151.7 (Sched. C) , Ab. 2022, c. 25, s. 6
c. C-12	Charter of human rights and freedoms Preamble , 2022, c. 14, s. 137 3.1 , 2022, c. 14, s. 138 9.1 , 2022, c. 14, s. 139 39.1 , 2022, c. 22, s. 138 50 , 2022, c. 14, s. 140 75 , 2022, c. 17, s. 69
c. C-19	Cities and Towns Act 335 , 2022, c. 14, s. 141 468.51 , 2022, c. 25, s. 7 572.0.1 , 2022, c. 25, s. 8 572.0.2 , 2022, c. 25, s. 8 572.0.3 , 2022, c. 25, s. 8 572.0.4 , 2022, c. 25, s. 8 572.0.5 , 2022, c. 25, s. 8 572.0.6 , 2022, c. 25, s. 8 572.0.7 , 2022, c. 25, s. 8 573.3.3.2 , 2022, c. 18, s. 97 573.3.3.3 , 2022, c. 18, s. 98
c. CCQ-1991	Civil Code of Québec Preamble , 2022, c. 14, a. 123 5 , 2022, c. 22, a. 1 33 , 2022, c. 22, a. 2 34.1 , 2022, c. 22, a. 3 50 , 2022, c. 22, a. 5 51 , 2022, c. 22, a. 6 52 , 2022, c. 22, a. 7 53 , 2022, c. 22, a. 8 54 , 2022, c. 22, a. 9

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i>
	55, 2022, c. 22, a. 11
	56, 2022, c. 22, a. 12
	56.1, 2022, c. 22, a. 13
	56.2, 2022, c. 22, a. 13
	56.3, 2022, c. 22, a. 13
	56.4, 2022, c. 22, a. 13
	58, 2022, c. 22, a. 16
	59, 2022, c. 22, a. 17
	60, 2022, c. 22, a. 18
	61, 2022, c. 22, a. 19
	62, 2022, c. 22, a. 20
	64, 2022, c. 22, a. 21
	65, 2022, c. 22, a. 23
	66.1, 2022, c. 22, a. 24
	70.1, 2022, c. 22, a. 26
	71, 2022, c. 22, a. 28
	80, 2022, c. 22, a. 30
	93, 2022, c. 22, a. 31
	108, 2022, c. 14, a. 124
	109, 2022, c. 14, a. 125
	111, 2022, c. 22, a. 32
	114, 2022, c. 22, a. 33
	115, 2022, c. 22, a. 34
	116.1, 2022, c. 22, a. 35
	119, 2022, c. 22, a. 36
	121.2, 2022, c. 22, a. 37
	126, 2022, c. 22, a. 38
	129.1, 2022, c. 22, a. 39
	132.0.1, 2022, c. 22, a. 40
	140, 2022, c. 14, a. 126
	146, 2022, c. 22, a. 41
	147, 2022, c. 22, a. 42
	148, 2022, c. 22, a. 43
	149, 2022, c. 22, a. 44
	151, 2022, c. 22, a. 45
	171, 2022, c. 22, a. 46
	178, 2022, c. 22, a. 47
	183, 2022, c. 22, a. 48
	184, 2022, c. 22, a. 49
	186, 2022, c. 22, a. 50
	192, 2022, c. 22, a. 51
	193, 2022, c. 22, a. 52
	195, 2022, c. 22, a. 53
	196, 2022, c. 22, a. 54
	198, 2022, c. 22, a. 55
	199, 2022, c. 22, a. 56
	199.1, 2022, c. 22, a. 57
	199.2, 2022, c. 22, a. 58
	199.3, 2022, c. 22, a. 59
	199.5, 2022, c. 22, a. 60
	199.6, 2022, c. 22, a. 61
	199.7, 2022, c. 22, a. 62
	199.8, 2022, c. 22, a. 63
	199.9, 2022, c. 22, a. 64
	200, 2022, c. 22, a. 65
	201, 2022, c. 22, a. 66
	202, 2022, c. 22, a. 67
	203, 2022, c. 22, a. 68
	205, 2022, c. 22, a. 69
	206, 2022, c. 22, a. 70
	207, 2022, c. 22, a. 71
	209, 2022, c. 22, a. 72

TABLE OF AMENDMENTS

Reference	Title Amendments
c. CCQ-1991	Civil Code of Québec — <i>Cont'd</i> 218 , 2022, c. 22, a. 73 223 , 2022, c. 22, a. 74 225 , 2022, c. 22, a. 75 226 , 2022, c. 22, a. 76 228 , 2022, c. 22, a. 77 381 , 2022, c. 22, a. 78 513 , 2022, c. 22, a. 79 525 , 2022, c. 22, a. 80 535 , 2022, c. 22, a. 81 535.2 , 2022, c. 22, a. 82 538.3 , 2022, c. 22, a. 83 539 , 2022, c. 22, a. 84 540 , Ab. 2022, c. 22, a. 85 544 , 2022, c. 22, a. 86 555 , 2022, c. 22, a. 87 559 , 2022, c. 22, a. 88 561 , 2022, c. 22, a. 89 576 , 2022, c. 22, a. 90 577 , 2022, c. 22, a. 91 579 , 2022, c. 22, a. 92 583 , 2022, c. 22, a. 93 583.0.1 , 2022, c. 22, a. 94 583.3 , Ab. 2022, c. 22, a. 95 583.4 , 2022, c. 22, a. 96 583.5 , 2022, c. 22, a. 97 583.6 , 2022, c. 22, a. 98 583.7 , 2022, c. 22, a. 99 583.8 , 2022, c. 22, a. 100 583.10 , 2022, c. 22, a. 101 583.12 , 2022, c. 22, a. 102 584 , 2022, c. 22, a. 103 597 , 2022, c. 22, a. 104 598 , 2022, c. 22, a. 105 599 , 2022, c. 22, a. 106 600 , 2022, c. 22, a. 107 603 , 2022, c. 22, a. 108 603.1 , 2022, c. 22, a. 109 605 , 2022, c. 22, a. 110 606 , 2022, c. 22, a. 111 610 , 2022, c. 22, a. 112 611 , 2022, c. 22, a. 113 643.1 , 2022, c. 22, a. 114 670 , 2022, c. 22, a. 115 676 , 2022, c. 22, a. 116 679 , 2022, c. 22, a. 117 1060 , 2022, c. 14, a. 127 1070.1.1 , 2022, c. 14, a. 128 1814 , 2022, c. 22, a. 118 1896 , 2022, c. 25, a. 1 1955 , 2022, c. 25, a. 2 1955.1 , 2022, c. 25, a. 3 1959.2 , 2022, c. 25, a. 4 1961 , 2022, c. 25, a. 5 1974.1 , 2022, c. 22, a. 119 2926.1 , 2022, c. 22, a. 120 2984 , 2022, c. 14, a. 129 3006 , 2022, c. 14, a. 130 3084.1 , 2022, c. 22, a. 121
c. C-23.1	Code of ethics and conduct of the Members of the National Assembly 35 , 2022, c. 28, s. 8

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-24.2	Highway Safety Code 21, 2022, c. 13, s. 19 31.1, 2022, c. 13, s. 20 69, 2022, c. 13, s. 21 76.1.5.1, 2022, c. 13, s. 22 92, 2022, c. 13, s. 23 93.1, 2022, c. 13, s. 24 100, 2022, c. 22, s. 226 143.1, 2022, c. 13, s. 25 202.2.0.1, 2022, c. 13, s. 26 202.2.1.1, 2022, c. 13, s. 27 202.3, 2022, c. 13, s. 28 202.4, 2022, c. 13, s. 29 202.6.6, 2022, c. 13, s. 30 202.8, 2022, c. 13, s. 31 209.9, 2022, c. 13, s. 32 209.18, 2022, c. 13, s. 33 209.19, 2022, c. 13, s. 33 215, 2022, c. 13, s. 34 220.0.1, 2022, c. 13, s. 35 220.1, 2022, c. 13, s. 36 220.3, 2022, c. 13, s. 37 220.4, 2022, c. 13, s. 38 226.2, 2022, c. 13, s. 39 233, 2022, c. 13, s. 40 239.1.1, 2022, c. 13, s. 41 239.2, 2022, c. 13, s. 42 240.2, 2022, c. 13, s. 43 272, 2022, c. 13, s. 44 275.1.1, 2022, c. 13, s. 45 281.3, 2022, c. 13, s. 46 283.2, 2022, c. 13, s. 47 294.0.1, 2022, c. 13, s. 48 303.3, 2022, c. 13, s. 49 311, 2022, c. 13, s. 50 312.2, 2022, c. 13, s. 51 312.3, 2022, c. 13, s. 51 328, 2022, c. 13, s. 52 329, 2022, c. 13, s. 53 329.1, 2022, c. 13, s. 54 332, 2022, c. 13, s. 55 359.3, 2022, c. 13, s. 56 379, 2022, c. 13, s. 57 385, 2022, c. 13, s. 58 510, 2022, c. 13, s. 59 516.2, 2022, c. 13, s. 60 519.10, 2022, c. 13, s. 61 519.20, 2022, c. 13, s. 62 519.21.3, 2022, c. 13, s. 63 519.21.4, 2022, c. 13, s. 63 519.25, 2022, c. 13, s. 64 519.26, 2022, c. 13, s. 65 519.72, 2022, c. 13, s. 66 519.77, 2022, c. 13, s. 67 546.6.0.3, 2022, c. 13, s. 68 551.1, 2022, c. 13, s. 69 587, 2022, c. 13, s. 70 592, 2022, c. 13, s. 71 592.0.0.1, 2022, c. 13, s. 71 592.1, 2022, c. 13, s. 72 592.2.1, 2022, c. 13, s. 73 592.4, 2022, c. 13, s. 73 592.4.2, 2022, c. 13, s. 73

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-24.2	Highway Safety Code — <i>Cont'd</i> 597.1 , 2022, c. 13, s. 73 608 , 2022, c. 13, s. 74 619 , 2022, c. 13, s. 75 621 , 2022, c. 13, s. 76 624 , 2022, c. 13, s. 77 634.3 , 2022, c. 13, s. 78 648.4 , 2022, c. 13, s. 79
c. C-25.01	Code of Civil Procedure Preamble , 2022, c. 14, a. 142 108 , 2022, c. 22, a. 139 160 , 2022, c. 22, a. 140 278 , 2022, c. 22, a. 141 336 , 2022, c. 22, a. 142 404 , 2022, c. 22, a. 143 432 , 2022, c. 22, a. 144 434 , 2022, c. 22, a. 145 435 , 2022, c. 22, a. 146 436.1 , 2022, c. 22, a. 147 437 , 2022, c. 22, a. 148 451 , 2022, c. 22, a. 149 496 , 2022, c. 14, a. 143 508 , 2022, c. 14, a. 144 652 , 2022, c. 14, a. 145
c. C-25.1	Code of Penal Procedure 28 , 2022, c. 22, a. 227 157.2 , 2022, c. 13, a. 80 218.4 , 2022, c. 13, a. 81
c. C-26	Professional Code 59.1.3 , 2022, c. 14, s. 146
c. C-27.1	Municipal Code of Québec 620 , 2022, c. 25, a. 9 938.3.2 , 2022, c. 18, a. 99 938.3.3 , 2022, c. 18, a. 100 1104.1.1 , 2022, c. 25, a. 10 1104.1.2 , 2022, c. 25, a. 10 1104.1.3 , 2022, c. 25, a. 10 1104.1.4 , 2022, c. 25, a. 10 1104.1.5 , 2022, c. 25, a. 10 1104.1.6 , 2022, c. 25, a. 10 1104.1.7 , 2022, c. 25, a. 10
c. C-29	General and Vocational Colleges Act 24.2 , 2022, c. 14, s. 147
c. C-33.1	Act respecting the national capital commission 5 , 2022, c. 19, s. 98 6 , Ab. 2022, c. 19, s. 99 7 , Ab. 2022, c. 19, s. 99 8 , Ab. 2022, c. 19, s. 99 8.1 , 2022, c. 19, s. 100 8.2 , 2022, c. 19, s. 100 11 , 2022, c. 19, s. 101 12 , 2022, c. 19, s. 102 24 , 2022, c. 19, s. 103 25 , 2022, c. 19, s. 104 26 , 2022, c. 19, s. 431 27 , 2022, c. 19, s. 105 29 , 2022, c. 19, s. 431

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-37.01	Act respecting the Communauté métropolitaine de Montréal 118.1.1 , 2022, c. 18, s. 101 118.1.2 , 2022, c. 18, s. 102
c. C-37.02	Act respecting the Communauté métropolitaine de Québec 111.1.1 , 2022, c. 18, s. 103 111.1.2 , 2022, c. 18, s. 104
c. C-38	Companies Act 1 , 2022, c. 25, s. 11 227.7 , 2022, c. 25, s. 12 227.8 , 2022, c. 25, s. 12 227.9 , 2022, c. 25, s. 12 227.10 , 2022, c. 25, s. 12 227.11 , 2022, c. 25, s. 12 227.12 , 2022, c. 25, s. 12 227.13 , 2022, c. 25, s. 12 227.14 , 2022, c. 25, s. 12 227.15 , 2022, c. 25, s. 12 227.16 , 2022, c. 25, s. 12 227.17 , 2022, c. 25, s. 12 227.18 , 2022, c. 25, s. 12
c. C-47.1	Municipal Powers Act 91.2 , 2022, c. 8, s. 15 92 , 2022, c. 20, s. 33
c. C-52.1	Act respecting the conditions of employment and the pension plan of the Members of the National Assembly 7 , 2022, c. 28, s. 9
c. C-57.02	Act respecting the Conseil des arts et des lettres du Québec 5 , 2022, c. 19, s. 106 5.1 , Ab. 2022, c. 19, s. 107 5.2 , 2022, c. 19, s. 108 5.3 , Ab. 2022, c. 19, s. 109 5.5 , Ab. 2022, c. 19, s. 110 7 , Ab. 2022, c. 19, s. 110 8 , Ab. 2022, c. 19, s. 110 33 , 2022, c. 19, s. 431 35 , 2022, c. 19, s. 431
c. C-61.01	Natural Heritage Conservation Act 2 , 2022, c. 10, s. 6 12.3 , 2022, c. 10, s. 7 22.2 , Ab. 2022, c. 8, s. 16 49 , 2022, c. 10, s. 8 52 , 2022, c. 8, s. 17 55 , 2022, c. 10, s. 9 66 , 2022, c. 8, s. 18 66.1 , Ab. 2022, c. 8, s. 19 66.2 , Ab. 2022, c. 8, s. 19 66.3 , Ab. 2022, c. 8, s. 19 66.4 , Ab. 2022, c. 8, s. 19 66.5 , Ab. 2022, c. 8, s. 19 66.6 , Ab. 2022, c. 8, s. 19 67 , Ab. 2022, c. 8, s. 19 68 , Ab. 2022, c. 8, s. 19 69 , Ab. 2022, c. 8, s. 19 69.5 , Ab. 2022, c. 8, s. 19 69.6 , Ab. 2022, c. 8, s. 19 69.7 , Ab. 2022, c. 8, s. 19

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-61.01	Natural Heritage Conservation Act — <i>Cont'd</i> 69.8 , Ab. 2022, c. 8, s. 19 69.9 , Ab. 2022, c. 8, s. 19 69.10 , Ab. 2022, c. 8, s. 19 69.11 , Ab. 2022, c. 8, s. 19 69.12 , Ab. 2022, c. 8, s. 19 69.13 , Ab. 2022, c. 8, s. 19 69.14 , Ab. 2022, c. 8, s. 19 69.17 , 2022, c. 8, s. 20 69.19 , 2022, c. 8, s. 21 69.20 , 2022, c. 8, s. 21 69.21 , 2022, c. 8, s. 21 71 , 2022, c. 8, s. 22 72 , 2022, c. 8, s. 23 74 , 2022, c. 8, s. 24 75 , 2022, c. 8, s. 24 76 , 2022, c. 8, s. 24 77 , 2022, c. 8, s. 24 78 , 2022, c. 8, s. 24 79 , 2022, c. 8, s. 24 80 , 2022, c. 8, s. 24 81 , 2022, c. 8, s. 24 82 , 2022, c. 8, s. 24 83 , 2022, c. 8, s. 24 84 , 2022, c. 8, s. 24 85 , 2022, c. 8, s. 24 86 , 2022, c. 8, s. 24 87 , 2022, c. 8, s. 24 88 , 2022, c. 8, s. 25 89 , 2022, c. 8, s. 25 90 , 2022, c. 8, s. 25 91 , 2022, c. 8, s. 25 92 , 2022, c. 8, s. 25 93 , 2022, c. 8, s. 25 94 , 2022, c. 8, s. 25 95 , 2022, c. 8, s. 25 96 , 2022, c. 8, s. 25 97 , 2022, c. 8, s. 25 c. C-61.1 Act respecting the conservation and development of wildlife 122.3 , 2022, c. 10, s. 10 133 , 2022, c. 19, s. 432 134 , Ab. 2022, c. 19, s. 111 135 , Ab. 2022, c. 19, s. 111 136 , Ab. 2022, c. 19, s. 111 138 , 2022, c. 19, s. 112 139 , Ab. 2022, c. 19, s. 113 142 , Ab. 2022, c. 19, s. 113 143 , 2022, c. 19, s. 114 144.1 , Ab. 2022, c. 19, s. 115 146 , 2022, c. 19, s. 116 156 , 2022, c. 19, s. 432 159 , 2022, c. 19, s. 431 160 , 2022, c. 19, s. 431 161 , 2022, c. 19, s. 431 c. C-62.1 Act respecting the Conservatoire de musique et d'art dramatique du Québec 15 , 2022, c. 19, s. 117 16 , Ab. 2022, c. 19, s. 118 17 , 2022, c. 19, s. 119 18 , Ab. 2022, c. 19, s. 120 19 , Ab. 2022, c. 19, s. 120 20 , 2022, c. 19, s. 121

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-62.1	Act respecting the Conservatoire de musique et d'art dramatique du Québec — <i>Cont'd</i> 21 , Ab. 2022, c. 19, s. 122 22 , Ab. 2022, c. 19, s. 122 24 , 2022, c. 19, s. 123 26 , Ab. 2022, c. 19, s. 124 27 , Ab. 2022, c. 19, s. 124 28 , Ab. 2022, c. 19, s. 124 29 , 2022, c. 19, s. 125 30 , Ab. 2022, c. 19, s. 126 31 , Ab. 2022, c. 19, s. 126 32 , Ab. 2022, c. 19, s. 126 33 , Ab. 2022, c. 19, s. 126 34 , Ab. 2022, c. 19, s. 126 35 , Ab. 2022, c. 19, s. 126 36 , Ab. 2022, c. 19, s. 126 38 , 2022, c. 19, s. 127 39.2 , Ab. 2022, c. 19, s. 128 39.3 , Ab. 2022, c. 19, s. 128 39.5 , Ab. 2022, c. 19, s. 128 51.1 , 2022, c. 19, s. 129 59 , 2022, c. 19, s. 130 60 , 2022, c. 19, s. 431 65.1 , Ab. 2022, c. 19, s. 131 65.2 , Ab. 2022, c. 19, s. 131
c. C-65.1	Act respecting contracting by public bodies 2 , 2022, c. 18, s. 1 4 , 2022, c. 18, s. 105 7 , 2022, c. 18, s. 106 10 , 2022, c. 18, s. 2 13.2 , 2022, c. 18, s. 108 14 , 2022, c. 18, s. 3 14.1 , 2022, c. 18, s. 4 14.2 , 2022, c. 18, s. 4 14.3 , 2022, c. 18, s. 4 14.4 , 2022, c. 18, s. 4 14.5 , 2022, c. 18, s. 4 14.6 , 2022, c. 18, s. 4 14.7 , 2022, c. 18, s. 4 14.8 , 2022, c. 18, s. 4 14.9 , 2022, c. 18, s. 4 14.10 , 2022, c. 18, s. 5 14.11 , 2022, c. 18, s. 5 14.12 , 2022, c. 18, s. 5 14.13 , 2022, c. 18, s. 5 14.14 , 2022, c. 18, s. 5 16 , 2022, c. 18, s. 6 18 , 2022, c. 18, s. 7 21.0.3 , 2022, c. 18, s. 109 21.0.4 , 2022, c. 18, s. 110 21.1 , 2022, c. 18, s. 10 21.1.1 , 2022, c. 18, s. 10 21.2 , 2022, c. 18, s. 10 21.2.0.0.1 , 2022, c. 18, s. 10 21.2.0.1 , 2022, c. 18, s. 10 21.3 , 2022, c. 18, s. 10 21.3.1 , 2022, c. 18, s. 10 21.4 , 2022, c. 18, s. 10 21.4.1 , 2022, c. 18, s. 10 21.5 , 2022, c. 18, s. 10 21.5.1 , 2022, c. 18, s. 10 21.5.2 , 2022, c. 18, s. 10 21.5.3 , 2022, c. 18, s. 10

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-65.1	Act respecting contracting by public bodies — <i>Cont'd</i> 21.5.4 , 2022, c. 18, s. 10 21.5.5 , 2022, c. 18, s. 10 21.6 , 2022, c. 18, s. 12 21.7 , 2022, c. 18, s. 13 21.8 , 2022, c. 18, s. 14 21.11 , 2022, c. 18, s. 15 21.12 , 2022, c. 18, s. 17 21.17 , 2022, c. 18, s. 19 21.17.3 , 2022, c. 18, s. 20 21.18 , 2022, c. 18, s. 21 21.23 , 2022, c. 18, s. 22 21.24 , 2022, c. 18, s. 23 21.26 , 2022, c. 18, s. 24 21.26.1 , 2022, c. 18, s. 25 21.27 , 2022, c. 18, s. 26 21.28 , 2022, c. 18, s. 27 21.30 , 2022, c. 18, s. 28 21.31 , 2022, c. 18, s. 29 21.32 , Ab. 2022, c. 18, s. 30 21.33 , Ab. 2022, c. 18, s. 30 21.34 , Ab. 2022, c. 18, s. 30 21.35 , Ab. 2022, c. 18, s. 30 21.36 , 2022, c. 18, s. 31 21.37 , 2022, c. 18, s. 32 21.38 , 2022, c. 18, s. 33 21.39 , 2022, c. 18, s. 34 21.40 , 2022, c. 18, s. 35 21.40.1 , 2022, c. 18, s. 35 21.41 , 2022, c. 18, s. 36 21.41.1 , 2022, c. 18, s. 37 21.42 , Ab. 2022, c. 18, s. 38 21.43 , (<i>renumbered 21.48.17</i>) 2022, c. 18, s. 39 21.44 , 2022, c. 18, s. 40; (<i>renumbered 21.48.18</i>) 2022, c. 18, s. 40 21.45 , 2022, c. 18, s. 42 21.48.1 , 2022, c. 18, s. 43 21.48.2 , 2022, c. 18, s. 43 21.48.3 , 2022, c. 18, s. 43 21.48.4 , 2022, c. 18, s. 43 21.48.5 , 2022, c. 18, s. 43 21.48.6 , 2022, c. 18, s. 43 21.48.7 , 2022, c. 18, s. 43 21.48.8 , 2022, c. 18, s. 43 21.48.9 , 2022, c. 18, s. 43 21.48.10 , 2022, c. 18, s. 43 21.48.11 , 2022, c. 18, s. 43 21.48.12 , 2022, c. 18, s. 43 21.48.13 , 2022, c. 18, s. 43 21.48.14 , 2022, c. 18, s. 43 21.48.15 , 2022, c. 18, s. 43 21.48.16 , 2022, c. 18, s. 43 21.48.19 , 2022, c. 18, s. 111 21.48.20 , 2022, c. 18, s. 111 21.48.21 , 2022, c. 18, s. 111 21.48.22 , 2022, c. 18, s. 111 21.48.23 , 2022, c. 18, s. 111 21.48.24 , 2022, c. 18, s. 111 21.48.25 , 2022, c. 18, s. 111 21.48.26 , 2022, c. 18, s. 111 21.48.27 , 2022, c. 18, s. 111 21.48.28 , 2022, c. 18, s. 111 21.48.29 , 2022, c. 18, s. 111 21.48.30 , 2022, c. 18, s. 111 21.48.31 , 2022, c. 18, s. 111

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-65.1	Act respecting contracting by public bodies — <i>Cont'd</i> 21.48.32, 2022, c. 18, s. 111 22.2, 2022, c. 18, s. 8 22.3, 2022, c. 18, s. 8 22.4, 2022, c. 18, s. 8 23, 2022, c. 18, s. 112 24.3, 2022, c. 18, s. 113 24.4, 2022, c. 18, s. 113 24.5, 2022, c. 18, s. 113 24.6, 2022, c. 18, s. 113 24.7, 2022, c. 18, s. 113 25.0.4, 2022, c. 18, s. 44 25.0.5, 2022, c. 18, s. 45 27.1, 2022, c. 18, s. 114 27.5, 2022, c. 18, s. 47 27.6, 2022, c. 18, s. 48 27.9, 2022, c. 18, s. 49 27.10, 2022, c. 18, s. 50 27.10.0.1, 2022, c. 18, s. 51 27.13.1, 2022, c. 18, s. 52 27.14, 2022, c. 18, s. 53 27.15, 2022, c. 18, s. 54 27.16, 2022, c. 18, s. 54 27.17, 2022, c. 18, s. 54 27.18, 2022, c. 18, s. 54 27.19, 2022, c. 18, s. 54 27.20, 2022, c. 18, s. 54 27.21, 2022, c. 18, s. 54 27.22, 2022, c. 18, s. 54 27.23, 2022, c. 18, s. 54 27.24, 2022, c. 18, s. 54 27.25, 2022, c. 18, s. 54 27.26, 2022, c. 18, s. 54 27.27, 2022, c. 18, s. 54 27.28, 2022, c. 18, s. 54 27.29, 2022, c. 18, s. 54 27.30, 2022, c. 18, s. 54 27.31, 2022, c. 18, s. 54 27.32, 2022, c. 18, s. 54 27.33, 2022, c. 18, s. 54 27.34, 2022, c. 18, s. 54 27.35, 2022, c. 18, s. 54 27.36, 2022, c. 18, s. 54 59, 2022, c. 18, s. 115 Sched. I, 2022, c. 18, s. 55 Sched. II, 2022, c. 18, s. 56
c. C-67.2	Cooperatives Act 191, 2022, c. 25, s. 13 221.2.4, 2022, c. 25, s. 14 221.2.5, 2022, c. 25, s. 15 221.2.6, 2022, c. 25, s. 16 221.2.9, 2022, c. 25, s. 17
c. C-73.2	Real Estate Brokerage Act 3, 2022, c. 22, s. 228
c. D-11.1	Act to facilitate the disclosure of wrongdoings relating to public bodies 5, 2022, c. 18, s. 116 12, 2022, c. 18, s. 117 33, 2022, c. 18, s. 118 34, 2022, c. 18, s. 119

TABLE OF AMENDMENTS

Reference	Title Amendments
c. D-13.1	Act respecting hunting and fishing rights in the James Bay and New Québec territories 1 , 2022, c. 1, s. 2
c. D-15.1	Act respecting duties on transfers of immovables 20 , 2022, c. 22, s. 229
c. E-2.2	Act respecting elections and referendums in municipalities 131 , 2022, c. 22, s. 230 648.1 , 2022, c. 18, s. 120
c. E-2.3	Act respecting school elections to elect certain members of the boards of directors of English-language school service centres 58.3 , 2022, c. 22, s. 231 223.5 , 2022, c. 18, s. 121
c. E-3.3	Election Act 204 , 2022, c. 22, s. 232 569.1 , 2022, c. 18, s. 122
c. E-6.1	Act respecting the regulation of the financial sector 19.19 , Ab. 2022, c. 19, s. 132 19.20 , Ab. 2022, c. 19, s. 132 19.21 , Ab. 2022, c. 19, s. 132 19.22 , Ab. 2022, c. 19, s. 132 19.23 , Ab. 2022, c. 19, s. 132 19.25 , Ab. 2022, c. 19, s. 132
c. E-9.1	Act respecting private education 63.0.1 , 2022, c. 17, s. 70 63.1 , 2022, c. 17, s. 71 63.5 , 2022, c. 17, s. 72 63.8 , 2022, c. 17, s. 73 63.9 , 2022, c. 17, s. 74 63.10 , 2022, c. 17, s. 75 63.11 , 2022, c. 17, s. 76 65.2 , 2022, c. 17, s. 77
c. E-12.000001	Money-Services Businesses Act 83 , 2022, c. 3, s. 22
c. E-12.00001	Balanced Budget Act 7.1 , 2022, c. 3, s. 19 7.5 , 2022, c. 3, s. 20
c. E-12.01	Act respecting threatened or vulnerable species 25 , 2022, c. 8, s. 27 25.1 , 2022, c. 8, s. 28 25.2 , 2022, c. 8, s. 28 27 , 2022, c. 8, s. 29 28 , 2022, c. 8, s. 29 29 , 2022, c. 8, s. 29 30 , 2022, c. 8, s. 29 31 , 2022, c. 8, s. 29 33 , 2022, c. 8, s. 29 34 , 2022, c. 8, s. 29 34.1 , 2022, c. 8, s. 29 35 , 2022, c. 8, s. 29 36 , 2022, c. 8, s. 29 37 , 2022, c. 8, s. 29 38 , 2022, c. 8, s. 29 38.1 , 2022, c. 8, s. 29 39.1 , 2022, c. 8, s. 30

TABLE OF AMENDMENTS

Reference	Title Amendments
c. E-12.01	Act respecting threatened or vulnerable species — <i>Cont'd</i> 39.2 , 2022, c. 8, s. 30 39.3 , 2022, c. 8, s. 30 39.4 , 2022, c. 8, s. 30 39.5 , 2022, c. 8, s. 30 40 , 2022, c. 8, s. 31 41 , 2022, c. 8, s. 31 42 , 2022, c. 8, s. 31 43 , 2022, c. 8, s. 31 44 , 2022, c. 8, s. 31 45 , 2022, c. 8, s. 31 46 , 2022, c. 8, s. 31 47 , 2022, c. 8, s. 31 49 , 2022, c. 8, s. 32 49.1 , 2022, c. 8, s. 33
c. E-15.1.0.1	Municipal Ethics and Good Conduct Act 36.6 , 2022, c. 18, s. 123 36.7 , 2022, c. 18, s. 124
c. E-18	Executive Power Act 4 , 2022, c. 14, s. 148
c. F-2.01	Act respecting Financement-Québec 1 , 2022, c. 3, s. 32 10 , Ab. 2022, c. 3, s. 33 11 , Ab. 2022, c. 3, s. 33 12 , 2022, c. 3, s. 34 13.1 , 2022, c. 3, s. 35 13.2 , 2022, c. 3, s. 35 13.3 , 2022, c. 3, s. 35 13.4 , 2022, c. 3, s. 35 14 , Ab. 2022, c. 3, s. 36 15 , Ab. 2022, c. 3, s. 36 16 , Ab. 2022, c. 3, s. 36 17 , Ab. 2022, c. 3, s. 36 18 , Ab. 2022, c. 3, s. 36 19 , Ab. 2022, c. 3, s. 36 20 , Ab. 2022, c. 3, s. 36 21 , Ab. 2022, c. 3, s. 36 22 , Ab. 2022, c. 3, s. 36 23 , 2022, c. 3, s. 37 24 , 2022, c. 3, s. 38 25 , 2022, c. 3, s. 39 26 , 2022, c. 3, s. 40 29 , 2022, c. 3, s. 41 31 , Ab. 2022, c. 3, s. 42 31.1 , 2022, c. 3, s. 43 31.2 , 2022, c. 3, s. 43 31.3 , 2022, c. 3, s. 43 31.4 , 2022, c. 3, s. 43 31.5 , 2022, c. 3, s. 43 31.6 , 2022, c. 3, s. 43 31.7 , 2022, c. 3, s. 43 32 , Ab. 2022, c. 3, s. 44 33 , Ab. 2022, c. 3, s. 44 34 , Ab. 2022, c. 3, s. 44 35 , Ab. 2022, c. 3, s. 44 36 , 2022, c. 3, s. 45 38 , 2022, c. 3, s. 46 40 , Ab. 2022, c. 3, s. 47 44 , 2022, c. 3, s. 48 46 , 2022, c. 3, s. 49 67 , Ab. 2022, c. 3, s. 50

TABLE OF AMENDMENTS

Reference	Title Amendments
c. F-2.1	Act respecting municipal taxation 220.3 , 2022, c. 3, s. 2 220.4 , Ab. 2022, c. 3, s. 3 253.31 , 2022, c. 3, s. 18
c. F-3.1.2	Act to establish Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi 4.2 , 2022, c. 22, s. 233
c. F-3.2.0.1.1	Act respecting the Fonds d'aide aux actions collectives 8 , 2022, c. 19, s. 133 12 , 2022, c. 19, s. 134
c. F-3.2.1	Act to establish the Fonds de solidarité des travailleurs du Québec (F.T.Q.) 4.1 , 2022, c. 22, s. 234
c. G-1.02	Act respecting the governance of state-owned enterprises 2 , 2022, c. 19, s. 1 3 , 2022, c. 19, s. 2 3.1 , 2022, c. 19, s. 3 3.2 , 2022, c. 19, s. 3 3.3 , 2022, c. 19, s. 3 3.4 , 2022, c. 19, s. 3 3.5 , 2022, c. 19, s. 3 3.6 , 2022, c. 19, s. 3 3.7 , 2022, c. 19, s. 3 8 , 2022, c. 19, s. 4 9 , 2022, c. 19, s. 5 11.1 , 2022, c. 19, s. 6 12 , 2022, c. 19, s. 7 13 , 2022, c. 19, s. 8 15 , 2022, c. 19, s. 9 19 , 2022, c. 19, s. 10 22 , 2022, c. 19, s. 11 23 , 2022, c. 19, s. 12 24 , 2022, c. 19, s. 13 25 , 2022, c. 19, s. 14 26 , 2022, c. 19, s. 15 27 , 2022, c. 19, s. 16 33 , Ab. 2022, c. 19, s. 17 34 , 2022, c. 19, s. 18 35 , 2022, c. 19, s. 19 36 , 2022, c. 19, s. 20 38 , 2022, c. 19, s. 21 39 , 2022, c. 19, s. 22 39.1 , 2022, c. 19, s. 22 39.2 , 2022, c. 19, s. 22 39.3 , 2022, c. 19, s. 22 43 , 2022, c. 19, s. 23 Sched. I , 2022, c. 19, s. 24
c. G-1.031	Act respecting the Cree Nation Government 1 , 2022, c. 1, s. 3
c. H-1.1	Act respecting Héma-Québec and the biovigilance committee 7 , 2022, c. 19, ss. 136, 433 9 , Ab. 2022, c. 19, s. 137 10 , 2022, c. 19, s. 138 11 , Ab. 2022, c. 19, s. 139 12 , 2022, c. 19, ss. 140, 433 13 , 2022, c. 19, s. 433

TABLE OF AMENDMENTS

Reference	Title Amendments
c. H-1.1	Act respecting Héma-Québec and the biovigilance committee — <i>Cont'd</i> 14 , 2022, c. 19, s. 141 15 , 2022, c. 19, s. 433 16 , 2022, c. 19, ss. 142, 433 17 , 2022, c. 19, s. 433 22 , 2022, c. 19, s. 431 23 , 2022, c. 19, s. 431 32 , 2022, c. 19, s. 433 34 , 2022, c. 19, s. 433 54.5 , 2022, c. 19, s. 433
c. H-4.2	Petroleum Resources Act (<i>Act respecting natural gas storage and natural gas and oil pipelines</i>) Title , 2022, c. 10, s. 11 1 , 2022, c. 10, s. 12 2 , Ab. 2022, c. 10, s. 13 3 , 2022, c. 10, s. 14 5 , 2022, c. 10, s. 15 6 , 2022, c. 10, s. 16 9 , 2022, c. 10, s. 18 10 , 2022, c. 10, s. 19 11 , 2022, c. 10, s. 20 12 , 2022, c. 10, s. 21 13 , Ab. 2022, c. 10, s. 22 14 , Ab. 2022, c. 10, s. 22 15 , 2022, c. 10, s. 23 16 , Ab. 2022, c. 10, s. 24 17 , Ab. 2022, c. 10, s. 24 18 , Ab. 2022, c. 10, s. 24 19 , Ab. 2022, c. 10, s. 24 20 , Ab. 2022, c. 10, s. 24 21 , Ab. 2022, c. 10, s. 24 22 , Ab. 2022, c. 10, s. 24 23 , Ab. 2022, c. 10, s. 24 24 , Ab. 2022, c. 10, s. 24 25 , Ab. 2022, c. 10, s. 24 26 , Ab. 2022, c. 10, s. 24 27 , Ab. 2022, c. 10, s. 24 28 , Ab. 2022, c. 10, s. 24 29 , Ab. 2022, c. 10, s. 24 30 , Ab. 2022, c. 10, s. 24 31 , Ab. 2022, c. 10, s. 24 32 , Ab. 2022, c. 10, s. 24 33 , Ab. 2022, c. 10, s. 24 34 , Ab. 2022, c. 10, s. 24 35 , Ab. 2022, c. 10, s. 24 36 , Ab. 2022, c. 10, s. 24 37 , Ab. 2022, c. 10, s. 24 38 , Ab. 2022, c. 10, s. 24 39 , Ab. 2022, c. 10, s. 24 40 , Ab. 2022, c. 10, s. 24 41 , 2022, c. 10, s. 27 42 , 2022, c. 10, s. 28 43 , 2022, c. 10, s. 29 46 , Ab. 2022, c. 10, s. 30 48 , Ab. 2022, c. 10, s. 32 49 , 2022, c. 10, s. 33 49.1 , 2022, c. 10, s. 34 49.2 , 2022, c. 10, s. 34 49.3 , 2022, c. 10, s. 34 49.4 , 2022, c. 10, s. 34 49.5 , 2022, c. 10, s. 34 49.6 , 2022, c. 10, s. 34

TABLE OF AMENDMENTS

Reference	Title Amendments
c. H-4.2	Petroleum Resources Act <i>(Act respecting natural gas storage and natural gas and oil pipelines)</i> — <i>Cont'd</i> 50, 2022, c. 10, s. 35 51, 2022, c. 10, s. 36 52, 2022, c. 10, s. 37 53, 2022, c. 10, s. 38 54, 2022, c. 10, s. 39 55, 2022, c. 10, s. 40 56, 2022, c. 10, s. 41 57, 2022, c. 10, s. 42 58, 2022, c. 10, s. 43 59, 2022, c. 10, s. 44 60, 2022, c. 10, s. 45 61, 2022, c. 10, s. 46 62, Ab. 2022, c. 10, s. 47 63, Ab. 2022, c. 10, s. 47 64, Ab. 2022, c. 10, s. 47 65, 2022, c. 10, s. 49 68, Ab. 2022, c. 10, s. 50 69, Ab. 2022, c. 10, s. 50 70, Ab. 2022, c. 10, s. 50 71, Ab. 2022, c. 10, s. 50 75, Ab. 2022, c. 10, s. 51 76, Ab. 2022, c. 10, s. 51 84, 2022, c. 10, s. 52 87, Ab. 2022, c. 10, s. 53 88, Ab. 2022, c. 10, s. 53 89, Ab. 2022, c. 10, s. 53 101, 2022, c. 10, s. 54 106, 2022, c. 10, s. 55 112, 2022, c. 10, s. 56 113, 2022, c. 8, s. 34 119, 2022, c. 10, s. 57 120, 2022, c. 10, s. 58 124, 2022, c. 10, s. 59 125, 2022, c. 10, s. 60 128, 2022, c. 10, s. 61 129, 2022, c. 10, s. 62 130, 2022, c. 10, s. 63 132, 2022, c. 10, s. 65 134, 2022, c. 10, s. 66 136, 2022, c. 10, s. 67 138, 2022, c. 10, s. 68 140, 2022, c. 10, s. 69 141, Ab. 2022, c. 10, s. 70 142, 2022, c. 10, s. 71 144, 2022, c. 10, s. 72 145, 2022, c. 10, s. 73 149, 2022, c. 10, s. 74 150, 2022, c. 10, s. 75 153, 2022, c. 10, s. 76 160, 2022, c. 10, s. 77 187, 2022, c. 10, s. 78 188, 2022, c. 10, s. 79 199, 2022, c. 10, s. 80 200, 2022, c. 10, s. 81 207, 2022, c. 10, s. 82 207.1, 2022, c. 10, s. 83
c. H-5	Hydro-Québec Act 4.0.0.1, 2022, c. 19, s. 143 4.0.0.2, 2022, c. 19, s. 143 4.0.0.3, 2022, c. 19, s. 143

TABLE OF AMENDMENTS

Reference	Title Amendments
c. H-5	Hydro-Québec Act — <i>Cont'd</i> 4.0.10, 2022, c. 19, s. 144 5, 2022, c. 19, s. 145 7.2, 2022, c. 19, s. 146 7.6, 2022, c. 19, s. 147 7.9, 2022, c. 19, s. 148 7.10, 2022, c. 19, s. 149 7.11, 2022, c. 19, s. 150 7.12, 2022, c. 19, s. 151 7.13, 2022, c. 19, s. 152 11.6, 2022, c. 19, s. 153 11.13, 2022, c. 19, s. 154 19, 2022, c. 19, s. 155 20, 2022, c. 19, s. 431 20.1, 2022, c. 19, s. 157 20.3, 2022, c. 19, s. 158 20.4, 2022, c. 19, s. 159 20.5, 2022, c. 19, s. 159 20.6, 2022, c. 19, s. 159 20.7, 2022, c. 19, s. 159 21.5, 2022, c. 19, s. 161 61.2, 2022, c. 19, s. 162
c. I-3	Taxation Act 1, 2022, c. 23, s. 28 2.2, 2022, c. 23, s. 29 8.1, 2022, c. 23, s. 30 25, 2022, c. 23, s. 31 133.5, 2022, c. 20, s. 34 312, 2022, c. 23, s. 32 313.10, 2022, c. 23, s. 33 313.15, 2022, c. 23, s. 34 339, 2022, c. 23, s. 35 346.0.1, 2022, c. 20, s. 35 421.4.1, 2022, c. 20, s. 36 600.0.3, 2022, c. 23, s. 36 613.2, 2022, c. 23, s. 37 613.6, 2022, c. 23, s. 38 693, 2022, c. 23, s. 39 725.1.3, 2022, c. 23, s. 40 725.2, 2022, c. 23, s. 41 725.5.1, 2022, c. 23, s. 42 725.5.2, 2022, c. 23, s. 42 725.5.3, 2022, c. 23, s. 42 725.5.4, 2022, c. 23, s. 42 725.5.5, 2022, c. 23, s. 42 725.5.6, 2022, c. 23, s. 42 725.5.7, 2022, c. 23, s. 42 725.5.8, 2022, c. 23, s. 42 725.5.9, 2022, c. 23, s. 42 726.26, 2022, c. 20, s. 37 727, 2022, c. 23, s. 43 728.0.1, 2022, c. 23, s. 44 733.0.1, 2022, c. 23, s. 45 733.0.6, Ab. 2022, c. 23, s. 46 733.0.7, Ab. 2022, c. 23, s. 46 733.0.8, Ab. 2022, c. 23, s. 46 737.0.1, 2022, c. 23, s. 47 737.14, Ab. 2022, c. 23, s. 48 737.16, 2022, c. 23, s. 49 737.16.1, Ab. 2022, c. 23, s. 50 737.17, Ab. 2022, c. 23, s. 51 737.18.0.1, Ab. 2022, c. 23, s. 52

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-3	Taxation Act — <i>Cont'd</i> 737.18.18, Ab. 2022, c. 23, s. 53 737.18.19, Ab. 2022, c. 23, s. 53 737.18.20, Ab. 2022, c. 23, s. 53 737.18.21, Ab. 2022, c. 23, s. 53 737.18.22, Ab. 2022, c. 23, s. 53 737.18.23, Ab. 2022, c. 23, s. 53 737.18.24, Ab. 2022, c. 23, s. 53 737.18.25, Ab. 2022, c. 23, s. 53 737.18.26, Ab. 2022, c. 23, s. 53 737.18.26.1, Ab. 2022, c. 23, s. 53 737.18.29, Ab. 2022, c. 23, s. 53 737.18.29.1, Ab. 2022, c. 23, s. 53 737.18.29.2, Ab. 2022, c. 23, s. 53 737.18.30, Ab. 2022, c. 23, s. 53 737.18.30.1, Ab. 2022, c. 23, s. 53 737.18.30.2, Ab. 2022, c. 23, s. 53 737.18.30.3, Ab. 2022, c. 23, s. 53 737.18.31, Ab. 2022, c. 23, s. 53 737.18.32, Ab. 2022, c. 23, s. 53 737.18.33, Ab. 2022, c. 23, s. 53 737.18.34, Ab. 2022, c. 23, s. 53 737.18.35, Ab. 2022, c. 23, s. 53 737.18.44, 2022, c. 23, s. 54 737.19.2, 2022, c. 23, s. 55 737.20, 2022, c. 23, s. 56 752.0.8, 2022, c. 23, s. 57 752.0.10, 2022, c. 23, s. 58 752.0.11.1.3, 2022, c. 23, s. 59 752.0.13.1, 2022, c. 23, s. 60 752.0.18.7, 2022, c. 23, s. 61 752.0.18.9, 2022, c. 23, s. 62 767, 2022, c. 23, s. 63 771.2.2, Ab. 2022, c. 23, s. 64 771.2.6, Ab. 2022, c. 23, s. 65 771.2.7, Ab. 2022, c. 23, s. 65 772.2, 2022, c. 23, s. 66 772.7, 2022, c. 23, s. 67 772.9, 2022, c. 23, s. 68 772.11, 2022, c. 23, s. 69 851.56, 2022, c. 23, s. 71 869.1, 2022, c. 23, s. 72 869.2, 2022, c. 23, s. 73 869.3, 2022, c. 23, s. 74 869.4, 2022, c. 23, s. 75 869.5, 2022, c. 23, s. 76 869.6, 2022, c. 23, s. 77 869.12, 2022, c. 23, s. 78 869.14, 2022, c. 23, s. 79 869.15, 2022, c. 23, s. 79 869.16, 2022, c. 23, s. 79 869.17, 2022, c. 23, s. 79 869.18, 2022, c. 23, s. 79 890.0.1, 2022, c. 23, s. 80 913, 2022, c. 23, s. 81 961.17, 2022, c. 23, s. 82 961.21.1, 2022, c. 23, s. 83 965.0.5, 2022, c. 23, s. 84 965.0.17.2, 2022, c. 23, s. 85 965.0.19, 2022, c. 23, s. 86 965.0.35, 2022, c. 23, s. 87 965.0.38, 2022, c. 23, s. 88 965.0.39, 2022, c. 23, s. 88

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-3	Taxation Act — <i>Cont'd</i> 965.0.40, 2022, c. 23, s. 88 965.0.41, 2022, c. 23, s. 88 965.0.42, 2022, c. 23, s. 88 965.0.43, 2022, c. 23, s. 88 965.0.44, 2022, c. 23, s. 88 1015, 2022, c. 23, s. 89 1015.0.1, 2022, c. 23, s. 90 1029.6.0.0.1, 2022, c. 23, s. 91 1029.6.0.1, 2022, c. 23, s. 92 1029.6.0.1.7.1, Ab. 2022, c. 23, s. 93 1029.6.0.1.8, 2022, c. 23, s. 94 1029.6.0.6, 2022, c. 23, s. 95 1029.6.0.7, 2022, c. 23, s. 96 1029.8.21.17, 2022, c. 23, s. 97 1029.8.36.0.0.7, 2022, c. 20, s. 38 1029.8.36.0.0.10, 2022, c. 20, s. 39 1029.8.36.10, 2022, c. 23, s. 98 1029.8.36.11, 2022, c. 23, s. 99 1029.8.36.12, 2022, c. 23, s. 100 1029.8.36.15, 2022, c. 23, s. 101 1029.8.36.59.49, 2022, c. 23, s. 102 1029.8.36.59.49.1, 2022, c. 23, s. 103 1029.8.36.59.49.2, 2022, c. 23, s. 103 1029.8.36.59.49.3, 2022, c. 23, s. 103 1029.8.36.59.58, 2022, c. 23, s. 104 1029.8.36.72.82.13, 2022, c. 23, s. 105 1029.8.36.166.40, 2022, c. 23, s. 106 1029.8.36.166.41, Ab. 2022, c. 23, s. 107 1029.8.36.166.42, 2022, c. 23, s. 108 1029.8.36.166.43, 2022, c. 23, s. 109 1029.8.36.166.44, 2022, c. 23, s. 110 1029.8.36.166.45, 2022, c. 23, s. 111 1029.8.36.166.45.1, 2022, c. 23, s. 112 1029.8.36.166.45.2, 2022, c. 23, s. 113 1029.8.36.166.60.29, 2022, c. 23, s. 114 1029.8.36.166.62, 2022, c. 23, s. 115 1029.8.61.104, 2022, c. 23, s. 116 1029.8.66.1, 2022, c. 23, s. 117 1029.8.67, 2022, c. 23, s. 118 1029.8.80, 2022, c. 23, s. 119 1029.8.80.2, 2022, c. 23, s. 120 1029.8.80.3, Ab. 2022, c. 23, s. 121 1029.8.116.41, 2022, c. 23, s. 122 1029.8.116.42, 2022, c. 23, s. 122 1029.8.116.43, 2022, c. 23, s. 122 1038, 2022, c. 23, s. 123 1050, 2022, c. 23, s. 124 1079.8.1, 2022, c. 23, s. 125 1079.8.37, 2022, c. 23, s. 126 1089, 2022, c. 23, s. 127 1090, 2022, c. 23, s. 128 1091, 2022, c. 23, s. 129 1120.0.0.1, 2022, c. 23, s. 130 1129.0.9.1.1, 2022, c. 23, s. 131 1129.40.1, 2022, c. 23, s. 132 1129.41.0.3, 2022, c. 23, s. 133 1129.41.0.4, 2022, c. 23, s. 134 1129.41.0.8, 2022, c. 23, s. 135 1129.41.0.9, 2022, c. 23, s. 136 1129.44.2.1, 2022, c. 23, s. 137 1129.45.0.3, 2022, c. 23, s. 138 1129.45.0.4, 2022, c. 23, s. 139

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-3	Taxation Act — <i>Cont'd</i> 1129.45.0.8, 2022, c. 23, s. 140 1129.45.0.9, 2022, c. 23, s. 141 1129.45.3.5.3, 2022, c. 23, s. 142 1129.45.3.5.9, 2022, c. 23, s. 143 1129.45.20, 2022, c. 23, s. 144 1129.45.25, 2022, c. 23, s. 145 1129.45.30, 2022, c. 23, s. 146 1129.45.41.14, 2022, c. 23, s. 147 1129.45.41.18.3, 2022, c. 23, s. 148 1129.45.41.18.10, 2022, c. 23, s. 149 1129.45.44, 2022, c. 23, s. 150 1129.45.44.1, 2022, c. 23, s. 151 1138.2.3, Ab. 2022, c. 23, s. 152 1138.2.3.1, Ab. 2022, c. 23, s. 152 1138.2.4, Ab. 2022, c. 23, s. 152 1175.19.2, 2022, c. 23, s. 153 1175.39, 2022, c. 23, s. 154 1175.40, 2022, c. 23, s. 155
c. I-8.1	Act respecting offences relating to alcoholic beverages 103.2, 2022, c. 22, s. 235 103.6, 2022, c. 22, s. 236 103.8, 2022, c. 22, s. 237
c. I-8.3	Public Infrastructure Act 62, 2022, c. 19, s. 163 63, Ab. 2022, c. 19, s. 164 64, 2022, c. 19, s. 165 65, 2022, c. 19, s. 166 67, 2022, c. 19, s. 167 68, 2022, c. 19, s. 168 71, Ab. 2022, c. 19, s. 169 72, 2022, c. 19, s. 170 90, 2022, c. 19, s. 171 91, 2022, c. 19, s. 431 92, 2022, c. 19, s. 431
c. I-13.011	Act respecting the Institut de la statistique du Québec 3.1, 2022, c. 14, s. 149 14, 2022, c. 19, s. 172 15, 2022, c. 19, s. 173 16, 2022, c. 19, s. 174 17, 2022, c. 19, s. 175 18, 2022, c. 19, s. 176 19, 2022, c. 19, s. 177 21, 2022, c. 19, s. 178 25, 2022, c. 19, s. 179
c. I-13.012	Act respecting the Institut de technologie agroalimentaire du Québec 59, 2022, c. 19, s. 180
c. I-13.02	Act respecting the Institut de tourisme et d'hôtellerie du Québec 32, 2022, c. 19, s. 181
c. I-13.03	Act respecting the Institut national d'excellence en santé et en services sociaux 16, Ab. 2022, c. 19, s. 182 17, Ab. 2022, c. 19, s. 182 18, Ab. 2022, c. 19, s. 182 19, Ab. 2022, c. 19, s. 182 20, 2022, c. 19, s. 184 21, 2022, c. 19, s. 185

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-13.03	Act respecting the Institut national d'excellence en santé et en services sociaux — <i>Cont'd</i> 22, Ab. 2022, c. 19, s. 186 23, Ab. 2022, c. 19, s. 187 24, Ab. 2022, c. 19, s. 187 25, Ab. 2022, c. 19, s. 187 26, Ab. 2022, c. 19, s. 187 27, Ab. 2022, c. 19, s. 187 28, 2022, c. 19, s. 189 29, Ab. 2022, c. 19, s. 190 31, Ab. 2022, c. 19, s. 190 32, Ab. 2022, c. 19, s. 190 33, 2022, c. 19, s. 191 35, Ab. 2022, c. 19, s. 192 36, Ab. 2022, c. 19, s. 192 38, Ab. 2022, c. 19, s. 193 39, Ab. 2022, c. 19, s. 193 45, 2022, c. 19, s. 194
c. I-13.1.1	Act respecting Institut national de santé publique du Québec 9, 2022, c. 19, s. 195 10, Ab. 2022, c. 19, s. 196 11, Ab. 2022, c. 19, s. 196 12, Ab. 2022, c. 19, s. 196 13, 2022, c. 19, ss. 197, 432 14, Ab. 2022, c. 19, s. 198 15, Ab. 2022, c. 19, s. 198 16, 2022, c. 19, ss. 199, 432 17, 2022, c. 19, ss. 432, 433 25, 2022, c. 19, s. 431 26, 2022, c. 19, s. 431 42, 2022, c. 19, s. 432
c. I-13.2.2	Deposit Institutions and Deposit Protection Act 40.8, 2022, c. 19, s. 200
c. I-13.3	Education Act 9, 2022, c. 17, s. 78 10, 2022, c. 17, s. 78 11, 2022, c. 17, s. 78 12, 2022, c. 17, s. 78 75.1, 2022, c. 17, s. 79 83.1, 2022, c. 17, s. 80 96.12, 2022, c. 17, s. 81 96.14, 2022, c. 17, s. 82 187.1, 2022, c. 17, s. 83 214.1, 2022, c. 17, s. 84 214.2, 2022, c. 17, s. 85 215, 2022, c. 17, s. 86 220, 2022, c. 17, s. 87 220.1, 2022, c. 17, s. 88 220.2, 2022, c. 17, s. 89 242, 2022, c. 17, s. 90 272.17, Ab. 2022, c. 25, s. 18 272.18, Ab. 2022, c. 25, s. 18 272.19, Ab. 2022, c. 25, s. 18 272.20, Ab. 2022, c. 25, s. 18 272.21, Ab. 2022, c. 25, s. 18 272.22, Ab. 2022, c. 25, s. 18 457.3, Ab. 2022, c. 17, s. 91 479, 2022, c. 17, s. 92

TABLE OF AMENDMENTS

Reference	Title Amendments
c. I-14	The Education Act for Cree, Inuit and Naskapi Native Persons 569 , 2022, c. 1, s. 4
c. I-16	Interpretation Act 40.1 , 2022, c. 14, s. 150 40.2 , 2022, c. 14, s. 150 40.3 , 2022, c. 14, s. 150 61.2 , 2022, c. 22, s. 150
c. I-16.0.1	Act respecting Investissement Québec 23 , 2022, c. 19, s. 431 35.2 , 2022, c. 10, s. 85 35.9 , 2022, c. 19, s. 431 37 , Ab. 2022, c. 19, s. 201 38 , Ab. 2022, c. 19, s. 201 39 , Ab. 2022, c. 19, s. 201 41 , Ab. 2022, c. 19, s. 201 42 , 2022, c. 19, s. 202 43 , Ab. 2022, c. 19, s. 203 45 , 2022, c. 19, s. 204 54 , 2022, c. 19, s. 205 69 , 2022, c. 19, s. 206 74 , 2022, c. 19, s. 207 76 , 2022, c. 19, s. 431 77 , 2022, c. 19, s. 208
c. J-3	Act respecting administrative justice 119 , 2022, c. 13, s. 82 Sched. III , 2022, c. 8, s. 35 Sched. IV , 2022, c. 14, s. 151; 2022, c. 18, s. 125
c. L-0.1	Act respecting La Financière agricole du Québec 6 , 2022, c. 19, s. 209 6.2 , Ab. 2022, c. 19, s. 210 6.3 , Ab. 2022, c. 19, s. 210 6.4 , Ab. 2022, c. 19, s. 210 6.5 , 2022, c. 19, s. 211 6.6 , Ab. 2022, c. 19, s. 212 9 , Ab. 2022, c. 19, s. 212 43 , 2022, c. 19, s. 431 44 , 2022, c. 19, s. 431 45 , 2022, c. 19, s. 431 47 , Ab. 2022, c. 19, s. 212
c. L-6.1	Anti-Corruption Act 2 , 2022, c. 18, s. 57 10 , 2022, c. 18, s. 58 13.1 , 2022, c. 18, s. 59 14.1 , 2022, c. 18, s. 126 15 , 2022, c. 18, s. 60 34 , 2022, c. 18, s. 127 35.7 , 2022, c. 18, s. 128
c. L-6.3	Act to combat maltreatment of seniors and other persons of full age in vulnerable situations 2 , 2022, c. 6, s. 1 3 , 2022, c. 6, s. 2 4.1 , 2022, c. 6, s. 3 4.2 , 2022, c. 6, s. 3 5 , 2022, c. 6, s. 4 7 , 2022, c. 6, s. 5 8 , 2022, c. 6, s. 6

TABLE OF AMENDMENTS

Reference	Title Amendments
c. L-6.3	Act to combat maltreatment of seniors and other persons of full age in vulnerable situations — <i>Cont'd</i> 9 , 2022, c. 6, s. 7 10 , Ab. 2022, c. 6, s. 8 11 , Ab. 2022, c. 6, s. 8 12 , Ab. 2022, c. 6, s. 8 13 , 2022, c. 6, s. 9 14 , 2022, c. 6, s. 10 16 , 2022, c. 6, s. 11 17 , 2022, c. 6, s. 11 18 , 2022, c. 6, s. 11 19 , 2022, c. 6, s. 11 20 , 2022, c. 6, s. 11 20.1 , 2022, c. 6, s. 11 20.2 , 2022, c. 6, s. 11 20.3 , 2022, c. 6, s. 11 20.4 , 2022, c. 6, s. 11 20.5 , 2022, c. 6, s. 11 20.6 , 2022, c. 6, s. 11 20.7 , 2022, c. 6, s. 11 20.8 , 2022, c. 6, s. 11 21 , 2022, c. 6, s. 13 21.1 , 2022, c. 6, s. 14 22.1 , 2022, c. 6, s. 15 22.2 , 2022, c. 6, s. 15 22.3 , 2022, c. 6, s. 15 22.4 , 2022, c. 6, s. 15 22.5 , 2022, c. 6, s. 15 22.6 , 2022, c. 6, s. 15 22.7 , 2022, c. 6, s. 15 22.8 , 2022, c. 6, s. 15 22.9 , 2022, c. 6, s. 15 39 , Ab. 2022, c. 6, s. 16 40 , 2022, c. 6, s. 17
c. M-9	Medical Act 14.1 , 2022, c. 16, s. 18
c. M-13.1	Mining Act 69 , 2022, c. 8, s. 44 69.1 , 2022, c. 8, s. 44 69.2 , 2022, c. 8, s. 44 291 , 2022, c. 8, s. 45 306 , 2022, c. 8, s. 46 316 , 2022, c. 8, s. 47
c. M-15.001	Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail 57.2 , 2022, c. 22, s. 151
c. M-15.1.0.1	Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie 25 , 2022, c. 19, s. 213 26 , 2022, c. 19, s. 214 28 , Ab. 2022, c. 19, s. 215 29 , Ab. 2022, c. 19, s. 215 30 , 2022, c. 19, s. 216 31 , 2022, c. 19, s. 217 32 , 2022, c. 19, s. 218 34 , Ab. 2022, c. 19, s. 219 35 , Ab. 2022, c. 19, s. 219 36 , 2022, c. 19, s. 220

TABLE OF AMENDMENTS

Reference	Title Amendments
c. M-15.1.0.1	Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie — <i>Cont'd</i> 41.1 , 2022, c. 14, s. 152 42 , 2022, c. 19, s. 221 48 , 2022, c. 19, s. 222 58 , 2022, c. 19, s. 223 60 , 2022, c. 19, s. 224
c. M-16.1	Act respecting the Ministère de l'Immigration, de la Diversité et de l'Inclusion (<i>Act respecting the Ministère de l'Immigration, de la Francisation et de l'Intégration</i>) Title , 2022, c. 14, s. 153
c. M-17.1	Act respecting the Ministère de la Culture et des Communications 22.5 , 2022, c. 3, s. 60
c. M-17.2	Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine 3 , 2022, c. 22, s. 238
c. M-19.2	Act respecting the Ministère de la Santé et des Services sociaux 3 , 2022, c. 11, s. 65 5.1.1 , 2022, c. 11, s. 66
c. M-22.1	Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire 15 , 2022, c. 25, s. 19 17 , 2022, c. 25, s. 20
c. M-24.01	Act respecting the Ministère des Finances 4.1 , 2022, c. 19, s. 225
c. M-25.2	Act respecting the Ministère des Ressources naturelles et de la Faune 17.12.12 , 2022, c. 10, s. 86 17.12.19 , 2022, c. 10, s. 87 17.12.22 , 2022, c. 10, s. 88
c. M-28	Act respecting the Ministère des Transports 12.39.1 , 2022, c. 13, s. 83
c. M-30.001	Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs 9.1 , 2022, c. 8, s. 36 13 , 2022, c. 8, s. 37 13.1 , 2022, c. 8, s. 37 13.2 , 2022, c. 8, s. 37 13.3 , 2022, c. 8, s. 37 14 , 2022, c. 8, s. 37 15.4.40 , 2022, c. 8, s. 38 15.4.41 , 2022, c. 8, s. 39 15.4.41.1 , 2022, c. 8, s. 40 15.4.41.2 , 2022, c. 8, s. 41 15.4.41.3 , Ab. 2022, c. 8, s. 42 15.4.41.4 , 2022, c. 8, s. 43 15.4.41.5 , 2022, c. 8, s. 43
c. M-34	Government Departments Act 1 , 2022, c. 14, s. 154
c. M-42	Act respecting the Montréal Museum of Fine Arts 29 , 2022, c. 3, s. 54 30.1 , 2022, c. 3, s. 55

TABLE OF AMENDMENTS

Reference	Title Amendments
c. M-44	National Museums Act 7, 2022, c. 19, s. 226 8, Ab. 2022, c. 19, s. 227 9, Ab. 2022, c. 19, s. 227 10, 2022, c. 19, s. 228 11, 2022, c. 19, s. 229 12, Ab. 2022, c. 19, s. 230 13, Ab. 2022, c. 19, s. 230 14, Ab. 2022, c. 19, s. 230 16, Ab. 2022, c. 19, s. 230 17, Ab. 2022, c. 19, s. 230 18, Ab. 2022, c. 19, s. 230 19, Ab. 2022, c. 19, s. 230 20, Ab. 2022, c. 19, s. 230 21, Ab. 2022, c. 19, s. 230 22, Ab. 2022, c. 19, s. 230 22.1, Ab. 2022, c. 19, s. 230 22.3, Ab. 2022, c. 19, s. 230 22.4, Ab. 2022, c. 19, s. 230 22.5, 2022, c. 19, s. 231 22.6, 2022, c. 19, s. 232 22.8, 2022, c. 19, s. 233 22.11, Ab. 2022, c. 19, s. 234 22.12, Ab. 2022, c. 19, s. 234 22.14, Ab. 2022, c. 19, s. 234 31, 2022, c. 19, s. 235 33, 2022, c. 19, s. 236 37, 2022, c. 19, s. 431 38.1, Ab. 2022, c. 19, s. 237 38.2, Ab. 2022, c. 19, s. 237
c. N-1.1	Act respecting labour standards 1, 2022, c. 22, s. 152 3.1, 2022, c. 17, s. 93 74, 2022, c. 22, s. 153 79.6.1, 2022, c. 22, s. 154 79.7, 2022, c. 22, s. 155 79.8, 2022, c. 22, s. 156 79.8.1, 2022, c. 22, s. 157 79.11, 2022, c. 22, s. 158 80, 2022, c. 22, s. 159 80.1, 2022, c. 22, s. 160 81, 2022, c. 22, s. 161 81.3, 2022, c. 2, s. 38 81.4, 2022, c. 22, s. 162 81.4.1, 2022, c. 22, s. 163 81.5, 2022, c. 22, s. 164 81.5.1, 2022, c. 22, s. 165 81.5.2, 2022, c. 22, s. 166 81.6, 2022, c. 2, s. 39; 2022, c. 22, s. 167 81.8, 2022, c. 22, s. 168 81.9, 2022, c. 22, s. 169 81.14.1, 2022, c. 22, s. 170 81.14.2, 2022, c. 22, s. 171 81.15, 2022, c. 22, s. 172 81.15.1, 2022, c. 22, s. 173 81.17, 2022, c. 22, s. 174 102, 2022, c. 22, s. 175 122, 2022, c. 17, s. 94; 2022, c. 22, s. 176 123.2, 2022, c. 22, s. 177 124, 2022, c. 22, s. 178 140, 2022, c. 17, s. 95

TABLE OF AMENDMENTS

Reference	Title Amendments
c. N-3	Notaries Act 26.1 , 2022, c. 26, s. 8 26.2 , 2022, c. 26, s. 8 26.3 , 2022, c. 26, s. 8 26.4 , 2022, c. 26, s. 8
c. O-2.1	Act respecting the Cree Hunters and Trappers Income Security Board (<i>Act respecting the Cree Hunters Economic Security Board</i>) Title , 2022, c. 1, s. 5 1 , 2022, c. 1, s. 6 2 , 2022, c. 1, s. 7 3 , 2022, c. 1, s. 8 18 , 2022, c. 1, s. 9 22.1 , 2022, c. 1, s. 10 25 , 2022, c. 1, s. 11
c. O-5.2	Act to establish the Office Québec-Monde pour la jeunesse 8 , 2022, c. 19, s. 238 9 , 2022, c. 19, s. 239 10 , 2022, c. 19, s. 240 11 , 2022, c. 19, s. 241 12 , Ab. 2022, c. 19, s. 242 13 , 2022, c. 19, s. 243 15 , Ab. 2022, c. 19, s. 244 16 , Ab. 2022, c. 19, s. 244 17 , 2022, c. 19, s. 245 33 , 2022, c. 19, s. 431 34 , 2022, c. 19, s. 431
c. O-7.2	Act to modify the organization and governance of the health and social services network, in particular by abolishing the regional agencies 50 , 2022, c. 11, s. 67 50.2 , 2022, c. 6, s. 18
c. O-9	Act respecting municipal territorial organization 86.1 , 2022, c. 14, s. 155
c. P-5.1	Act respecting the sectoral parameters of certain fiscal measures 38 , 2022, c. 23, s. 156 1.1 (Sched. A) , 2022, c. 23, s. 157 3.1 (Sched. A) , Ab. 2022, c. 23, s. 158 3.2 (Sched. A) , Ab. 2022, c. 23, s. 158 3.3 (Sched. A) , Ab. 2022, c. 23, s. 158 3.4 (Sched. A) , Ab. 2022, c. 23, s. 158 3.5 (Sched. A) , Ab. 2022, c. 23, s. 158 3.6 (Sched. A) , Ab. 2022, c. 23, s. 158 1.1 (Sched. E) , 2022, c. 23, s. 159 3.1 (Sched. E) , 2022, c. 23, s. 160 3.6 (Sched. E) , 2022, c. 23, s. 161 3.9 (Sched. E) , 2022, c. 23, s. 162 3.10 (Sched. E) , 2022, c. 23, s. 163 5.1 (Sched. E) , Ab. 2022, c. 23, s. 164 5.2 (Sched. E) , Ab. 2022, c. 23, s. 164 5.3 (Sched. E) , Ab. 2022, c. 23, s. 164 5.4 (Sched. E) , Ab. 2022, c. 23, s. 164 5.5 (Sched. E) , Ab. 2022, c. 23, s. 164 5.6 (Sched. E) , Ab. 2022, c. 23, s. 164 3.10 (Sched. H) , 2022, c. 23, s. 165
c. P-9.3	Pesticides Act 1 , 2022, c. 8, s. 48 2 , 2022, c. 8, s. 49 4 , 2022, c. 8, s. 50

TABLE OF AMENDMENTS

Reference	Title Amendments
c. P-9.3	Pesticides Act — <i>Cont'd</i> 9 , 2022, c. 8, s. 51 10 , 2022, c. 8, s. 52 19.1 , 2022, c. 8, s. 53 19.2 , 2022, c. 8, s. 53 28 , 2022, c. 8, s. 54 29 , 2022, c. 8, s. 54 32 , 2022, c. 8, s. 55 34 , 2022, c. 8, s. 56 37 , 2022, c. 8, s. 83 38 , 2022, c. 8, s. 57 39 , 2022, c. 8, s. 84 40 , 2022, c. 8, s. 58 41 , 2022, c. 8, s. 84 42 , 2022, c. 8, s. 59 44 , 2022, c. 8, s. 84 45 , 2022, c. 8, s. 60 46 , 2022, c. 8, s. 61 47 , 2022, c. 8, s. 84 48 , 2022, c. 8, s. 62 49 , 2022, c. 8, s. 63 50 , 2022, c. 8, s. 64 51 , 2022, c. 8, s. 65 53 , 2022, c. 8, s. 83 54 , 2022, c. 8, s. 66 55 , 2022, c. 8, s. 67 56 , 2022, c. 8, s. 84 57 , 2022, c. 8, s. 68 59 , 2022, c. 8, s. 84 60 , 2022, c. 8, s. 69 61 , 2022, c. 8, s. 70 63 , 2022, c. 8, s. 71 66 , 2022, c. 8, s. 73 68 , 2022, c. 8, s. 74 79 , 2022, c. 8, s. 75 80 , 2022, c. 8, s. 75 81 , 2022, c. 8, s. 75 82 , 2022, c. 8, s. 75 83 , 2022, c. 8, s. 75 84 , 2022, c. 8, s. 75 85 , 2022, c. 8, s. 75 86 , 2022, c. 8, s. 75 87 , 2022, c. 8, s. 75 88 , 2022, c. 8, s. 75 89 , 2022, c. 8, s. 75 90 , 2022, c. 8, s. 75 91 , 2022, c. 8, s. 75 92 , 2022, c. 8, s. 75 93 , 2022, c. 8, s. 75 94 , 2022, c. 8, s. 75 95 , 2022, c. 8, s. 75 96 , 2022, c. 8, s. 75 97 , 2022, c. 8, s. 75 98 , Ab. 2022, c. 8, s. 76 99 , Ab. 2022, c. 8, s. 76 100 , Ab. 2022, c. 8, s. 76 105 , 2022, c. 8, s. 77 109 , 2022, c. 8, s. 78 109.1 , 2022, c. 8, s. 79 109.2 , 2022, c. 8, s. 79 109.3 , 2022, c. 8, s. 79 109.4 , 2022, c. 8, s. 79 109.5 , 2022, c. 8, s. 79

TABLE OF AMENDMENTS

Reference	Title Amendments
c. P-9.3	Pesticides Act — <i>Cont'd</i> 110 , 2022, c. 8, s. 80 111 , 2022, c. 8, s. 80 112 , 2022, c. 8, s. 80 113 , 2022, c. 8, s. 80 114 , 2022, c. 8, s. 80 115 , 2022, c. 8, s. 80 116 , 2022, c. 8, s. 80 117 , 2022, c. 8, s. 80 118 , 2022, c. 8, s. 80 119 , 2022, c. 8, s. 80 121 , 2022, c. 8, s. 80 122 , 2022, c. 8, s. 80 125 , 2022, c. 8, s. 84 127 , Ab. 2022, c. 8, s. 81 129 , 2022, c. 8, s. 82
c. P-13.1	Police Act 14 , 2022, c. 19, s. 433 18 , 2022, c. 19, s. 246 19 , Ab. 2022, c. 19, s. 247 20 , Ab. 2022, c. 19, s. 247 21 , Ab. 2022, c. 19, s. 247 22 , 2022, c. 19, ss. 248, 433 23 , 2022, c. 19, s. 249 25 , 2022, c. 19, s. 433 26 , 2022, c. 19, s. 433 27 , 2022, c. 19, s. 250 29 , 2022, c. 19, s. 433 30 , 2022, c. 19, s. 433 33 , 2022, c. 19, s. 433 46 , 2022, c. 19, s. 431
c. P-30.3	Act respecting owners, operators and drivers of heavy vehicles 42.3 , 2022, c. 13, s. 84
c. P-34.1	Youth Protection Act Preamble , 2022, c. 11, s. 1 1 , 2022, c. 11, s. 2; 2022, c. 22, s. 180 2 , 2022, c. 11, s. 3 3 , 2022, c. 11, s. 5 4 , 2022, c. 11, s. 6 4.1 , 2022, c. 11, s. 6 4.2 , 2022, c. 11, s. 6 4.3 , 2022, c. 11, s. 6 4.4 , 2022, c. 11, s. 6 4.5 , 2022, c. 11, s. 6 4.6 , 2022, c. 11, s. 6 5 , 2022, c. 11, s. 7 6.1 , 2022, c. 11, s. 8 6.2 , 2022, c. 11, s. 8 8 , 2022, c. 11, s. 9 8.1 , 2022, c. 11, s. 10 9.1 , 2022, c. 11, s. 11 9.2 , 2022, c. 11, s. 11 9.3 , 2022, c. 11, s. 11 11.2 , Ab. 2022, c. 11, s. 12 11.2.1 , Ab. 2022, c. 11, s. 12 11.3 , 2022, c. 11, s. 13 11.4 , 2022, c. 11, s. 14 11.5 , 2022, c. 11, s. 14 26 , 2022, c. 11, s. 15

TABLE OF AMENDMENTS

Reference	Title Amendments
c. P-34.1	Youth Protection Act — <i>Cont'd</i>
	28, 2022, c. 11, s. 16
	29, 2022, c. 11, s. 16
	30, 2022, c. 11, s. 16
	30.1, 2022, c. 11, s. 16
	30.2, 2022, c. 11, s. 16
	30.3, 2022, c. 11, s. 16
	30.4, 2022, c. 11, s. 16
	30.5, 2022, c. 11, s. 16
	30.6, 2022, c. 11, s. 16
	30.7, 2022, c. 11, s. 16
	30.8, 2022, c. 11, s. 16
	31, 2022, c. 11, s. 17
	31.0.1, 2022, c. 11, s. 17
	31.3, 2022, c. 11, s. 18
	32, 2022, c. 11, s. 19
	35.4, 2022, c. 11, s. 20
	36, 2022, c. 11, s. 20
	36.1, 2022, c. 11, s. 21
	37.4, 2022, c. 11, s. 22
	37.4.1, 2022, c. 11, s. 22
	37.4.2, 2022, c. 11, s. 23
	37.4.3, 2022, c. 11, s. 24
	37.4.4, 2022, c. 11, s. 25
	37.4.5, 2022, c. 11, s. 25
	37.5, Ab. 2022, c. 11, s. 26
	37.6, Ab. 2022, c. 11, s. 26
	37.7, Ab. 2022, c. 11, s. 26
	38, 2022, c. 11, s. 27
	38.2.2, 2022, c. 11, s. 28
	39, 2022, c. 11, s. 29
	40, 2022, c. 11, s. 30
	41, 2022, c. 11, s. 30
	43, 2022, c. 11, s. 31
	44, 2022, c. 11, s. 32
	45.1, 2022, c. 11, s. 33
	53, 2022, c. 11, s. 34
	57.2, 2022, c. 11, s. 35
	57.2.2, 2022, c. 11, s. 36
	62.1, 2022, c. 11, s. 37; 2022, c. 22, s. 181
	65, Ab. 2022, c. 11, s. 38
	70.7, 2022, c. 22, s. 182
	71.3.1, Ab. 2022, c. 11, s. 39
	71.3.2, Ab. 2022, c. 11, s. 39
	71.3.3, Ab. 2022, c. 11, s. 39
	71.3.4, 2022, c. 22, s. 183
	71.3.13, 2022, c. 22, s. 184
	71.3.14, 2022, c. 22, s. 185
	71.3.15, 2022, c. 22, s. 186
	71.15.2, 2022, c. 22, s. 187
	71.15.5, 2022, c. 22, s. 188
	72.6, 2022, c. 11, s. 40
	72.6.0.1, Ab. 2022, c. 11, s. 41
	72.6.1, 2022, c. 11, s. 42
	72.7, 2022, c. 11, s. 43
	72.9, 2022, c. 11, s. 44
	76, 2022, c. 11, s. 45
	76.2, 2022, c. 11, s. 46
	76.3, 2022, c. 11, s. 47
	76.4, 2022, c. 11, s. 48
	78, 2022, c. 11, s. 49
	80, Ab. 2022, c. 11, s. 50
	81.1, Ab. 2022, c. 11, s. 50

TABLE OF AMENDMENTS

Reference	Title Amendments
c. P-34.1	Youth Protection Act — <i>Cont'd</i> 84.2, 2022, c. 11, s. 51 85.4.1, 2022, c. 22, s. 189 86, 2022, c. 11, s. 52 87, 2022, c. 11, s. 53 88, 2022, c. 11, s. 54 91.1, 2022, c. 11, s. 55 91.2, 2022, c. 11, s. 56 94.1, 2022, c. 11, s. 57 95.0.1, 2022, c. 11, s. 58 130, 2022, c. 11, s. 59 131.1, 2022, c. 11, s. 60 131.2, 2022, c. 11, s. 60 131.3, 2022, c. 11, s. 60 131.4, 2022, c. 11, s. 60 131.5, 2022, c. 11, s. 60 131.6, 2022, c. 11, s. 60 131.7, 2022, c. 11, s. 60 131.8, 2022, c. 11, s. 60 131.9, 2022, c. 11, s. 60 131.10, 2022, c. 11, s. 60 131.11, 2022, c. 11, s. 60 131.12, 2022, c. 11, s. 60 131.13, 2022, c. 11, s. 60 131.14, 2022, c. 11, s. 60 131.15, 2022, c. 11, s. 60 131.16, 2022, c. 11, s. 60 131.17, 2022, c. 11, s. 60 131.18, 2022, c. 11, s. 60 131.19, 2022, c. 11, s. 60 131.20, 2022, c. 11, s. 60 131.21, 2022, c. 11, s. 60 131.22, 2022, c. 11, s. 60 131.23, 2022, c. 11, s. 60 131.24, 2022, c. 11, s. 60 131.25, 2022, c. 11, s. 60 131.26, 2022, c. 11, s. 60 133, 2022, c. 11, s. 61 134, 2022, c. 11, s. 62 135, 2022, c. 11, s. 63 156, 2022, c. 11, s. 64 160, 2022, c. 26, s. 11
c. P-37	Tree Protection Act 1, 2022, c. 8, s. 85
c. P-40.1	Consumer Protection Act 26, 2022, c. 14, s. 156
c. P-44.1	Act respecting the legal publicity of enterprises 33, 2022, c. 14, s. 157 131.1, 2022, c. 14, s. 158 300, 2022, c. 14, s. 159
c. Q-2	Environment Quality Act Preamble, 2022, c. 8, s. 86 1, 2022, c. 8, s. 87 2.2, 2022, c. 8, s. 137 21, 2022, c. 8, s. 88 23, 2022, c. 8, s. 137 23.1, 2022, c. 8, s. 137 29, 2022, c. 8, s. 137

TABLE OF AMENDMENTS

Reference	Title Amendments
c. Q-2	Environment Quality Act — <i>Cont'd</i> 30, 2022, c. 8, s. 89 31.0.2, 2022, c. 8, s. 90 31.0.6, 2022, c. 8, s. 137 31.0.9, 2022, c. 8, s. 137 31.0.10, 2022, c. 8, s. 137 31.0.10.1, 2022, c. 8, s. 91 31.0.11, 2022, c. 8, s. 137 31.3.1, 2022, c. 8, s. 137 31.3.5, 2022, c. 8, s. 137 31.4, 2022, c. 8, s. 92 31.5, 2022, c. 8, s. 93; 2022, c. 10, s. 89 31.5.1, 2022, c. 8, s. 94 31.7, 2022, c. 8, s. 95 31.9, 2022, c. 8, s. 137 31.20, 2022, c. 8, s. 137 31.42, 2022, c. 8, s. 96 31.43, 2022, c. 8, s. 137 31.48, 2022, c. 8, s. 97 31.49, 2022, c. 8, s. 137 31.50, 2022, c. 8, s. 137 31.51.0.1, 2022, c. 8, s. 137 31.53, 2022, c. 8, s. 98 31.58, 2022, c. 8, s. 99 31.59, 2022, c. 8, s. 137 31.60, 2022, c. 8, s. 137 31.61, 2022, c. 8, s. 137 31.62, 2022, c. 8, s. 137 31.65, Ab. 2022, c. 8, s. 100 31.67, 2022, c. 8, s. 101 31.68.1, 2022, c. 8, s. 102 31.68.3, 2022, c. 8, s. 137 31.76, 2022, c. 8, s. 137 31.80, 2022, c. 8, s. 137 31.100, 2022, c. 8, s. 137 46.1, 2022, c. 8, s. 137 46.8, 2022, c. 8, s. 137 46.8.2, 2022, c. 8, s. 137 46.9, 2022, c. 8, s. 137 46.11, 2022, c. 8, s. 137 46.15, 2022, c. 8, s. 137 49, 2022, c. 8, s. 137 51.1, 2022, c. 8, s. 103 53, 2022, c. 8, s. 104 53.23, 2022, c. 8, s. 105 53.23.1, 2022, c. 8, s. 105 53.23.2, 2022, c. 8, s. 105 53.31, 2022, c. 8, s. 137 53.31.0.3, 2022, c. 8, s. 106 58, 2022, c. 8, s. 137 64.4, 2022, c. 8, s. 137 64.7, 2022, c. 8, s. 137 64.13, 2022, c. 8, s. 137 65, 2022, c. 8, s. 137 65.3, 2022, c. 8, s. 137 65.4, 2022, c. 8, s. 137 65.5, 2022, c. 8, s. 137 68.1, 2022, c. 8, s. 137 70.5.1, 2022, c. 8, s. 107 70.5.4, 2022, c. 8, s. 137 70.7, 2022, c. 8, s. 137 70.8, 2022, c. 8, s. 137 94, 2022, c. 8, s. 137

TABLE OF AMENDMENTS

Reference	Title Amendments
c. Q-2	Environment Quality Act — <i>Cont'd</i> 95.1, 2022, c. 8, s. 108 95.4, Ab. 2022, c. 8, s. 109 114, 2022, c. 8, s. 110 114.1, 2022, c. 8, s. 137 114.2, 2022, c. 8, s. 111 114.3, 2022, c. 8, s. 137 115.0.1, 2022, c. 8, s. 137 115.1, 2022, c. 8, s. 137 115.2, 2022, c. 8, s. 112 115.4.1, 2022, c. 8, s. 137 115.4.2, 2022, c. 8, s. 137 115.4.5, 2022, c. 8, s. 113 115.5, Ab. 2022, c. 8, s. 114 115.6, Ab. 2022, c. 8, s. 114 115.7, Ab. 2022, c. 8, s. 114 115.8, Ab. 2022, c. 8, s. 114 115.9, Ab. 2022, c. 8, s. 114 115.10, Ab. 2022, c. 8, s. 114 115.10.1, Ab. 2022, c. 8, s. 114 115.10.2, Ab. 2022, c. 8, s. 114 115.10.3, Ab. 2022, c. 8, s. 114 115.11, Ab. 2022, c. 8, s. 114 115.12, Ab. 2022, c. 8, s. 114 115.13, Ab. 2022, c. 8, s. 115 115.14, Ab. 2022, c. 8, s. 115 115.15, Ab. 2022, c. 8, s. 115 115.16, Ab. 2022, c. 8, s. 115 115.17, Ab. 2022, c. 8, s. 115 115.18, Ab. 2022, c. 8, s. 115 115.19, Ab. 2022, c. 8, s. 115 115.20, Ab. 2022, c. 8, s. 115 115.21, Ab. 2022, c. 8, s. 115 115.22, Ab. 2022, c. 8, s. 115 115.23, 2022, c. 8, s. 116 115.24, 2022, c. 8, s. 117 115.25, 2022, c. 8, s. 118 115.26, 2022, c. 8, s. 119 115.27, 2022, c. 8, s. 120 115.27.1, 2022, c. 8, s. 120 115.28, 2022, c. 8, s. 137 115.29, 2022, c. 8, s. 121 115.30, 2022, c. 8, s. 122 115.31, 2022, c. 8, s. 123 115.32, 2022, c. 8, s. 124 115.34, 2022, c. 8, s. 125 115.35, 2022, c. 8, s. 125 115.36, 2022, c. 8, s. 125 115.37, 2022, c. 8, s. 125 115.38, 2022, c. 8, s. 125 115.39, 2022, c. 8, s. 125 115.40, 2022, c. 8, s. 125 115.41, 2022, c. 8, s. 125 115.42, 2022, c. 8, s. 125 115.43, 2022, c. 8, s. 125 115.44, 2022, c. 8, s. 125 115.45, 2022, c. 8, s. 125 115.46, 2022, c. 8, s. 125 115.48, 2022, c. 8, s. 126 115.49, 2022, c. 8, s. 126 115.50, 2022, c. 8, s. 126 115.51, 2022, c. 8, s. 126 115.52, 2022, c. 8, s. 126

TABLE OF AMENDMENTS

Reference	Title Amendments
c. Q-2	Environment Quality Act — <i>Cont'd</i> 115.53 , 2022, c. 8, s. 126 115.54 , 2022, c. 8, s. 126 115.55 , 2022, c. 8, s. 126 115.56 , 2022, c. 8, s. 126 115.57 , 2022, c. 8, s. 126 118.4 , 2022, c. 8, s. 137 118.5 , 2022, c. 8, s. 137 118.5.1 , Ab. 2022, c. 8, s. 127 118.5.2 , Ab. 2022, c. 8, s. 127 118.5.3 , 2022, c. 8, s. 128 118.6 , 2022, c. 8, s. 137 118.6.1 , 2022, c. 8, s. 129 118.7 , 2022, c. 8, s. 137 118.8 , 2022, c. 8, s. 137 118.9 , 2022, c. 8, s. 130 118.11 , 2022, c. 8, s. 137 118.12 , 2022, c. 8, s. 131 118.13 , Ab. 2022, c. 8, s. 132 118.14 , 2022, c. 8, s. 133 118.16 , 2022, c. 8, s. 134 118.17 , 2022, c. 8, s. 137 119 , 2022, c. 8, s. 135 119.0.1 , 2022, c. 8, s. 135 119.0.2 , 2022, c. 8, s. 135 119.1 , 2022, c. 8, s. 135 120 , 2022, c. 8, s. 135 120.1 , 2022, c. 8, s. 135 120.2 , 2022, c. 8, s. 135 120.3 , 2022, c. 8, s. 135 120.4 , 2022, c. 8, s. 135 120.6.1 , 2022, c. 8, s. 135 120.7 , 2022, c. 8, s. 135 121 , 2022, c. 8, s. 135 121.1 , 2022, c. 8, s. 135 121.2 , 2022, c. 8, s. 135 121.3 , 2022, c. 8, s. 135 121.4 , 2022, c. 8, s. 135 123.4 , 2022, c. 8, s. 136 123.5 , 2022, c. 8, s. 136 124.5 , 2022, c. 8, s. 137 131 , 2022, c. 1, s. 12 199 , 2022, c. 8, s. 137
c. R-5	Act respecting the Régie de l'assurance maladie du Québec 2 , 2022, c. 16, s. 19 7 , 2022, c. 19, s. 251 7.0.1 , 2022, c. 19, s. 252 7.0.2 , Ab. 2022, c. 19, s. 253 7.0.3 , Ab. 2022, c. 19, s. 253 7.0.4 , Ab. 2022, c. 19, s. 253 7.0.8 , Ab. 2022, c. 19, s. 253 7.1 , 2022, c. 19, s. 254 7.2 , Ab. 2022, c. 19, s. 255 25 , 2022, c. 19, s. 256 33 , 2022, c. 23, s. 166 34 , 2022, c. 23, s. 167 34.0.0.0.3 , 2022, c. 23, s. 168 34.0.1 , 2022, c. 23, s. 169 34.1.0.1 , Ab. 2022, c. 23, s. 170 34.1.0.2 , Ab. 2022, c. 23, s. 170 34.1.0.3 , 2022, c. 23, s. 171 34.1.4 , 2022, c. 23, s. 172

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-5	Act respecting the Régie de l'assurance maladie du Québec — <i>Cont'd</i> 34.1.5 , 2022, c. 23, s. 173 37.1 , 2022, c. 23, s. 174 37.4 , 2022, c. 23, s. 175 37.6 , 2022, c. 23, s. 176
c. R-9	Act respecting the Québec Pension Plan 41 , 2022, c. 3, s. 61 48 , 2022, c. 3, s. 62 48.1 , 2022, c. 3, s. 63 53.2 , 2022, c. 3, s. 64 59 , 2022, c. 23, s. 177 86 , 2022, c. 22, s. 239 95 , 2022, c. 3, s. 65 95.4 , 2022, c. 3, s. 66 96 , 2022, c. 3, s. 67 98 , 2022, c. 3, s. 68 98.1 , 2022, c. 3, s. 69 98.1.1 , 2022, c. 3, s. 70 98.1.2 , 2022, c. 3, s. 70 98.2 , 2022, c. 3, s. 71 98.2.1 , 2022, c. 3, s. 72 98.2.2 , 2022, c. 3, s. 72 99 , 2022, c. 3, s. 73 101 , 2022, c. 3, s. 74 102.4 , 2022, c. 3, s. 75 105 , 2022, c. 3, s. 76 105.0.1 , Ab. 2022, c. 3, s. 77 106 , 2022, c. 3, s. 78 106.2 , 2022, c. 3, s. 79 106.3 , 2022, c. 3, s. 80 120 , 2022, c. 3, s. 81 120.0.1 , Ab. 2022, c. 3, s. 82 120.1 , 2022, c. 3, s. 83 120.2 , Ab. 2022, c. 3, s. 84 123 , 2022, c. 3, s. 85 127 , 2022, c. 3, s. 86 135 , 2022, c. 3, s. 87 136 , 2022, c. 3, s. 88 136.1 , 2022, c. 3, s. 89 137 , 2022, c. 3, s. 90 137.1 , 2022, c. 3, s. 90 137.2 , 2022, c. 3, s. 90 139 , 2022, c. 3, s. 91 139.1 , 2022, c. 3, s. 92 139.2 , 2022, c. 3, s. 93 145 , 2022, c. 3, s. 94 148 , 2022, c. 3, s. 95 157.2 , Ab. 2022, c. 3, s. 96 158 , 2022, c. 3, s. 97 166 , 2022, c. 3, s. 98 173 , 2022, c. 22, s. 240 174 , 2022, c. 22, s. 241 180.2 , 2022, c. 3, s. 99 219 , 2022, c. 3, s. 100 229 , Ab. 2022, c. 3, s. 101 230 , Ab. 2022, c. 3, s. 101
c. R-9.2	Act respecting the Pension Plan of Peace Officers in Correctional Services 1 , 2022, c. 22, s. 242 7 , 2022, c. 22, s. 243 9 , 2022, c. 22, s. 244 40 , 2022, c. 22, s. 289

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-9.2	Act respecting the Pension Plan of Peace Officers in Correctional Services — <i>Cont'd</i> 41 , 2022, c. 22, s. 245 42.1.1 , 2022, c. 22, s. 246 139.13 , 2022, c. 22, s. 247 139.17 , 2022, c. 22, s. 248
c. R-10	Act respecting the Government and Public Employees Retirement Plan Title (French) , 2022, c. 22, s. 249 3 , 2022, c. 22, s. 250 14 , 2022, c. 22, s. 251 24.0.1 , 2022, c. 22, ss. 289, 290 25.1 , 2022, c. 22, s. 252 28 , 2022, c. 22, s. 253 28.1 , 2022, c. 22, s. 254 29.2 , 2022, c. 22, s. 255 34 , 2022, c. 22, s. 289 74 , 2022, c. 22, s. 256 85 , 2022, c. 22, s. 289 85.2 , 2022, c. 22, s. 289 85.3 , 2022, c. 22, s. 258 115.5.1 , 2022, c. 22, s. 290 115.10.6 , 2022, c. 22, s. 259 170 , 2022, c. 22, s. 260 173.0.1 , 2022, c. 22, s. 261 176 , 2022, c. 22, ss. 289, 290 187 , 2022, c. 22, s. 262 198 , 2022, c. 22, s. 289 222.1 , 2022, c. 22, s. 290 Sched. I , 2022, c. 14, s. 160; 2022, c. 22, s. 263 Sched. II , 2022, c. 22, s. 264
c. R-12.1	Act respecting the Pension Plan of Management Personnel 7 , 2022, c. 22, s. 265 25 , 2022, c. 22, s. 266 39.1 , 2022, c. 22, s. 267 43.1 , 2022, c. 22, s. 268 50 , 2022, c. 22, s. 289 111 , 2022, c. 22, s. 269 118 , 2022, c. 22, s. 270 121 , 2022, c. 22, ss. 289, 290 126 , 2022, c. 22, s. 289 127 , 2022, c. 22, s. 289 128 , 2022, c. 22, s. 272 129 , 2022, c. 22, s. 273 130 , 2022, c. 22, s. 274 152.6 , 2022, c. 22, s. 275 196.4 , 2022, c. 22, s. 276 196.13 , 2022, c. 22, s. 277 Sched. II , 2022, c. 14, s. 161; 2022, c. 22, s. 278
c. R-13	Watercourses Act 83.1 , 2022, c. 8, s. 138 84.1 , 2022, c. 8, s. 139 84.6 , 2022, c. 8, s. 140
c. R-13.1	Act respecting the land regime in the James Bay and New Québec territories 1 , 2022, c. 1, s. 13 2 , 2022, c. 1, s. 14 3 , 2022, c. 1, s. 15 10 , 2022, c. 1, s. 16 52 , 2022, c. 1, s. 17 53 , 2022, c. 1, s. 18

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-13.1	Act respecting the land regime in the James Bay and New Québec territories — <i>Cont'd</i> 64 , 2022, c. 10, s. 90 89 , 2022, c. 10, s. 91 94 , 2022, c. 1, s. 19 149 , 2022, c. 10, s. 92 173 , 2022, c. 10, s. 93 191.46 , 2022, c. 10, s. 94 191.68 , 2022, c. 10, s. 95
c. R-20	Act respecting labour relations, vocational training and workforce management in the construction industry 3.2 , 2022, c. 19, s. 257 3.3 , 2022, c. 19, s. 258 3.3.1 , 2022, c. 19, s. 258 3.3.2 , 2022, c. 19, s. 258 3.3.3 , 2022, c. 19, s. 258 3.5 , 2022, c. 19, s. 259 3.6 , 2022, c. 19, s. 260 3.7 , 2022, c. 19, s. 261 3.8 , 2022, c. 19, s. 262 3.9 , 2022, c. 19, s. 263 3.9.1 , 2022, c. 19, s. 264 3.12.1 , 2022, c. 19, s. 265 3.12.2 , 2022, c. 19, s. 265 3.12.3 , 2022, c. 19, s. 265 3.12.4 , 2022, c. 19, s. 265 3.13 , 2022, c. 19, s. 266 3.14 , 2022, c. 19, s. 267 3.16 , 2022, c. 19, s. 268 3.16.1 , 2022, c. 19, s. 269 3.17 , 2022, c. 19, s. 270 3.18 , 2022, c. 19, s. 271 5 , 2022, c. 19, s. 272 6 , 2022, c. 19, s. 273 7.3 , 2022, c. 18, s. 129 7.5 , 2022, c. 18, s. 130 9 , 2022, c. 19, s. 274 9.1 , 2022, c. 19, s. 275 9.2 , 2022, c. 19, s. 275 9.3 , 2022, c. 19, s. 275 9.4 , 2022, c. 19, s. 275 9.5 , 2022, c. 19, s. 275 9.6 , 2022, c. 19, s. 275 9.7 , 2022, c. 19, s. 275 15.0.1 , 2022, c. 19, s. 276 15.4 , 2022, c. 19, s. 277 18.4 , 2022, c. 19, s. 278 18.14.4 , 2022, c. 19, s. 279 19 , 2022, c. 20, s. 40 123.4.4 , 2022, c. 18, s. 131 126.0.6 , 2022, c. 19, s. 280
c. R-25.01	Act respecting the Réseau de transport métropolitain 53 , 2022, c. 3, s. 58
c. R-26.3	Act respecting Retraite Québec 11 , 2022, c. 19, s. 281 12 , 2022, c. 19, s. 282 15 , Ab. 2022, c. 19, s. 283 21 , Ab. 2022, c. 19, s. 283 23 , Ab. 2022, c. 19, s. 283

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-26.3	Act respecting Retraite Québec — <i>Cont'd</i> 24 , Ab. 2022, c. 19, s. 283 25 , 2022, c. 19, s. 284 27 , 2022, c. 19, s. 285 28 , 2022, c. 19, s. 286 33 , 2022, c. 19, s. 287 36 , 2022, c. 19, s. 288 46 , 2022, c. 19, s. 289 68 , 2022, c. 19, s. 290
c. S-2.1	Act respecting occupational health and safety 62.4 , 2022, c. 14, s. 162 156.1 , 2022, c. 19, s. 291
c. S-3.1.01	Dam Safety Act 2.1 , 2022, c. 8, s. 141 2.2 , 2022, c. 8, s. 141 2.3 , 2022, c. 8, s. 141 4 , Ab. 2022, c. 8, s. 142 7 , 2022, c. 8, s. 143 8 , 2022, c. 8, s. 143 9 , 2022, c. 8, s. 143 10 , 2022, c. 8, s. 143 12 , 2022, c. 8, s. 144 13 , 2022, c. 8, s. 145 14 , 2022, c. 8, s. 146 17 , 2022, c. 8, s. 147 17.1 , 2022, c. 8, s. 148 19 , 2022, c. 8, s. 149 20 , 2022, c. 8, s. 150 22.1 , 2022, c. 8, s. 151 23 , 2022, c. 8, s. 152 25 , 2022, c. 8, s. 153 28 , Ab. 2022, c. 8, s. 154 31 , 2022, c. 8, s. 156 32 , 2022, c. 8, s. 157 33.1 , 2022, c. 8, s. 158 34.1 , 2022, c. 8, s. 159 34.2 , 2022, c. 8, s. 159 34.3 , 2022, c. 8, s. 159 34.4 , 2022, c. 8, s. 159 34.5 , 2022, c. 8, s. 159 34.6 , 2022, c. 8, s. 159 35 , 2022, c. 8, s. 159 35.1 , 2022, c. 8, s. 159 35.2 , 2022, c. 8, s. 159 35.3 , 2022, c. 8, s. 159 35.4 , 2022, c. 8, s. 159 35.5 , 2022, c. 8, s. 159 35.6 , 2022, c. 8, s. 159 35.7 , 2022, c. 8, s. 159 35.8 , 2022, c. 8, s. 159 35.9 , 2022, c. 8, s. 159 35.10 , 2022, c. 8, s. 159 36 , 2022, c. 8, s. 160 38 , 2022, c. 8, s. 161 39 , 2022, c. 8, s. 161 40 , 2022, c. 8, s. 161 41 , 2022, c. 8, s. 161 42 , 2022, c. 8, s. 161 43 , 2022, c. 8, s. 161 44 , 2022, c. 8, s. 161 45 , 2022, c. 8, s. 161 46 , 2022, c. 8, s. 162

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-3.4	Fire Safety Act 59, 2022, c. 19, s. 433 62, 2022, c. 19, s. 292 63, Ab. 2022, c. 19, s. 293 64, Ab. 2022, c. 19, s. 293 65, Ab. 2022, c. 19, s. 293 66, 2022, c. 19, ss. 294, 433 67, 2022, c. 19, s. 295 70, 2022, c. 19, s. 433 71, 2022, c. 19, s. 296 79, 2022, c. 19, s. 431
c. S-4.1.1	Educational Childcare Act 1, 2022, c. 9, s. 1 2, 2022, c. 9, s. 2 2.1, 2022, c. 9, s. 2 2.2, 2022, c. 9, s. 2 3, 2022, c. 22, s. 279 4, Ab. 2022, c. 9, s. 3 5, 2022, c. 9, s. 4 5.1, 2022, c. 9, s. 5 6, 2022, c. 9, s. 6 6.0.1, 2022, c. 9, s. 7 6.1, Ab. 2022, c. 9, s. 8 6.2, Ab. 2022, c. 9, s. 8 8, 2022, c. 9, s. 9 10, 2022, c. 9, s. 10 11, 2022, c. 9, s. 11 11.1, 2022, c. 9, s. 12 11.2, 2022, c. 9, s. 13 11.3, 2022, c. 9, s. 14 12, 2022, c. 9, s. 15 13.1, 2022, c. 9, s. 16 16.1, 2022, c. 9, s. 17 16.2, 2022, c. 9, s. 17 16.3, 2022, c. 9, s. 17 16.4, 2022, c. 9, s. 17 21, 2022, c. 9, s. 18 24, 2022, c. 9, s. 20 28, 2022, c. 9, s. 21 29, 2022, c. 9, s. 76 30, 2022, c. 9, s. 22 40.0.1, 2022, c. 9, s. 24 40.0.2, 2022, c. 9, s. 24 42, 2022, c. 9, s. 25 45, 2022, c. 9, s. 26 46, 2022, c. 9, s. 27 47, 2022, c. 9, s. 28 49, 2022, c. 9, s. 76 51.1, 2022, c. 9, s. 29 52, 2022, c. 9, s. 30 53, Ab. 2022, c. 9, s. 31 53.1, 2022, c. 9, s. 32 55, 2022, c. 9, s. 33 57.1, 2022, c. 9, s. 34 59.1, 2022, c. 9, s. 35 59.2, 2022, c. 9, s. 35 59.3, 2022, c. 9, s. 35 59.4, 2022, c. 9, s. 35 59.5, 2022, c. 9, s. 35 59.6, 2022, c. 9, s. 35 59.7, 2022, c. 9, s. 35 59.8, 2022, c. 9, s. 35

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-4.1.1	Educational Childcare Act — <i>Cont'd</i> 59.9, 2022, c. 9, s. 35 59.10, 2022, c. 9, s. 35 59.11, 2022, c. 9, s. 35 59.12, 2022, c. 9, s. 35 68, 2022, c. 9, s. 76 78, 2022, c. 9, s. 36 78.1, 2022, c. 9, s. 37 81, 2022, c. 9, s. 38 81.0.1, 2022, c. 9, s. 39 81.0.2, 2022, c. 9, s. 39 89, 2022, c. 9, s. 40 90, 2022, c. 9, s. 41 91, 2022, c. 9, s. 42 93, 2022, c. 9, s. 43 93.0.1, 2022, c. 9, s. 43 93.0.2, 2022, c. 9, s. 43 93.0.3, 2022, c. 9, s. 43 93.0.4, 2022, c. 9, s. 43 93.0.5, 2022, c. 9, s. 43 93.0.6, 2022, c. 9, s. 43 93.0.7, 2022, c. 9, s. 43 93.0.8, 2022, c. 9, s. 43 93.0.9, 2022, c. 9, s. 43 93.1, 2022, c. 9, s. 44 94, Ab. 2022, c. 9, s. 45 94.2, Ab. 2022, c. 9, s. 45 95, 2022, c. 9, s. 46 96, 2022, c. 9, s. 47 97, 2022, c. 9, s. 76 101, 2022, c. 9, s. 48 101.3, 2022, c. 9, s. 49 103.5, 2022, c. 9, s. 51 103.6, 2022, c. 9, s. 52 103.7, 2022, c. 9, s. 53 103.8, 2022, c. 9, s. 54 103.8.1, 2022, c. 9, s. 55 103.9, 2022, c. 9, s. 56 104, 2022, c. 9, s. 57 106, 2022, c. 9, s. 58 108, 2022, c. 9, s. 59 108.1, 2022, c. 9, s. 60 109, 2022, c. 9, s. 61 110, 2022, c. 9, s. 62 110.1, 2022, c. 9, s. 63 111, 2022, c. 9, s. 64 112.1, 2022, c. 9, s. 65 113.4, Ab. 2022, c. 9, s. 66 114, 2022, c. 9, s. 67 115.1, 2022, c. 9, s. 68 116, 2022, c. 9, s. 69 117, 2022, c. 9, s. 70 119.1, 2022, c. 9, s. 71 121.1, 2022, c. 9, s. 72 122, 2022, c. 9, s. 73 124, 2022, c. 9, s. 74 153.1, 2022, c. 9, s. 75
c. S-4.2	Act respecting health services and social services 6, 2022, c. 16, s. 20 13, 2022, c. 16, s. 21 19, 2022, c. 6, s. 19; 2022, c. 11, s. 68 19.0.1.1, 2022, c. 22, s. 190

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-4.2	Act respecting health services and social services — <i>Cont'd</i> 19.0.2, 2022, c. 22, s. 191 27.3, 2022, c. 22, s. 192 30.1, 2022, c. 22, s. 193 33.1, 2022, c. 6, s. 20 34, 2022, c. 16, s. 22 104, 2022, c. 11, s. 69 105.0.1, 2022, c. 16, s. 23 108.1, Ab. 2022, c. 16, s. 24 108.2, Ab. 2022, c. 16, s. 24 109, 2022, c. 16, s. 25 131, 2022, c. 22, s. 194 240.1, 2022, c. 6, s. 21 309.1, 2022, c. 6, s. 22 309.2, 2022, c. 6, s. 22 309.3, 2022, c. 6, s. 22 309.4, 2022, c. 6, s. 22 309.5, 2022, c. 6, s. 22 309.6, 2022, c. 6, s. 22 309.7, 2022, c. 6, s. 22 333.4.2, 2022, c. 16, s. 26 338.2, 2022, c. 16, s. 27 346.0.4.2.1, 2022, c. 6, s. 23 346.0.6, 2022, c. 6, s. 24 346.0.9.1, 2022, c. 6, s. 25 346.0.9.2, 2022, c. 6, s. 25 346.0.9.3, 2022, c. 6, s. 25 346.0.10, 2022, c. 6, s. 26 346.0.10.1, 2022, c. 6, s. 26 346.0.10.2, 2022, c. 6, s. 26 346.0.10.3, 2022, c. 6, s. 26 346.0.10.4, 2022, c. 6, s. 26 346.0.10.5, 2022, c. 6, s. 26 346.0.10.6, 2022, c. 6, s. 26 346.0.10.7, 2022, c. 6, s. 26 346.0.11, 2022, c. 6, s. 27 346.0.17.1, 2022, c. 6, s. 28 346.0.17.2, 2022, c. 6, s. 29 346.0.18, 2022, c. 6, s. 30 377.1, 2022, c. 16, s. 28 413.2, Ab. 2022, c. 6, s. 31 414, Ab. 2022, c. 6, s. 31 415, Ab. 2022, c. 6, s. 31 446, 2022, c. 6, s. 32 447, 2022, c. 6, s. 33 453.2, 2022, c. 16, s. 29 489.3, 2022, c. 6, s. 35 489.4, 2022, c. 6, s. 35 489.5, 2022, c. 6, s. 35 490, 2022, c. 6, s. 36 495, 2022, c. 6, s. 37 513, 2022, c. 22, s. 195 531.1.3, 2022, c. 6, s. 38
c. S-6.2	Act respecting pre-hospital emergency services 8, 2022, c. 6, s. 39 91, 2022, c. 19, s. 297 92, Ab. 2022, c. 19, s. 298 93, 2022, c. 19, s. 299 94, Ab. 2022, c. 19, s. 300 95, Ab. 2022, c. 19, s. 300 96, 2022, c. 19, s. 301 97, 2022, c. 19, s. 302

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-6.2	Act respecting pre-hospital emergency services — <i>Cont'd</i> 98 , 2022, c. 19, s. 303 103 , 2022, c. 19, s. 431 105 , Ab. 2022, c. 19, s. 304
c. S-8	Act respecting the Société d'habitation du Québec 6 , 2022, c. 19, s. 305 6.0.1 , Ab. 2022, c. 19, s. 306 6.1 , Ab. 2022, c. 19, s. 306 6.2 , Ab. 2022, c. 19, s. 306 7 , Ab. 2022, c. 19, s. 306 13 , 2022, c. 19, s. 307 13.0.1 , Ab. 2022, c. 19, s. 308 24 , 2022, c. 19, s. 431 25 , 2022, c. 19, s. 309 86 , 2022, c. 25, s. 21
c. S-10.002	Act respecting the Société de développement des entreprises culturelles 5 , 2022, c. 19, s. 310 5.1 , Ab. 2022, c. 19, s. 311 5.2 , 2022, c. 19, s. 312 5.3 , Ab. 2022, c. 19, s. 313 5.5 , Ab. 2022, c. 19, s. 313 7 , Ab. 2022, c. 19, s. 313 11 , Ab. 2022, c. 19, s. 313 12 , 2022, c. 19, s. 314 19 , 2022, c. 19, s. 315 21 , 2022, c. 19, s. 316 28 , 2022, c. 19, s. 317 32 , 2022, c. 19, s. 318 36 , 2022, c. 19, s. 319 42 , 2022, c. 19, s. 320 44 , 2022, c. 19, s. 431
c. S-10.2	Act respecting the Société de développement et de mise en valeur du Parc olympique 15 , 2022, c. 19, s. 321 16 , 2022, c. 19, s. 322 17 , Ab. 2022, c. 19, s. 323 18 , Ab. 2022, c. 19, s. 323 19 , 2022, c. 19, s. 324 20 , Ab. 2022, c. 19, s. 325 21 , Ab. 2022, c. 19, s. 325 23 , Ab. 2022, c. 19, s. 325 25 , 2022, c. 19, s. 326 39 , 2022, c. 19, s. 431 40 , 2022, c. 19, s. 431
c. S-11.0102	Act respecting the Société de financement des infrastructures locales du Québec 8 , 2022, c. 19, s. 327 12 , 2022, c. 19, s. 328 15 , 2022, c. 19, s. 329
c. S-11.011	Act respecting the Société de l'assurance automobile du Québec 7 , 2022, c. 19, s. 330 8 , Ab. 2022, c. 19, s. 331 8.1 , Ab. 2022, c. 19, s. 331 9 , Ab. 2022, c. 19, s. 331 10 , 2022, c. 19, s. 332 10.1 , Ab. 2022, c. 19, s. 333 19 , 2022, c. 19, s. 334 20 , 2022, c. 19, s. 335 23.0.13.1 , 2022, c. 19, s. 336 23.0.18 , 2022, c. 19, s. 337

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-11.03	Act respecting the Société de la Place des Arts de Montréal 4, 2022, c. 19, s. 338 4.1, Ab. 2022, c. 19, s. 339 4.2, 2022, c. 19, s. 340 4.3, Ab. 2022, c. 19, s. 341 5, Ab. 2022, c. 19, s. 341 7, Ab. 2022, c. 19, s. 341 26, 2022, c. 19, s. 342 27, 2022, c. 19, s. 431 28, 2022, c. 19, s. 431 31, 2022, c. 19, s. 431
c. S-12.01	Act respecting the Société de télédiffusion du Québec 5, 2022, c. 19, s. 343 5.1, Ab. 2022, c. 19, s. 344 5.2, 2022, c. 19, s. 345 5.3, Ab. 2022, c. 19, s. 346 7, Ab. 2022, c. 19, s. 346 12, Ab. 2022, c. 19, s. 346 26, 2022, c. 19, s. 347 28, 2022, c. 19, s. 431
c. S-13	Act respecting the Société des alcools du Québec 7, 2022, c. 19, s. 348 7.2, Ab. 2022, c. 19, s. 349 8, Ab. 2022, c. 19, s. 349 9, Ab. 2022, c. 19, s. 349 12, 2022, c. 19, s. 350 12.1, Ab. 2022, c. 19, s. 351 23.6, 2022, c. 19, s. 352 23.9, Ab. 2022, c. 19, s. 353 23.11, Ab. 2022, c. 19, s. 353 23.13, 2022, c. 19, s. 354 23.14, Ab. 2022, c. 19, s. 355 23.16, 2022, c. 19, s. 356 23.30, 2022, c. 3, s. 9 23.31, 2022, c. 3, s. 10 23.31.1, 2022, c. 3, s. 11 23.32, 2022, c. 3, s. 12 23.33, 2022, c. 3, s. 13 23.34, 2022, c. 3, s. 14 23.41, 2022, c. 19, s. 357 23.42, 2022, c. 19, s. 358 57, 2022, c. 19, s. 359 58.1, 2022, c. 3, s. 15 59, 2022, c. 19, s. 360 60, 2022, c. 19, s. 361
c. S-13.01	Act respecting the Société des établissements de plein air du Québec 4, 2022, c. 19, s. 362 6, Ab. 2022, c. 19, s. 363 8, 2022, c. 19, s. 364 10, 2022, c. 19, s. 365 10.1, Ab. 2022, c. 19, s. 366 11, Ab. 2022, c. 19, s. 366 33, 2022, c. 19, s. 431 34, 2022, c. 19, s. 431 35, 2022, c. 19, s. 431
c. S-13.1	Act respecting the Société des loteries du Québec 6.1, 2022, c. 19, s. 367 6.2, Ab. 2022, c. 19, s. 368 8, Ab. 2022, c. 19, s. 368

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-13.1	Act respecting the Société des loteries du Québec — <i>Cont'd</i> 9 , Ab. 2022, c. 19, s. 368 9.1 , 2022, c. 19, s. 369 9.2 , Ab. 2022, c. 19, s. 370 11 , Ab. 2022, c. 19, s. 370 15 , 2022, c. 19, s. 371 17 , 2022, c. 19, s. 372 23.1 , 2022, c. 3, s. 16 24 , 2022, c. 19, s. 373 25 , 2022, c. 19, s. 431
c. S-14	Act respecting the Société des Traversiers du Québec 6 , 2022, c. 19, s. 374 7 , Ab. 2022, c. 19, s. 375 8 , Ab. 2022, c. 19, s. 375 8.1 , Ab. 2022, c. 19, s. 375 8.1.1 , Ab. 2022, c. 19, s. 375 9 , 2022, c. 19, s. 376 12 , 2022, c. 19, s. 377 19 , 2022, c. 19, s. 378
c. S-14.001	Act respecting the Société du Centre des congrès de Québec 5 , 2022, c. 19, s. 379 7 , Ab. 2022, c. 19, s. 380 8 , 2022, c. 19, s. 381 9 , Ab. 2022, c. 19, s. 382 9.1 , Ab. 2022, c. 19, s. 382 11 , Ab. 2022, c. 19, s. 382 24 , 2022, c. 19, s. 383 25 , 2022, c. 19, s. 384 28 , 2022, c. 19, s. 385
c. S-14.01	Act respecting the Société du Grand Théâtre de Québec 4 , 2022, c. 19, s. 386 4.1 , Ab. 2022, c. 19, s. 387 4.2 , 2022, c. 19, s. 388 4.3 , Ab. 2022, c. 19, s. 389 4.5 , Ab. 2022, c. 19, s. 389 5 , Ab. 2022, c. 19, s. 389 7 , Ab. 2022, c. 19, s. 389 26 , 2022, c. 19, s. 390 27 , 2022, c. 19, s. 431 28 , 2022, c. 19, s. 431 31 , 2022, c. 19, s. 431
c. S-14.1	Act respecting the Société du Palais des congrès de Montréal 5 , 2022, c. 19, s. 391 6 , Ab. 2022, c. 19, s. 392 7 , 2022, c. 19, s. 393 8 , Ab. 2022, c. 19, s. 394 9 , Ab. 2022, c. 19, s. 394 11.1 , Ab. 2022, c. 19, s. 394 27 , 2022, c. 19, s. 431 28 , 2022, c. 19, s. 395
c. S-16.001	Act respecting the Société du parc industriel et portuaire de Bécancour 2 , 2022, c. 19, s. 396 4.1 , 2022, c. 19, s. 397 4.2 , 2022, c. 19, s. 397 4.3 , 2022, c. 19, s. 397 4.4 , 2022, c. 19, s. 397 4.5 , 2022, c. 19, s. 397

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-16.001	Act respecting the Société du parc industriel et portuaire de Bécancour — <i>Cont'd</i> 5 , 2022, c. 19, s. 398 6 , 2022, c. 19, s. 399 7 , Ab. 2022, c. 19, s. 400 8 , 2022, c. 19, s. 401 11 , 2022, c. 19, s. 402 12 , Ab. 2022, c. 19, s. 403 13 , Ab. 2022, c. 19, s. 403 14 , Ab. 2022, c. 19, s. 403 15 , 2022, c. 19, s. 432 20 , 2022, c. 19, s. 432 36 , 2022, c. 19, s. 431 37 , 2022, c. 19, s. 431 38 , 2022, c. 19, s. 431 39 , Ab. 2022, c. 19, s. 403 44 , 2022, c. 19, s. 432
c. S-16.011	Act respecting the Société du Plan Nord 14 , 2022, c. 19, s. 404 29 , 2022, c. 19, s. 405 30 , 2022, c. 19, s. 406 31 , Ab. 2022, c. 19, s. 407 33 , 2022, c. 19, s. 408 34 , Ab. 2022, c. 19, s. 409 36 , Ab. 2022, c. 19, s. 409 37 , 2022, c. 19, s. 410 45 , 2022, c. 19, s. 411 46 , Ab. 2022, c. 19, s. 412 48 , 2022, c. 19, s. 413 67 , 2022, c. 19, s. 431 68 , 2022, c. 19, s. 431
c. S-20	Act respecting the Société québécoise d'information juridique 2 , 2022, c. 19, s. 414 3 , 2022, c. 19, s. 415 4 , Ab. 2022, c. 19, s. 416 5 , Ab. 2022, c. 19, s. 416 6 , Ab. 2022, c. 19, s. 416 7 , Ab. 2022, c. 19, s. 416 8 , Ab. 2022, c. 19, s. 416 9 , 2022, c. 19, s. 417 9.1 , 2022, c. 19, s. 418 13 , 2022, c. 19, s. 419 15 , 2022, c. 19, s. 420 16 , 2022, c. 19, s. 431
c. S-22.01	Act respecting the Société québécoise de récupération et de recyclage 5 , 2022, c. 19, s. 421 6 , Ab. 2022, c. 19, s. 422 7 , 2022, c. 19, s. 423 7.1 , Ab. 2022, c. 19, s. 424 8 , Ab. 2022, c. 19, s. 424 9 , 2022, c. 19, s. 425 10 , Ab. 2022, c. 19, s. 426 28 , 2022, c. 19, s. 431 29 , 2022, c. 19, s. 431 30 , 2022, c. 19, s. 431
c. S-25.01	Act respecting mixed enterprise companies in the municipal sector 41.1 , 2022, c. 18, s. 132

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-30.01	Act respecting public transit authorities 92.0.1, 2022, c. 25, s. 22 92.0.2, 2022, c. 25, s. 22 92.0.3, 2022, c. 25, s. 22 92.0.4, 2022, c. 25, s. 22 92.0.5, 2022, c. 25, s. 22 92.0.6, 2022, c. 25, s. 22 92.0.7, 2022, c. 25, s. 22 108.1.1, 2022, c. 18, s. 133 108.1.2, 2022, c. 18, s. 134 124, 2022, c. 3, s. 59
c. S-32.01	Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters 30, (<i>becomes s. 46 of c. S-32.1</i>) 2022, c. 20, s. 41 31, (<i>becomes s. 47 of c. S-32.1</i>) 2022, c. 20, s. 41 32, (<i>becomes s. 48 of c. S-32.1</i>) 2022, c. 20, s. 41 33, (<i>becomes s. 49 of c. S-32.1</i>) 2022, c. 20, s. 41 34, (<i>becomes s. 50 of c. S-32.1</i>) 2022, c. 20, s. 41 35, (<i>becomes s. 51 of c. S-32.1</i>) 2022, c. 20, s. 41 36, (<i>becomes s. 52 of c. S-32.1</i>) 2022, c. 20, s. 41 38, (<i>becomes s. 53 of c. S-32.1</i>) 2022, c. 20, s. 41 39, (<i>becomes s. 54 of c. S-32.1</i>) 2022, c. 20, s. 41 40, (<i>becomes s. 55 of c. S-32.1</i>) 2022, c. 20, s. 41 41, (<i>becomes s. 55.1 of c. S-32.1</i>) 2022, c. 20, s. 41 42, (<i>becomes s. 55.2 of c. S-32.1</i>) 2022, c. 20, s. 41 Ab., 2022, c. 20, s. 42
c. S-32.1	Act respecting the professional status and conditions of engagement of performing, recording and film artists <i>(Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts)</i> Title, 2022, c. 20, s. 1 1, 2022, c. 20, s. 2 1.1, 2022, c. 20, s. 3 2, 2022, c. 20, s. 4 3, 2022, c. 20, s. 5 4, 2022, c. 20, s. 6 8, 2022, c. 20, s. 7 9, 2022, c. 20, s. 8 10, 2022, c. 20, s. 9 16, 2022, c. 20, s. 10 17, 2022, c. 20, s. 11 18, 2022, c. 20, s. 12 20, 2022, c. 20, s. 13 24, 2022, c. 20, s. 14 24.1, 2022, c. 20, s. 15 24.2, 2022, c. 20, s. 15 26.1, 2022, c. 20, s. 16 27, 2022, c. 20, s. 17 27.1, 2022, c. 20, s. 18 32, 2022, c. 20, s. 19 35, 2022, c. 20, s. 20 35.1, 2022, c. 20, s. 21 35.2, Ab. 2022, c. 20, s. 22 36.1, 2022, c. 20, s. 23 37.1, 2022, c. 20, s. 24 42, 2022, c. 20, s. 25 43, 2022, c. 20, s. 26 44, 2022, c. 20, s. 26 45, 2022, c. 20, s. 26 45.1, 2022, c. 20, s. 26 46, 2022, c. 20, s. 26

TABLE OF AMENDMENTS

Reference	Title Amendments
c. S-32.1	Act respecting the professional status and conditions of engagement of performing, recording and film artists <i>(Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts) — Cont'd</i> 47, 2022, c. 20, s. 26 48, 2022, c. 20, s. 26 49, 2022, c. 20, s. 26 50, 2022, c. 20, s. 26 51, 2022, c. 20, s. 26 52, 2022, c. 20, s. 26 53, 2022, c. 20, s. 26 54, 2022, c. 20, s. 26 55, 2022, c. 20, s. 26 55.1, 2022, c. 20, s. 26 55.2, 2022, c. 20, s. 26 56, 2022, c. 20, s. 27 63.1, 2022, c. 20, s. 28 63.2, 2022, c. 20, s. 28 63.3, 2022, c. 20, s. 28 63.4, 2022, c. 20, s. 28 68.5, 2022, c. 20, s. 29 68.6, 2022, c. 20, s. 29 69, 2022, c. 20, s. 30 70, 2022, c. 20, s. 31 71, 2022, c. 20, s. 32 71.1, 2022, c. 20, s. 32
c. S-40.1	Act respecting the Québec correctional system 26, 2022, c. 4, s. 1 49, 2022, c. 22, s. 280 51, 2022, c. 22, s. 281 55, 2022, c. 4, s. 2 119, 2022, c. 4, s. 3 140, 2022, c. 22, s. 282
c. T-0.1	Act respecting the Québec sales tax 1, 2022, c. 23, s. 178 11.3, Ab. 2022, c. 23, s. 179 12.2, 2022, c. 23, s. 180 17, 2022, c. 23, s. 181 18.0.1.1, 2022, c. 23, s. 182 18.0.1.2, 2022, c. 23, s. 183 26.3, 2022, c. 23, s. 184 26.4, 2022, c. 23, s. 185 42.0.22, 2022, c. 23, s. 186 279.1, 2022, c. 23, s. 187 297.0.2.3, 2022, c. 23, s. 188 327.2, 2022, c. 23, s. 189 327.2.1, 2022, c. 23, s. 190 327.4, 2022, c. 23, s. 191 327.5, 2022, c. 23, s. 192 327.6, 2022, c. 23, s. 193 327.6.1, 2022, c. 23, s. 194 327.6.2, 2022, c. 23, s. 194 327.6.3, 2022, c. 23, s. 194 327.6.4, 2022, c. 23, s. 194 327.6.5, 2022, c. 23, s. 194 345.3, 2022, c. 23, s. 195 345.8, 2022, c. 23, s. 196 350.0.1, 2022, c. 23, s. 197 350.0.3, 2022, c. 23, s. 198 350.0.5, 2022, c. 23, s. 199 402.23, 2022, c. 23, s. 200

TABLE OF AMENDMENTS

Reference	Title Amendments
c. T-0.1	Act respecting the Québec sales tax — <i>Cont'd</i> 402.25, 2022, c. 23, s. 201 404.3, 2022, c. 23, s. 202 433.15.1, 2022, c. 23, s. 203 433.15.3, 2022, c. 23, s. 204 433.15.4, 2022, c. 23, s. 205 433.16.2, 2022, c. 23, s. 206 433.17, 2022, c. 23, s. 207 433.19.0.1, 2022, c. 23, s. 208 433.19.20, 2022, c. 23, s. 209 433.19.21, 2022, c. 23, s. 209 433.25, 2022, c. 23, s. 210 441, 2022, c. 23, s. 211 458.5.4, 2022, c. 23, s. 212 472, 2022, c. 23, s. 213 477.5.6, 2022, c. 23, s. 214 477.18.5, 2022, c. 23, s. 215 522, 2022, c. 23, s. 216 677, 2022, c. 23, s. 217
c. T-12	Transport Act 16, 2022, c. 13, s. 85 88.2, 2022, c. 13, s. 86
c. T-15.1	Act to establish the Administrative Labour Tribunal Sched. I, 2022, c. 2, s. 40; 2022, c. 14, s. 163; 2022, c. 20, s. 43
c. T-16	Courts of Justice Act 1.1, 2022, c. 14, s. 164 85, 2022, c. 11, s. 70 88.1, 2022, c. 14, s. 165 221, 2022, c. 22, s. 283
c. V-1.3	Act respecting off-highway vehicles 52, 2022, c. 13, s. 87 114, 2022, c. 13, s. 88
c. V-5.1	The Cree Villages and the Naskapi Village Act 1, 2022, c. 1, s. 20 9.0.1, 2022, c. 1, s. 21

2- ACTS NOT INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS

2011, c. 13	Act to limit oil and gas activities Ab., 2022, c. 10, s. 96
2017, c. 4	Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund 287, 2022, c. 8, s. 163
2017, c. 21	Act to amend certain provisions regarding the clinical organization and management of health and social services institutions 69, Ab. 2022, c. 16, s. 30 71, Ab. 2022, c. 16, s. 30

TABLE OF AMENDMENTS

Reference	Title Amendments
2018, c. 18	Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions 44, Ab. 2022, c. 13, s. 89 45, Ab. 2022, c. 13, s. 89 46, Ab. 2022, c. 13, s. 89 47, Ab. 2022, c. 13, s. 89
2021, c. 24	Act to amend the Act respecting the conservation and development of wildlife and other legislative provisions 123, 2022, c. 10, s. 97
2021, c. 34	Act to amend various legislative provisions mainly with respect to the financial sector 147, 2022, c. 19, s. 427 154, Ab. 2022, c. 19, s. 428 155, 2022, c. 19, s. 429
2022, c. 2	Act to ensure the protection of trainees in the workplace 20, 2022, c. 17, s. 96

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TABLE OF GENERAL AMENDMENTS TO PUBLIC ACTS IN 2022

The entries below are references to legislative provisions passed in 2022 which amend generally or affect one or several Acts rather than specific sections.

Title	Reference
Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions	2022, c. 3, s. 17 (Bill 17)
Act to amend the Educational Childcare Act to improve access to the educational childcare services network and complete its development	2022, c. 9, s. 97 (Bill 1)
Act mainly to end petroleum exploration and production and the public financing of those activities	2022, c. 10, ss. 84, 123 (Bill 21)
Act respecting French, the official and common language of Québec	2022, c. 14, s. 215 (Bill 96)
Act to reinforce the governance of state-owned enterprises and to amend other legislative provisions	2022, c. 19, s. 135 (Bill 4)
Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status	2022, c. 22, ss. 179, 284, 285, 287, 288 (Bill 2)

**ANNUAL STATUTE / STATUTE INCLUDED IN THE COMPILATION
OF QUÉBEC LAWS AND REGULATIONS
TABLE OF CONCORDANCE**

Annual Statute	Statute included in the Compilation of Québec Laws and Regulations
2022, chapter 2	chapter P-39.3
2022, chapter 7	chapter J-1.01.1
2022, chapter 8, s. 1	chapter M-11.6
2022, chapter 10, s. 1	chapter R-1.01
2022, chapter 17	chapter P-32.01
2022, chapter 21	chapter L-1.2
2022, chapter 22, s. 291	chapter R-20.2
2022, chapter 29	chapter I-7.1

**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS BEEN DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2022**

Reference	Title Date of coming into force
1964	An Act respecting the Revised Statutes, 1964 1965-09-09
1965, c. 10	An Act to amend the Territorial Division Act 1966-04-18 ss. 1-78
1965, c. 11	An Act to amend the Legislature Act and the Executive Power Act 1966-04-18 s. 1
1965, c. 17	An Act to amend the Courts of Justice Act 1966-09-01 ss. 1-4, 22, 26-41
1965, c. 51	An Act to amend the Professional Syndicates Act 1965-11-01 ss. 3, 4
1965, c. 59	Blind Persons Allowances Act 1966-02-14 ss. 1-22
1965, c. 60	Disabled Persons Assistance Act 1966-02-14 ss. 1-21
1965, c. 61	Aged Persons Assistance Act 1966-02-14 ss. 1-21
1965, c. 67	An Act to amend the Education Act 1966-05-15 s. 10
1965, c. 80	Code of Civil Procedure 1966-09-01 ss. 1-951
1966-67, c. 18	An Act to amend the Courts of Justice Act 1968-03-11 ss. 2, 3
1966-67, c. 21	An Act to amend the Liquor Board Act 1968-03-01 ss. 1, 4, 5, 7, 9-11, 12 (par. a), 13-16, 19-22, 24, 26
1966-67, c. 24	Quebec National Library Act 1968-01-01 ss. 1-16
1966-67, c. 61	An Act to again amend the Education Act 1970-09-15 s. 1
1966-67, c. 72	Financial Institutions, Companies and Cooperatives Department Act 1968-05-28 ss. 1-24
1966-67, c. 73	Quebec Deposit Insurance Act 1970-07-01 ss. 23, 24, 29, 33
1968, c. 42	An Act to amend the Animal Health Protection Act 1972-01-01 s. 1

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1968, c. 48	An Act to establish the Office for the Prevention and Treatment of Alcoholism and other Toxicomanias 1970-05-01 ss. 1-17
1968, c. 67	Private Education Act 1969-07-02 ss. 9, 15, 23, 73
1968, c. 82	An Act respecting civil marriage 1969-04-01 ss. 1-15
1969, c. 21	Probation and Houses of Detention Act 1973-10-01 s. 17
1969, c. 51	Manpower Vocational Training and Qualification Act 1971-01-01 ss. 64-95, 99 1971-03-06 ss. 59-61
1969, c. 58	Wild-life Conservation Act 1970-06-15 ss. 1-83
1969, c. 59	An Act to amend the Hotels Act 1975-05-07 ss. 1-9
1969, c. 61	Stuffing and Upholstered and Stuffed Articles Act 1973-01-01 ss. 1-38
1969, c. 63	Social Aid Act 1970-09-10 Div. V, ss. 30-41, 65 1970-11-01 Div. I, II, III, IV, VI, VII, VIII, IX, except ss. 58, 59 1972-05-01 s. 60
1969, c. 67	An Act to amend the Education Act 1970-03-31 ss. 1-9
1970, c. 10	An Act to again amend the Courts of Justice Act 1971-10-30 ss. 1, 2
1970, c. 27	An Act to amend the Mining Act 1971-12-01 ss. 11-18, 20-23, 32
1971, c. 20	Québec Liquor Corporation Act 1993-09-30 s. 25 (3 rd par.), date from which a beer distributor's permit may be issued
1971, c. 33	Petroleum Products Trade Act 1973-01-01 ss. 1-29, 36 1974-05-01 ss. 30-35
1971, c. 47	An Act to amend the Health Insurance Act and the Health Insurance Board Act 1972-05-23 s. 3 1972-08-01 ss. 1, 2, 9-17, exceptions excluded 1974-01-01 ss. 1 (par. <i>f</i> (part)), 2 (2 nd par. (par. <i>b</i>)), 16 (part) 1974-05-01 s. 15 (par. <i>a</i> , subpar. <i>c</i> ¹)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1971, c. 48	An Act respecting health services and social services 1972-06-01 ss. 1-148, 150-168
1971, c. 50	Real Estate Assessment Act 1972-10-15 s. 129 1972-11-30 ss. 130, 132
1971, c. 81	Public Curatorship Act 1972-06-01 ss. 1-48
1972, c. 4	An Act to amend the Territorial Division Act 1973-09-25 ss. 1, 2
1972, c. 14	Legal Aid Act 1973-06-04 ss. 2-10, 22 (par. <i>a, j</i>), 24-28, 50-55, 57, 58, 60, 62-79, 82, 83, 91-94
1972, c. 42	Public Health Protection Act 1974-04-17 ss. 25-35
1972, c. 49	Environment Quality Act 1975-01-22 ss. 54-56, 58, 59, 64, 66, 67 1984-05-16 s. 45
1972, c. 52	An Act respecting the General Investment Corporation of Québec 1973-04-27 ss. 4, 6-9, 12-14
1972, c. 53	An Act to amend the Québec Pension Plan 1973-05-01 ss. 4-8, 66, 68
1972, c. 55	Transport Act 1973-05-24 ss. 52-73, 182, 183 (par. <i>b</i>) 1973-07-09 ss. 98, 101 (part), 102 1973-07-18 s. 101 (part) 1974-05-13 ss. 101 (part), 125 1974-05-27 s. 101 (part) 1974-08-14 ss. 99, 100
1973, c. 26	An Act to amend the Animal Health Protection Act 1987-07-01 s. 31
1973, c. 30	An Act to amend the Health Insurance Act and the Québec Health Insurance Board Act 1974-01-01 s. 15 1975-05-07 s. 17 1975-06-11 ss. 1 (par. <i>a</i>), 2 (par. <i>d</i>), 3-5, 8, 13 (par. <i>e</i>)
1973, c. 37	An Act to amend the Transport Act 1973-08-06 s. 4
1973, c. 38	Expropriation Act 1975-06-19 ss. 68-87, 143, 144, 145 1976-04-01 ss. 34-44, 48-66, 88, 92, 98, 99, 103, 104, 110-112, 114-117, 121, 136, 139-142

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1973, c. 43	Professional Code 1974-09-01 s. 101 1974-10-27 ss. 241-244 1975-02-12 ss. 239, 240
1973, c. 46	Medical Act 1974-09-01 s. 37 (1 st par.)
1973, c. 50	Denturologists Act 1974-06-01 ss. 1-19
1973, c. 54	Hearing-aid Acousticians Act 1974-10-21 s. 17
1973, c. 55	Podiatry Act 1974-10-21 s. 19
1973, c. 56	Chiropractic Act 1974-10-21 s. 15
1974, c. 6	Official Language Act 1976-01-01 ss. 78-99 1976-01-28 s. 34 1976-09-01 ss. 26-29, 39
1974, c. 10	An Act to amend the Civil Service Superannuation Plan 1977-07-01 ss. 2, 4, 5, 6 (s. 16 <i>c</i>), 11, 14, 16, 17 (s. 52 <i>a</i>), 26
1974, c. 13	Bailiffs Act 1975-09-20 ss. 2-21, 26-34, 36, 38
1974, c. 14	An Act to amend the Liquor Permit Control Commission Act 1975-05-26 s. 59 1975-07-01 ss. 1, 8-10, 12, 13 (par. <i>a</i>), 16, 18-22, 23 (par. <i>a</i> , <i>d</i>), 24 (par. <i>c</i>), 30, 32, 39, 40, 56, 64-67, 73, 75, 82
1974, c. 15	Intergovernmental Affairs Department Act 1976-06-01 s. 21
1974, c. 31	Crop Insurance Act 1977-04-15 ss. 23 (1 st par.), 30, 31, 34, 35, 37, 43, 44 (4 th , 5 th par.) 1977-05-18 ss. 32, 33, 36, 38-42, 45 1977-10-19 s. 44 (1 st , 2 nd , 3 rd par.)
1974, c. 33	An Act to amend the Act to promote credit to farm producers 1975-06-01 ss. 1-13
1974, c. 35	Agricultural Products and Food Act 1975-07-15 ss. 1-5, 6 (except 1 st par. (par. <i>b</i>)), 7-42, 44-53
1974, c. 39	Social Affairs Commission Act 1975-08-01 ss. 1-74

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1974, c. 40	An Act to amend the Health Insurance Act and the Québec Health Insurance Board Act 1975-04-11 s. 15 (par. <i>j</i> , except “or research scholarships”, par. <i>k</i>) 1975-05-07 s. 21 1975-06-11 s. 5 1975-07-16 ss. 15 (par. <i>j</i> , “or research scholarships”), 18 1979-04-04 s. 4
1974, c. 42	An Act to amend the Act respecting health services and social services 1980-11-04 s. 66
1974, c. 53	Travel Agents Act 1975-04-30 ss. 1-43
1974, c. 59	An Act respecting the protection of children subject to ill-treatment 1975-04-11 ss. 1 (ss. 14 <i>a</i> -14 <i>g</i> , 14 <i>i</i>), 2-4 1975-10-04 s. 1 (ss. 14 <i>h</i> , 14 <i>j</i> -14 <i>q</i>)
1974, c. 61	An Act to amend the Transport Act 1974-08-14 ss. 1, 2, 4-11 1974-08-28 s. 3
1974, c. 63	An Act to amend the Teachers Pension Plan 1975-07-01 ss. 1 (par. <i>b</i>), 3, 5, 9, 10
1974, c. 67	An Act to amend the Trust Companies Act 1975-09-24 ss. 4, 8
1974, c. 70	An Act respecting insurance 1976-10-20 ss. 1-274, 276-336, 340-481 1979-11-21 s. 275
1975, c. 6	Charter of human rights and freedoms 1976-06-28 ss. 1-56, 66-89, 91-96
1975, c. 7	An Act to amend the Territorial Division Act 1980-01-01 ss. 1-23
1975, c. 12	An Act to constitute the “Société québécoise d’information juridique” 1976-04-01 ss. 1-26
1975, c. 45	An Act to amend the Transport Act and other legislation 1976-05-03 ss. 7, 37 1976-08-04 s. 30
1975, c. 50	An Act to amend the Construction Industry Labour Relations Act 1976-09-15 s. 3 (ss. 32 <i>m</i> , 32 <i>n</i>)
1975, c. 58	An Act to repeal the Health Units Act 1976-04-01 s. 1
1976, c. 22	An Act to amend the Petroleum Products Trade Act 1987-06-10 ss. 1-8

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1976, c. 46	An Act approving the Agreement concerning James Bay and Northern Québec 1977-10-31 ss. 2 (par. 1-5, 7), 3, 4, 5
1976, c. 51	An Act to prolong and amend the Act to promote conciliation between lessees and property-owners 1977-04-01 ss. 2, 3, 8, 10, 11
1976, c. 58	An Act respecting the city of Hull 1981-08-19 ss. 1, 2
1977, c. 20	Youth Protection Act 1979-01-15 ss. 2-11, 23-27, 30, 32-137, 140, 146, 147, 150-153, 155
1977, c. 52	An Act to amend the Cities and Towns Act 1978-08-01 ss. 21, 22
1977, c. 53	An Act to amend the Municipal Code 1978-08-01 s. 37
1977, c. 55	An Act to amend the Environment Quality Act 1984-05-16 ss. 1, 2
1977, c. 60	An Act to facilitate conversion to the international system of units (SI) and to other customary units 1983-11-01 ss. 16, 18, 19
1977, c. 62	An Act to amend the Charter of the Québec Deposit and Investment Fund 1979-04-11 ss. 4, 5, 8-11
1977, c. 68	Automobile Insurance Act 1978-07-05 ss. 140, 236
1978, c. 7	An Act to secure the handicapped in the exercise of their rights 1979-08-01 s. 92 1980-11-15 ss. 68, 69, 70 (2 nd par.) 1983-01-01 s. 63
1978, c. 9	Consumer Protection Act 1979-04-04 ss. 1 (subpar. <i>i, j, l, p</i>), 291-299, 301-304, 350-352, 362 (2 nd , 3 rd par.), 363 1980-04-30 ss. 1 (subpar. <i>a-h, k, m-o</i>), 2-5, 6 (par. <i>a, b</i>), 7-155, 156 (subpar. <i>a-g, i</i>), 157-222, 224-245, 247-255, 257-290, 300, 305-307, 309-349, 353-361, 362 (1 st par.) 1981-03-01 ss. 256, 308 1982-06-02 s. 223
1978, c. 18	An Act respecting certain legislative provisions 1979-04-04 ss. 28, 29, 31, 32, 36, 37 1979-05-09 ss. 14, 15
1978, c. 22	An Act to promote the parole of inmates and to amend the Probation and Houses of Detention Act 1979-04-04 ss. 19-48, 51, 52, 54 1979-05-09 ss. 55, 56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1978, c. 36	An Act respecting lotteries, racing, publicity contests and amusement machines 1980-07-30 ss. 20 (part), 23 (part), 24-26, 27 (part), 28 (part), 29, 30, 31 (2 nd par.), 34 (part), 36 (part), 38-44, 45 (part), 46, 53 (part), 56, 57, 67 (part), 70 (part), 73, 77 (part), 125 (part)
1978, c. 54	An Act to amend the Electricians and Electrical Installations Act and the Building Contractors Vocational Qualifications Act 1979-03-01 ss. 1-23, 35 1980-04-01 ss. 24-34
1978, c. 55	An Act to amend the Pipe-Mechanics Act and to again amend the Building Contractors Vocational Qualifications Act 1980-04-01
1978, c. 56	An Act to amend the Stationary Enginemen Act 1981-09-01
1978, c. 57	An Act to amend the Workmen's Compensation Act and other legislation 1981-01-01 s. 67 1981-03-11 s. 24
1978, c. 64	An Act to amend the Environment Quality Act 1984-05-16 s. 18
1978, c. 66	An Act to amend the Charter of the General Investment Corporation of Québec 1979-08-15 s. 5
1978, c. 75	An Act to amend the Highway Code 1979-09-17 ss. 2, 3, 5, 7
1978, c. 98	An Act approving the Northeastern Québec Agreement 1979-07-04 ss. 2 (par. 1-5, 7), 3, 4
1979, c. 1	An Act to amend the Health Insurance Act and other legislation 1982-03-24 s. 40 (par. <i>a</i> , <i>b</i>)
1979, c. 17	An Act to amend the Adoption Act 1980-10-08 ss. 3 (s. 37.3), 4 (s. 41 (1 st par., subpar. <i>f</i>)) 1981-04-15 s. 3 (s. 37.2)
1979, c. 25	An Act respecting the legislation provided for in the Northeastern Québec Agreement and amending other legislation 1981-09-10 ss. 105 (s. 31 <i>i</i> (2 nd par.)), 111-114, 116-119, 122-128, 131-139, 142, 145 (ss. 763-765, 790, 792) 1985-07-01 s. 145 (ss. 766-779, 782-789, 791, 793, 794)
1979, c. 27	An Act to amend the Maritime Fisheries Credit Act 1980-03-13 ss. 1-4
1979, c. 31	An Act to amend the Companies Act and other legislation 1980-09-17 ss. 11, 12, 28, 29, 33 1980-12-17 s. 48 1980-12-30 ss. 19 (s. 31.1), 20 (s. 32 (part)), 30 (s. 132.1), 31 (s. 133 (part)), 35, 36, 37 (par. <i>a</i>), 38, 39, 45-47

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1979, c. 45	An Act respecting labour standards 1980-04-16 ss. 1-4, 5 (par. 1-3), 6-28, 29 (par. 1-3, 5), 30-38, 39 (par. 1-5, 8-12), 40-69, 71-74, 76, 77 (part), 78-111, 113-135, 139-171 1981-04-01 s. 75
1979, c. 48	An Act to establish the Régie du logement and to amend the Civil Code and other legislation 1980-03-15 s. 126 1980-07-01 ss. 4, 6, 7, 14, 85, 128 1980-10-01 ss. 1-3, 5, 8-13, 15-84, 86-125, 127, 129, 132-146
1979, c. 51	An Act respecting land use planning and development 1985-06-01 s. 261 (par. 4) 1985-09-01 s. 261 (par. 7) 1993-07-01 s. 261 (par. 6) 1995-01-01 s. 261 (par. 10)
1979, c. 56	Election Act 1980-07-10 ss. 1, 177-215, 220, 231, 232, 238, 239, 289-308, 313, 314 1980-08-15 ss. 2-176, 216-219, 221-230, 233-237, 240-288, 309-312
1979, c. 63	An Act respecting occupational health and safety 1981-01-01 s. 271 1981-01-01 ss. 9-51, 53-57, 62-67, 98-103, 127-136, 178-192, 194-197, 216-222, 227-246, 252, 265, 267, 273, 275, 278-282, 284-286, 289-301, 303-310, 313-324, 326 1981-02-25 ss. 110, 111, 247 (2 nd par.) 1982-05-26 ss. 58-61, 198-203 1982-12-01 ss. 52, 112-126 1983-10-22 ss. 68-86, 268, 327 1984-09-08 ss. 87-97
1979, c. 64	An Act respecting the protection of persons and property in the event of disaster 1980-09-01 ss. 1-16, 18, 19 (1 st par.), 20-22, 24-44, 46, 48-60
1979, c. 67	An Act to amend the Police Act 1980-06-01 ss. 1-50
1979, c. 68	An Act respecting the development of Québec firms in the book industry 1981-02-12 ss. 1, 6-14, 38, 39, 48-50, 52 1981-06-01 ss. 2-5, 15-37, 40-47, 51, schedule
1979, c. 70	An Act respecting the collection of certain debts 1981-04-01 ss. 2-4, 45-63, 65-70 1981-07-01 ss. 1, 5-24, 26-44, 64
1979, c. 71	An Act respecting liquor permits 1980-06-01 ss. 2-24, 42 (par. 1), 64, 86 (1 st par. (subpar. 9), 2 nd par.), 114-118, 120 (par. 1), 121, 122, 128, 132 (par. 2, 4, 5), 133 (par. 3), 137, 141, 144, 146, 148, 149, 160, 163, 164, 165, 169, 170, 172, 173, 175, 176 1980-10-15 ss. 1, 25-41, 42 (par. 2), 43-47, 50, 51 (2 nd par.), 52-63, 65-85, 86 (1 st par. (subpar. 1-8, 10)), 87-113, 119, 120 (par. 2), 123-127, 130, 131, 132 (par. 1, 3 (part)), 133 (par. 2, 4), 134, 135 (part), 136, 138-140, 142, 143, 145, 147, 150-159, 161, 162, 166-168, 171, 174 1981-01-01 ss. 48, 49, 51 (1 st par.), 129, 132 (par. 3 (part)), 133 (par. 1), 135 (part)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1979, c. 73	An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance 1981-01-21 ss. 1-22
1979, c. 75	An Act respecting pressure vessels, and other legislation 1980-04-01 ss. 1-38, 50-52
1979, c. 84	Grain Act 1981-02-01 ss. 1-66
1979, c. 85	An Act respecting child day care 1980-10-16 ss. 1-4, 7-31, 34-45, 74-76, 80-86, 88-96
1979, c. 86	An Act respecting safety in sports 1980-06-25 ss. 1-20, 22-25, 54-57, 71-74 1982-12-30 ss. 21, 26-30, 47-53, 58, 61-65 1987-06-23 ss. 32-38, 40-46, 59, 60, 66-69 1987-09-28 s. 70
1980, c. 11	An Act to amend various legislative provisions 1981-03-01 s. 113
1980, c. 18	An Act to amend the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan 1981-11-01 ss. 2, 3
1980, c. 27	An Act to amend the Act respecting the Société québécoise d'initiatives pétrolières 1981-04-01 ss. 1-9
1980, c. 29	An Act to amend the Forestry Credit Act 1981-07-09 ss. 1-3
1980, c. 32	An Act respecting the conservation of energy in buildings 1981-11-01 ss. 5, 16, 17 1983-02-01 ss. 1-4, 6-15, 18-26
1980, c. 39	An Act to establish a new Civil Code and to reform family law 1981-04-02 ss. 1 (Civil Code of Québec, aa. 407-422, 440-458, 460-524, 572-594, 633-659), 2-5, 7, 8, 10-32, 34-58, 61, 62, 65-67, 72, 74-79 1982-12-01 ss. 1 (Civil Code of Québec, aa. 406, 431-439, 459, 525-537, 556-559, 568, 570, 595-632), 6, 33, 59, 60, 64 (3 rd par.), 68, 69, 70 (2 nd par.), 71 (1 st par.), 73 1986-06-01 s. 1 (Civil Code of Québec, aa. 547, 549, 550)
1981, c. 2	An Act to amend the Youth Protection Act 1981-08-01 ss. 1-27
1981, c. 3	An Act to amend the Civil Service Act 1981-06-23 ss. 1, 2, 3 (s. 50 (subpar. <i>a</i> and <i>b</i>)) 1982-07-02 s. 5 1982-08-12 s. 3 (par. <i>c</i>)
1981, c. 6	An Act respecting the Société du Palais des congrès de Montréal 1981-07-16 ss. 1-31

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1981, c. 7	Highway Safety Code 1981-11-01 ss. 58, 59, 143, 163-165, 273, 477-479, 510, 511, 562, 563, 568 1982-01-01 ss. 1-57, 60, 61, 63-66, 68, 70-94, 125-129, 132-162, 166-168, 172-179, 512-529, 533-550, 554-561, 564, 565 1982-04-01 ss. 118-124, 194-263, 265-272, 274-476, 482, 484, 486, 489-491, 498-503, 505-509 1982-06-01 ss. 95-117, 169-171, 180-193, 480, 481, 485, 487, 488, 492-497, 504, 530 (1 st par.), 531, 532, 551-553, 556 1983-01-01 s. 69 1984-03-14 ss. 62, 67 1985-07-01 s. 264
1981, c. 8	An Act to amend the Transport Act and other legislation 1981-09-01 ss. 1, 2 (par. 4, 5), 3, 6, 15, 18, 19, 21, 22, 24-28, 31-35, 38 1981-12-16 ss. 4, 20, 36, 37 1982-01-20 ss. 2 (par. 1, 3), 5, 7-11, 13, 14, 16, 17 1982-11-17 ss. 23, 30 1983-08-01 s. 29 (s. 80 (par. <i>a</i> , <i>b</i>)) 1984-01-01 s. 29 (s. 80 (par. <i>c</i>))
1981, c. 10	An Act respecting the Ministère de l'Habitation et de la Protection du consommateur 1981-07-22 s. 28 (2 nd par.)
1981, c. 20	An Act to amend the Civil Service Act 1982-01-08 ss. 1-9
1981, c. 22	An Act to amend various legislation in the field of health and social services 1982-03-24 ss. 1 (s. 2 (10 th par.)), 4, 8, 9, 14-20, 22, 23, 24 (par. 1, 3, 4, 6), 25-29, 33, 35, 36, 40, 42, 43 (ss. 18.1, 18.2, 18.5), 46, 52-55, 57, 59-82, 86-91, 94-96, 100, 102, 113 (3 rd par.), 116 1982-07-01 ss. 1 (s. 3 (9 th , 11 th par.)), 7, 10 1983-02-01 s. 49 1983-04-01 s. 21
1981, c. 23	An Act to amend various legislative provisions 1983-01-01 ss. 16, 17
1981, c. 24	An Act to amend various fiscal laws 1982-01-20 ss. 14, 15
1981, c. 26	An Act to amend the Transport Act and other legislation 1982-03-25 ss. 1-26, 28, 29, 40, 41 1982-04-01 ss. 31, 32, 37 1982-07-01 ss. 27, 30, 33-36, 38, 39
1981, c. 27	An Act respecting school loans 1982-03-08 ss. 1-27
1981, c. 31	An Act respecting the sociétés d'entraide économique and amending various legislation 1982-01-13 ss. 1-15, 16 (part), 17-49, 162-167, 190-195, 201-204, 206 (1 st par.), 207-213, 216-218, 220-223 1982-03-01 ss. 50-52, 53 (par. 1, 2), 54-56, 61-99, 100 (2 nd par.), 104-117, 118 (1 st par.), 119-123, 124 (1 st par., 2 nd par. (par. 1, 2, 4, 5)), 125, 127 (1 st par.), 128, 129 (part), 130-161, 170-181, 189, 198-200, 214, 215 1984-04-01 ss. 53 (par. 3), 60, 100 (1 st par.), 101-103, 118 (2 nd par.) 1984-11-15 ss. 168 (part), 169

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1981, c. 32	An Act to amend the Act to establish the Régie du logement and to amend the Civil Code and other legislation 1982-02-17 ss. 2, 16 1982-06-09 ss. 10, 18
1982, c. 2	An Act to amend various legislative provisions respecting municipalities 1982-08-12 s. 121
1982, c. 8	An Act respecting the Société du Grand Théâtre de Québec 1982-07-01 ss. 1-41
1982, c. 9	An Act respecting the Société de la Place des Arts de Montréal 1982-07-01 ss. 1-43
1982, c. 13	An Act respecting public agricultural lands 1984-07-01 ss. 1-73
1982, c. 17	An Act to provide for the carrying out of the family law reform and to amend the Code of Civil Procedure 1982-12-01 ss. 1, 3-28, 29 (Code of Civil Procedure, aa. 813-817.4, 818.1-819.4, 821-827.1), 30-41, 43-80, 81 (par. 1, 2), 83-87 1983-10-01 ss. 2, 42
1982, c. 26	Cooperatives Act 1983-03-30 ss. 328, 329 1983-06-08 ss. 244, 245, 271, 279, 282 1983-12-21 ss. 1-243, 246-270, 272-278, 280, 281, 283-327
1982, c. 27	An Act respecting the revocation of mining rights and amending the Mining Act 1982-09-15 ss. 1-15
1982, c. 29	An Act to promote the establishment of young farmers 1982-09-01 ss. 1-34
1982, c. 30	An Act respecting Access to documents held by public bodies and the Protection of personal information 1983-10-01 ss. 155-157, 168, 169, 178 1984-07-01 ss. 9-15, 17-68, 71-102, 122-130, 132-154, 158-167, 170-173, 175-177 1985-07-01 ss. 69, 70 1986-01-01 s. 16
1982, c. 31	An Act to amend certain legislation concerning the financing of political parties and concerning municipal elections 1982-06-30 ss. 1-59, 62-118 1982-10-10 ss. 60, 61
1982, c. 32	An Act to amend the Summary Convictions Act, the Code of Civil Procedure and other legislation 1982-06-23 ss. 64-69, 71, 72, 97, 99 1983-01-01 ss. 1-30 1983-04-01 s. 59
1982, c. 33	An Act to amend various legislation respecting pension plans 1982-08-18 ss. 1, 21, 30, 36 (s. 115), 40

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1982, c. 37	An Act to amend the Labour Code, the Code of Civil Procedure and other legislation 1982-06-30 ss. 20-26, 28, 29 1982-08-03 ss. 1, 4, 6 (ss. 111.0.15, 111.0.16, 111.0.18-111.0.26), 17, 27 1982-11-10 s. 6 (ss. 111.0.1-111.0.3, 111.0.5-111.0.7, 111.0.14) 1982-12-01 ss. 2, 3, 5, 6 (ss. 111.0.8-111.0.11, 111.0.13, 111.0.17), 16, 18, 19 1985-06-19 ss. 7-10, 13
1982, c. 38	An Act to amend various fiscal laws 1983-01-01 s. 23
1982, c. 40	An Act to amend the Act to preserve agricultural land 1982-07-01 ss. 1-15
1982, c. 48	Securities Act 1983-01-19 ss. 150, 160, 300, 301, 331-335, 348, 353, 354 1983-04-06 ss. 1-149, 151-159, 161-299, 302-330, 336-338, 340-347, 349-352 1983-12-21 s. 339
1982, c. 49	An Act to amend the Autoroutes Act and other legislation 1983-01-01 ss. 1-10, 12-23 1983-01-20 s. 11
1982, c. 50	An Act respecting the Ministère du Commerce extérieur 1983-01-12 ss. 1-22
1982, c. 51	An Act respecting the abolition of compulsory retirement in the public and parapublic sector pension plans and amending various legislation respecting such plans 1983-01-01 ss. 45, 122
1982, c. 52	An Act respecting the Inspector General of Financial Institutions and amending various legislation 1983-04-01 ss. 1-30, 32-35, 37-43, 45-52, 56-233, 235-263, 266-273, Schedule I 1983-04-01 ss. 264, 265
1982, c. 54	An Act respecting the integration of the administration of the electoral system 1983-01-01 ss. 1-59
1982, c. 55	An Act respecting the transfer of property in stock 1984-07-03 ss. 1-6
1982, c. 58	An Act to amend various legislation 1983-04-01 s. 1 1983-12-21 s. 22 1984-01-18 ss. 75 (s. 178.0.2), 76 (s. 178.1) 1987-03-18 ss. 41, 42, 43
1982, c. 59	An Act to amend the Automobile Insurance Act and other legislation 1983-01-01 ss. 1-4, 5 (par. 1, 3), 12, 15, 19, 20, 24, 27-30, 48, 49, 54, 59-61, 63, 64, 66, 70-73 1983-03-01 ss. 31-35, 62, 67-69 1983-07-01 ss. 6-9, 10 (s. 26 (3 rd par.)), 13, 14, 16-18, 21, 23, 36 (par. 2) 1984-01-01 ss. 25, 26, 47, 53, 55, 56 1984-03-14 ss. 10 (s. 26 (2 nd par.)), 11, 38-41, 50, 52 1984-05-16 ss. 57, 58

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1982, c. 61	An Act to amend the Charter of human rights and freedoms 1983-10-01 ss. 1-4, 5 (s. 18.2), 6 (par. 1), 7-20, 21 (ss. 86.8-86.10), 22, 23, 28, 29, 31-35 1984-06-01 s. 5 (s. 18.1) 1985-06-26 ss. 21 (ss. 86.1, 86.2 (2 nd par.), 86.3-86.7), 24, 26, 27
1982, c. 62	An Act respecting the National Assembly 1983-02-09 ss. 33-36, 38, 40, 41, 42-56, 66, 74, 77-79, 116, 128-132, 133, 134, 136-139, 140, 155 (to the extent that it repeals ss. 14, 16, 27-33 and 37 of the Interpretation Act), 159, Schedule II 1983-05-04 ss. 86-115, 117-127, 147, 164 1983-05-18 ss. 57-65, 67-73, 75, 76, 80-85, 135, 141 (2 nd par.), 167 (1 st par.) 1989-06-07 ss. 37, 39, 155 to the extent that it repeals ss. 15, 20, 21, 23-26, 34-36
1983, c. 7	An Act to amend the Act to promote farm improvement 1983-06-08 ss. 1-6
1983, c. 8	An Act to amend the Act to promote credit to farm producers 1983-06-08 ss. 1-4, 6-8
1983, c. 10	An Act to amend the Deposit Insurance Act 1984-06-01 ss. 2-4, 28, 32 1991-12-01 s. 35
1983, c. 15	An Act to amend the Hydro-Québec Act and the Act respecting the exportation of electric power 1983-06-28 ss. 1-47
1983, c. 16	An Act to promote forest credit by private institutions 1984-06-30 ss. 1-71
1983, c. 20	An Act to amend certain fiscal legislation 1984-01-01 s. 5
1983, c. 21	An Act to amend the Expropriation Act, the Civil Code and the Act respecting the Communauté urbaine de Montréal 1983-10-01 ss. 8, 12, 14, 17, 19-34
1983, c. 23	An Act to promote the advancement of science and technology in Québec 1983-08-17 ss. 1-64, 98-101, 103-109, 111, 113 (s. 55 (par. 16, 18)), 114, 115, 127-131 1984-01-25 ss. 65 (par. 2), 66-79, 81, 83-93, 94 (2 nd par.), 95 (2 nd , 3 rd par.), 96, 97, 113 (s. 55 (par.17)), 116, 119-124 respecting the Fonds de recherche en santé du Québec 1984-01-25 ss. 102, 110 1984-11-28 ss. 65 (par. 1), 66-80, 83-93, 94 (1 st par.), 95 (1 st , 3 rd par.), 96, 97, 117-124 to the extent that they relate to the Fonds pour la formation de chercheurs et l'aide à la recherche 1984-11-28 s. 112
1983, c. 25	An Act to amend the Act respecting assistance for tourist development 1983-09-15 ss. 1-13
1983, c. 26	An Act to amend various legislative provisions respecting housing and consumer protection 1983-09-01 ss. 10, 12 (par. 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1983, c. 27	An Act respecting the Société québécoise des transports 1983-07-05 ss. 1-38
1983, c. 28	An Act to amend the Code of Civil Procedure, the Civil Code and other legislation 1983-12-01 ss. 10, 28-35 1985-02-25 s. 43
1983, c. 30	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1983-10-19 ss. 1-14 (s. 83), 15-28
1983, c. 37	Cinema Act 1983-12-14 ss. 1-8, 15-35, 38, 40-62, 65-75, 123-134, 136, 137, 145-148, 167-172, 185-187, 192, 193, 202, 209-211 1984-02-20 ss. 9-14, 36, 37, 39, 207, 208 1984-04-11 ss. 63, 64, 191 1985-03-13 ss. 76-78, 80-82, 84-90, 135 (1 st par. (subpar. 1, 7), 2 nd par.), 138-144, 149-153, 173-176, 178-181, 195, 196, 200, 201, 203-206 1985-04-01 ss. 100, 197 1985-10-08 s. 83 1988-09-30 ss. 79, 91-96, 97 (1 st par., 2 nd par. (subpar. 1-5, 7)), 98, 99, 101-104, 106-108, 110, 117-122, 135 (1 st par. (subpar. 2, 3, 5, 6)), 154-166, 177, 182-184, 194
1983, c. 38	Archives Act 1987-08-21 ss. 69, 71 1989-08-30 ss. 58, 63, 80 1990-04-02 ss. 73, 81 1991-04-19 s. 79 1992-02-05 s. 72 1993-04-01 s. 70 1994-04-27 ss. 64, 66, 67
1983, c. 39	An Act respecting the conservation and development of wildlife 1984-06-06 ss. 1-25, 27, 28, 31-37, 39, 41, 44, 45, 47, 48, 50, 52-66, 69-74, 77-128, 162, 164-197 1984-06-15 ss. 30, 38, 40, 129-132, 133 (1 st par.), 134-139, 142-146, 150-161, 163 1985-11-27 ss. 140, 141 1988-01-13 s. 148 1988-03-09 ss. 147, 149 1989-03-01 ss. 49, 51, 75, 76 1989-08-23 s. 29 1992-08-06 ss. 42, 67, 68 1993-07-29 s. 26 1999-04-22 s. 43
1983, c. 40	An Act respecting the Société immobilière du Québec 1984-02-15 ss. 1-17, 53, 61, 66, 96, 97, 98 1984-03-14 ss. 18, 22-45, 54-60, 67, 68, 72-76, 79-82, 84, 91, 92 (except Div. II and ss. 19, 20), 93-95 1984-04-01 ss. 85-87 1984-09-25 ss. 19, 21 1984-09-30 ss. 46-52 1984-10-01 ss. 20, 62, 63-65, 69-71, 77, 78, 83, 88-90, 92 (Div. II and ss. 19, 20)
1983, c. 41	An Act respecting the determination of the causes and circumstances of death 1984-11-21 ss. 5-33, 163-169, 183, 184, 189, 212, 213 1986-03-03 ss. 1-4, 34-162, 170-182, 185-188, 190-211

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1983, c. 42	An Act respecting the Agence québécoise de valorisation industrielle de la recherche 1984-01-25 ss. 1-42
1983, c. 47	An Act to amend various fiscal laws in view of instituting a new right of appeal for taxpayers 1984-09-30 ss. 1-10
1983, c. 49	An Act to amend various fiscal laws 1984-01-01 ss. 7-9, 18-21, 23, 36, 37, 39 (in respect of individuals only), 43-45, 49-53 1984-05-01 s. 17 1984-08-08 s. 39 in respect of the department corporations and mandataries
1983, c. 52	National Museums Act 1984-05-16 ss. 1-22, 26-41, 44-52, 55-57 1984-11-09 ss. 23, 24, 25, 42, 43, 53, 54
1983, c. 54	An Act to amend various legislative provisions 1984-03-14 s. 13 1984-04-25 s. 21 (s. 78 (4 th par.)) 1985-01-09 s. 44
1983, c. 55	Public Service Act 1984-02-02 ss. 28, 29, 87-89, 136, 137, 153, 164, 174 1984-03-21 ss. 162, 169-171, 173 1984-04-01 ss. 1-27, 30-41, 51, 52, 54-86, 90-135, 138-152, 154-161, 163, 165-168, 172 1985-02-01 ss. 42-50, 53
1983, c. 56	An Act to amend the Charter of the French language 1984-02-01 ss. 1-53
1984, c. 4	An Act to amend the Youth Protection Act and other legislation 1984-04-04 ss. 3, 15, 20, 21, 22 (par. 1), 26, 27, 33, 38, 44, 46, 62-85 1984-04-16 ss. 1, 2, 4-14, 16-19, 22 (par. 2), 23-25, 28-32 (ss. 57.2, 57.3), 34-37, 39-43, 45, 47-61
1984, c. 8	An Act respecting the Société de développement des coopératives 1984-06-06 ss. 1-51
1984, c. 12	An Act respecting the civil aspects of international and interprovincial child abduction 1984-12-12 ss. 41, 46, 47 1985-01-01 ss. 1-40, 42-45
1984, c. 16	An Act respecting commercial fisheries and aquaculture and amending other legislation 1985-11-15 ss. 1-3, 5-10, 12-68
1984, c. 17	An Act to amend the Act respecting commercial establishments business hours 1984-08-15 ss. 1-8
1984, c. 19	An Act respecting the leasing of water-powers of the Péribonca river to the Aluminum Company of Canada Limited 1984-09-07 ss. 1-10

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1984, c. 23	An Act to amend various legislation respecting transport 1984-12-12 ss. 7, 12, 26-30 1985-03-13 s. 3
1984, c. 26	An Act to amend the Code of Civil Procedure and other legislation 1984-07-03 ss. 34, 35, 36 1984-08-08 ss. 37, 38, 42, 43 1984-11-01 ss. 1-5, 11, 13, 14, 19, 23-28, 30-33, 39, 40 1985-01-01 ss. 6-10, 12, 15-18, 20, 22
1984, c. 27	An Act to amend various legislation 1995-06-30 s. 84
1984, c. 30	An Act respecting beer and soft drinks distributor's permits 1984-06-27 ss. 1, 5, 10, 11, 12 1984-07-15 ss. 2, 3, 4, 6, 7, 8, 9
1984, c. 33	An Act to amend the National Museums Act 1984-12-19 ss. 1, 3, 13, 15 1985-04-01 ss. 2, 4-12, 14
1984, c. 36	An Act respecting the Ministère du Tourisme and amending other legislation 1984-12-20 ss. 1-52
1984, c. 41	An Act to amend the Securities Act 1985-08-01 ss. 8, 14-16, 20, 33 1987-06-04 ss. 1 (par. 2), 36, 37, 40 (ss. 110-118, 120, 123 (1 st par.), 124, 125, 127-142, 145-147.7, 147.8 (part), 147.9-147.12, 147.15, 147.16, 147.19-147.23), 53, 54 1987-07-16 s. 40 (ss. 119, 121, 122, 126, 143, 144, 147.13, 147.14, 147.17, 147.18)
1984, c. 42	An Act respecting the Société de transport de la Ville de Laval 1985-02-01 ss. 1-145
1984, c. 43	An Act respecting the leasing of water-powers of the du Lièvre river to Les Produits forestiers Bellerive Ka'N'Enda Inc. 1985-03-06 ss. 1-10
1984, c. 46	An Act to amend the Civil Code, the Code of Civil Procedure and other legislation 1985-04-01 ss. 5-14
1984, c. 47	An Act to amend various legislation 1985-02-22 ss. 23-25, 191, 192, 195, 196, 197 1985-03-01 s. 137 1985-03-13 s. 22 1985-03-13 ss. 217-225 1985-04-01 s. 207 1985-12-15 ss. 128-132 1986-04-30 s. 31
1984, c. 51	Election Act 1985-03-13 ss. 1-93, 95-563 1985-07-01 s. 94
1984, c. 54	An Act respecting the Société des établissements de plein air du Québec 1985-03-20 ss. 1-56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 9	An Act respecting Québec business investment companies 1985-08-14 ss. 1-19
1985, c. 12	An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 1985-06-19 ss. 1-56, 70-91, 93-101, schedules A, B, C 1985-08-01 s. 92 (ss. 111.16-111.20 of the Labour Code) 1985-08-01 ss. 57-69
1985, c. 13	An Act respecting the Société du Parc des expositions agro-alimentaires 1985-07-10 ss. 1-40
1985, c. 14	Cullers Act 1985-09-01 ss. 1-46
1985, c. 15	Restauration Merit Act 1985-12-01 ss. 1-12
1985, c. 16	Fishermen's Merit Act 1985-12-01 ss. 1-12
1985, c. 17	An Act to amend the Act respecting insurance and other legislation 1985-09-11 ss. 1-100
1985, c. 20	An Act to amend the Act respecting the Montréal Museum of Fine Arts 1985-09-01 ss. 1-12
1985, c. 21	An Act respecting the Ministère de l'Enseignement supérieur, de la Science et de la Technologie and amending various legislation 1985-07-15 ss. 1-30, 32, 35-74, 80-85, 96-106 1985-08-15 ss. 31, 33, 34
1985, c. 23	An Act to amend various legislation respecting social affairs 1992-08-01 ss. 1, 2, 4
1985, c. 24	An Act to amend the Cultural Property Act and other legislation 1986-04-02 ss. 1-46
1985, c. 29	An Act to amend various legislation respecting the administration of justice 1985-11-27 ss. 17-19, 42 (s. 103.1), 44-47 1986-03-03 ss. 16, 20, 21, 38-41, 42 (ss. 103.2-103.6), 43 1989-05-01 ss. 7-11
1985, c. 30	An Act to amend various legislation 1985-10-16 ss. 26-28 1985-10-23 ss. 40-52
1985, c. 34	Building Act 1985-10-31 ss. 87-111, 130, 140-149, 154, 156-159, 217, 220, 222, 223, 225 (Title of Div. III.2, ss. 9.14-9.34), 228 (par. 1), 229 (par. 2), 233, 236, 237, 241 (ss. 20.8-21, 21.2-23), 244, 246, 248, 250, 251, 255 (par. 1), 256, 261 (ss. 19.8-20, 20.2-21.2), 298, 300 1986-11-01 ss. 226, 227, 228 (par. 2, 3) 1987-01-01 s. 224 1988-06-15 ss. 269-273 1989-02-01 ss. 221, 225 (s. 9.35), 229 (par. 1)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 34	Building Act – <i>Cont'd</i>
1995-09-01	ss. 151 (par. 6) (in any respect other than the qualification of contractors and owner-builders), 153 (in any respect other than the qualification of contractors and owner-builders)
1997-01-15	ss. 160 (par. 1), 165 (par. 1)
2000-11-07	ss. 2 (in all respects other than the qualification of contractors and owner-builders), 3, 5, 7 (with regard to the definition of “pressure vessel”), 10, 12-18, 20-23, 36, 112 (in all respects other than the qualification of contractors and owner-builders), 113, 114, 115 (in all respects other than the qualification of contractors and owner-builders), 116, 122-128, 132-139, 151 (par. 1-5) (in all respects other than the qualification of contractors and owner-builders)), 153 (1 st par.) (in all respects other than the qualification of contractors and owner-builders)), 194 (par. 3, 6, 6.1, 6.2) (par. 2, 4, 7 (in all respects other than the qualification of contractors and owner-builders)), 198, 199, 210, 282 (with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies) and 283
2002-10-01	ss. 6, 24-27, the heading of Div. I preceding s. 29, 29 (with regard to the plumbing installations, electrical installations and installations intended to use, store or distribute gas), 30-35, the heading of Div. III preceding s. 37, 37, 39, 40, 119, 214 (concerning the Act respecting piping installations (R.S.Q., chapter I-12.1) and the Act respecting electrical installations (R.S.Q., chapter I-13.01)), 230 (par. 1, 2), 239, 245 (par. 2), 259, 260, 291 (1 st par. (in all respects other than the qualification of contractors and owner-builders), 2 nd par.)
2003-01-01	s. 19
2003-12-02	s. 214 (concerning the Gas Distribution Act (R.S.Q., chapter D-10))
2004-10-21	s. 282 (with regard to mechanical lifts and with regard to elevators and other elevating devices to which Chapter IV of the Construction Code, approved by Order in Council 895-2004 dated 22 September 2004, applies)
2005-02-17	s. 38
2006-01-01	ss. 29 (with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies), 282 (with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies)
2006-06-21	ss. 215 (1 st par., with regard to the provisions of the Regulation respecting safety in public baths (R.R.Q., 1981, c. S-3, r. 3)), 282 (with regard to public baths)
2012-05-03	ss. 215 (with regard to amusement rides and devices), 282 (with regard to amusement rides and devices)
2012-08-30	s. 214 (as regards the Act respecting the conservation of energy in buildings (chapter E-1.1), in respect of buildings and facilities intended for use by the public to which Part 11 of the Code adopted by Chapter I of the Construction Code applies)
2013-03-18	ss. 29 (in all respects), 215 (in all respects), 282 (in all respects)
2018-03-08	s. 214 (as regards the Act respecting pressure vessels (chapter A-20.01))
2020-06-27	s. 214 (in respect of any provision of the Act respecting the conservation of energy in buildings (chapter E-1.1) that has not yet been replaced by the Building Act under that section)
1985, c. 35	An Act to amend various legislation respecting transport
1985-07-10	ss. 3-7, 12 (par. 2), 13 (par. 1), 16-23, 26-29, 31, 33, 36-48, 50-55, 57, 60-73, 75-80
1985-10-16	ss. 1, 2, 8-11, 12 (par. 1), 13 (par. 2), 14, 15, 24, 25, 30, 32, 34, 35, 49, 56, 58, 59, 74
1985, c. 36	An Act to repeal the Act respecting corporations for the development of Québec business firms
1985-11-01	ss. 1-4

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 62	An Act respecting the Société mutuelle de réassurance du Québec 1985-12-16 ss. 1-60
1985, c. 66	An Act respecting a trust created for the benefit of Phyllis Barbara Bronfman 1986-07-23 s. 4 (3 rd par.)
1985, c. 68	An Act respecting the Collège militaire Royal de Saint-Jean 1985-08-28 ss. 1-5
1986, c. 12	An Act to amend the Highway Safety Code 1986-08-29 ss. 1-15
1986, c. 17	An Act to amend the Tobacco Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-10
1986, c. 18	An Act to amend the Fuel Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-12
1986, c. 21	An Act respecting the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville and repealing the Act to promote rural electrification by means of electricity cooperatives 1986-11-05 ss. 1-26
1986, c. 45	An Act to amend the Hotels Act 1986-07-22 ss. 1-9
1986, c. 50	An Act to amend the Act respecting safety in sports 1987-06-23 ss. 1-17
1986, c. 52	An Act respecting the Ministère des Approvisionnements et Services and amending various legislation 1986-07-09 ss. 1-28
1986, c. 53	An Act to amend the Animal Health Protection Act 1986-09-03 ss. 1-20
1986, c. 54	An Act to amend the Act to promote the development of agricultural operations 1986-08-20 ss. 3, 5, 7-10, 13
1986, c. 57	An Act to amend the Act respecting health services and social services 1986-08-09 ss. 1-3, 5-11 1986-11-12 s. 4
1986, c. 58	An Act respecting various financial provisions relating to the administration of justice 1987-01-01 ss. 18, 72
1986, c. 60	An Act respecting the sale of the Raffinerie de sucre du Québec 1986-09-18 ss. 4-9, 11-15, 18
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act 1986-11-15 ss. 1, 2, 4 (par. 5, 12 except that part which concerns the territory included in the registration division of Montmorency), 5

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act – <i>Cont'd</i> 1987-03-14 s. 4 (par. 14, 17) 1987-04-04 s. 4 (par. 2, 6) 1987-06-20 s. 4 (par. 13, 18) 1988-03-31 s. 4 (par. 3, 15) 1988-06-24 s. 4 (par. 9, 10, 11 (Nicolet)) 1988-07-01 s. 4 (par. 11 (Yamaska)) 1988-09-09 s. 4 (par. 16 (Iberville)) 1988-09-16 s. 4 (par. 16 (Napierville))
1986, c. 64	An Act to amend the Act respecting municipal and intermunicipal transit corporations and other legislation respecting public bodies providing public transportation 1986-07-16 ss. 1-30
1986, c. 66	An Act to amend the Act respecting intermunicipal boards of transport in the area of Montréal, the Cities and Towns Act and the Municipal Code of Québec 1986-07-16 ss. 1-18
1986, c. 67	An Act to amend the Transport Act, the Act respecting the Ministère des Transports and the Roads Act 1986-07-16 ss. 1-12
1986, c. 71	An Act to amend the Interpretation Act and to again amend the Act respecting the National Assembly 1989-12-20 s. 2
1986, c. 81	An Act to repeal the Act respecting the Société de cartographie du Québec 1987-05-01 s. 1
1986, c. 82	An Act to repeal the Act respecting the Institut national de productivité 1990-08-29 s. 1
1986, c. 86	An Act respecting the Ministère du Solliciteur général and amending various legislation 1986-12-10 ss. 1-48
1986, c. 91	Highway Safety Code 1987-06-29 ss. 1-10, 12-75, 81-83, 85-104, 107-116, 127-142, 146-150, 167-179, 187, 188, 189 (par. 1, 3), 190, 191, 195-206, 210-331, 333-387, 390-412, 415-495, 497-520, 521 (par. 4, 7-11), 522-602, 612-617, 620-623, 625-638, 640-649, 651-653, 655, 657-659, 661, 664, 665, 668, 669 1987-06-30 ss. 603-611 1987-12-01 ss. 11, 76-80, 105, 106, 117-126, 143-145, 151-166, 180, 181 (1 st par.), 182-186, 192, 193, 207-209, 388, 521 (par. 1, 2, 3, 6), 639, 654, 656, 666, 667, 670, 671 1988-05-01 ss. 181 (2 nd par.), 189 (par. 2) 1988-05-04 ss. 413, 414 1988-06-01 ss. 84, 194 1990-09-01 s. 521 (par. 5) 2008-09-03 s. 332
1986, c. 95	An Act to amend various legislation having regard to the Charter of human rights and freedoms 1987-02-15 ss. 1-30, 32, 34-68, 70, 71, 75, 79-120, 121 (par. 1), 122-229, 231-302, 304-353, 358 1987-04-01 s. 230 1988-08-01 ss. 31, 33, 69, 72-74, 76-78, 121 (par. 2, 3)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1986, c. 97	An Act to again amend the Animal Health Protection Act 1990-06-15 ss. 1-12
1986, c. 104	An Act to amend the Youth Protection Act with reference to international adoptions 1987-08-17 ss. 1-3
1986, c. 106	An Act to again amend the Act respecting health services and social services 1987-01-07 ss. 1-9, 11 1987-10-25 s. 10
1986, c. 107	An Act to amend the Official Time Act 1987-02-01 ss. 1, 2
1986, c. 110	An Act to amend the Act respecting the Société de développement industriel du Québec 1987-03-01 ss. 2, 13, 14
1987, c. 10	An Act to amend the Act respecting the Société d'habitation du Québec 1987-04-01 ss. 1-43
1987, c. 12	Tourist Establishments Act 1991-06-27 ss. 1-55
1987, c. 20	An Act to repeal the Act respecting the Société du Parc des expositions agro-alimentaires 1989-02-01 ss. 1-4
1987, c. 25	An Act to amend the Environment Quality Act 1987-11-01 ss. 2-15
1987, c. 29	Pesticides Act 1988-07-07 ss. 1-10, 14-62, 63 (par. 1), 64-104, 108-134 2003-03-05 ss. 11-13, 63 (par. 2), 105-107
1987, c. 31	An Act respecting the funding of the Fondation pour la conservation et la mise en valeur de la faune et de son habitat 1987-07-17 ss. 1-5
1987, c. 35	An Act to amend the Grain Act and the Farm Products Marketing Act 1987-07-16 ss. 1-16
1987, c. 40	An Act to amend various legislative provisions respecting securities 1987-07-15 ss. 4, 5, 29-31 1988-07-21 ss. 3, 6
1987, c. 44	An Act respecting adoption and amending the Youth Protection Act, the Civil Code of Québec and the Code of Civil Procedure 1987-08-17 ss. 1-17
1987, c. 50	An Act to amend the Courts of Justice Act 1988-09-01 s. 3 (par. 4) 1989-06-14 s. 3 (par. 2)
1987, c. 51	The Marine Products Processing Act 1987-07-22 ss. 1-55

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1987, c. 52	An Act to amend the Territorial Division Act with respect to certain registration divisions 1989-07-04 ss. 1, 2
1987, c. 64	Mining Act 1988-07-06 ss. 273-277 1988-10-24 ss. 1-272, 278-383
1987, c. 65	An Act respecting prearranged funeral services and sepultures 1988-03-01 ss. 1-90
1987, c. 71	An Act to amend the Cinema Act and the Act respecting the Société de développement des industries de la culture et des communications 1988-03-30 ss. 1-4, 15, 17, 34 (par. 1, 3, 4), 35-49, 52-61 1988-09-30 ss. 20-25, 27-33, 34 (par. 2) 1988-10-12 ss. 5-14, 16, 51 1989-03-01 ss. 18, 50
1987, c. 73	An Act respecting the Conseil de la conservation et de l'environnement 1988-04-27 ss. 1-28
1987, c. 80	An Act respecting the use of petroleum products 1991-07-11 ss. 1-82
1987, c. 86	An Act respecting farm financing 1988-07-13 ss. 6, 64, 95, 111, 159, 160 1988-08-11 ss. 1-5, 7-63, 65-94, 96-110, 112-158
1987, c. 94	An Act to amend the Highway Safety Code and other legislation 1988-06-01 ss. 38, 47, 63, 64, 66, 67, 70 (ss. 519.10, 519.13, 519.20, 519.24-519.34, 519.36, 519.37, 519.39-519.41, 519.43, 519.45, 519.48, 519.49, 519.51, 519.52, 519.55-519.62), 79, 82, 100 1988-07-01 ss. 10 (ss. 80.1, 80.2), 13, 17 (s. 94 (2 nd par., par. 1, 2)), 22, 23, 32 (s. 187.1), 36 (par. 1) 1988-12-14 ss. 58 (s. 388 (par. 2)), 106 1989-01-01 ss. 17 (s. 94 (1 st and 2 nd par., par. 3-5)), 104, 105 1989-02-06 s. 70 (ss. 519.9, 519.42) 1989-04-13 ss. 10 (ss. 80.3, 80.4), 32 (s. 187.2), 59, 70 (ss. 519.11, 519.12, 519.21, 519.23, 519.38, 519.44, 519.50, 519.53) 1989-06-01 ss. 34, 48, 70 (ss. 519.4-519.8, 519.15-519.19, 519.22, 519.35, 519.46, 519.47) 1990-06-01 s. 101
1987, c. 95	An Act respecting trust companies and savings companies 1988-05-18 s. 408 1988-06-09 ss. 1-312, 315-407, 409, 410 1989-07-01 ss. 313, 314
1987, c. 96	Code of Penal Procedure 1990-10-01 ss. 1-7, 17-54, 55 (1 st , 2 nd par.), 56-61, 62, 63 (offence reports), 64, 65, 66 (1 st , 2 nd par.), 67-70, 71 (par. 1, 2 except the words "statement of offence or", 3-7), 72-86, 88, 89, 90 (1 st par.), 92-128, 143, 150-155, 169 (1 st , 2 nd par.), 170-173, 174 (par. 1-4, 6-8), 175-179, 181-183, 184 (1 st par. (subpar. 1-3, 5-8)), 184 (2 nd par.), 185 (except the reference to subpar. 4 of s. 184), 186, 189-221, 222 (2 nd par.), 223-229, 231-243, 244 (except the second sentence of the 2 nd par.), 245, 246 (except the words "or under article 165"), 247-249, 250 (1 st par.), 251-256, 257 (1 st par.), 258-260, 265, 266 (except the words "or the proceeds of the sale thereof"), 267, 268 (except the words "or, even if he was not a party to the proceedings, the Attorney General"),

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1987, c. 96	Code of Penal Procedure – <i>Cont’d</i> 269, 270 (1 st par.), 271-290, 291 (except the words “and the Attorney General, even if he was not a party to the proceedings,”), 292, 293, 294 (the following words: “An appeal shall be brought before the Court of Appeal sitting at Montréal or at Québec according to where an appeal from a judgment in a civil matter would lie”), 295-315, 316 (1 st par.), 317-362, 364, 365, 367-386 and the schedule 1993-11-01 ss. 8-16, 55 (3 rd par.), 62, 63, 66 (3 rd par.), the words “statement of offence or” in 71 (par. 2), 87, 90 (2 nd par.), 91, 129-142, 144-146, 147 (1 st , 3 rd par.), 148, 149, 156-168, 169 (3 rd par.), 174 (par. 5), 180, 184 (1 st par. (subpar. 4)), 185 (reference to subpar. 4 of s. 184), 187 (1 st par.), 188, 222 (1 st , 3 rd par.), 230, 261, 262 (1 st par.), 263, 264, 266 (the words “or the proceeds of the sale thereof” in par. 6), 268 (the words “or, even if he was not a party to the proceedings, the Attorney General”), 291 (the words “and the Attorney General, even if he was not a party to the proceedings,”), 363, 366 1996-07-15 ss. 187 (2 nd par.), 244 (2 nd par. (2 nd sentence)), 250 (2 nd par.), 257 (2 nd par.), 262 (2 nd par.), 270 (2 nd par.), 294 (the words “or, also, where the judgment was rendered in the judicial district contemplated in the second paragraph of article 187, according to where the appeal from the judgment would lie if it had been rendered in the district where proceedings were instituted”), 316 (2 nd par.)
1987, c. 97	An Act respecting truck transportation 1988-01-13 ss. 1-9, 11-13, 16-50, 52-62, 64-100, 102-130 1988-06-30 ss. 10, 14, 15, 51, 63 1989-02-01 s. 101
1987, c. 103	An Act respecting horse racing 1988-03-31 ss. 1-144
1987, c. 141	An Act respecting Les Clairvoyants, Compagnie Mutuelle d’Assurance de Dommages 1988-04-15 ss. 1-14
1988, c. 3	An Act to amend the Act respecting farm-loan insurance and forestry-loan insurance 1988-08-11 ss. 1-14
1988, c. 6	An Act respecting the Conseil de la famille 1988-09-28 ss. 1-30
1988, c. 8	An Act respecting the Régie des télécommunications 1988-11-09 ss. 1-99
1988, c. 9	An Act to amend the Mining Act 1988-07-06 s. 48 1988-10-24 ss. 1-47, 49-66
1988, c. 14	Roadside Advertising Act 1989-09-15 ss. 1-38
1988, c. 19	An Act respecting municipal territorial organization 1996-09-01 s. 235
1988, c. 21	An Act to amend the Courts of Justice Act and other legislation to establish the Court of Québec 1988-08-17 s. 74 (par. 2) 1988-08-31 ss. 1-16, 19-73, 74 (par. 1), 75-166

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1988, c. 24	An Act to again amend the Act respecting the conservation and development of wildlife with regard to wildlife habitats 1992-08-06 ss. 3, 4 1993-07-29 ss. 1, 2, 5-8
1988, c. 32	An Act respecting the Société de promotion économique du Québec métropolitain and amending the Act respecting the Société Inter-Port de Québec 1988-08-31 ss. 1-45
1988, c. 33	An Act to amend the Act respecting the Communauté urbaine de Québec and other legislation concerning industrial promotion and development 1989-11-01 ss. 3, 5
1988, c. 36	An Act to amend the Hydro-Québec Act 1988-06-30 ss. 1-6
1988, c. 39	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act 2008-06-25 s. 9
1988, c. 41	An Act respecting the Ministère des Affaires internationales 1988-12-21 ss. 1-103
1988, c. 42	An Act respecting the Bibliothèque nationale du Québec 1989-04-01 ss. 1-62
1988, c. 45	An Act to amend the Consumer Protection Act 1988-12-14 ss. 1, 3-5, 7 1989-08-03 ss. 2, 6, 8-15
1988, c. 46	An Act to amend various legislation respecting public security 1989-01-01 ss. 1, 3-9, 24, 25 1989-04-01 ss. 2, 10-23, 26-31
1988, c. 47	An Act to amend the Act respecting health services and social services and other legislation 1988-12-21 ss. 4 (par. 1), 5 1989-03-08 ss. 2 (ss. 149.1-149.4, 149.6-149.25, 149.27, 149.29, 149.30, 149.33, 149.34), 4 (par. 2, 4), 7, 8, 14, 15, 17-24, 26-30 1989-07-17 ss. 1, 2 (ss. 149.5, 149.26, 149.28, 149.31, 149.32), 3, 4 (par. 3), 6, 9, 16, 25 1990-09-01 ss. 11-13
1988, c. 49	An Act to amend the Environment Quality Act and other legislation 1989-02-22 ss. 1, 2, 4 (par. 1, 3), 5-7, 9 (par. 1, 2), 10, 11, 12 (par. 1), 13-17, 18 (s. 106.1), 19-27, 30-36, 38-57 1993-04-28 ss. 3, 8, 9 (par. 3), 12 (par. 2), 18 (s. 106.2), 28, 29, 37 1993-12-02 s. 4 (par. 2)
1988, c. 51	An Act respecting income security 1989-07-01 ss. 41, 43, 137 1989-08-01 ss. 1-40, 42, 45, 62-84, 86-97, 100-136, 141, 142
1988, c. 52	An Act to repeal the Act respecting the Société du parc industriel et commercial aéroportuaire de Mirabel 1990-10-03 ss. 1, 2

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1988, c. 56	An Act to amend the Code of Civil Procedure in respect of the collection of support payments 1992-01-22 s. 1 (s. 553.10)
1988, c. 57	An Act to ensure safety in guided land transport 1989-05-17 ss. 1-3, 19-22, 24-26, 28, 30-35, 37-43, 48, 69-88 2000-05-01 ss. 50-62, 63 (1 st par.), 64-68 2001-01-01 ss. 4-18, 23, 27, 29, 36, 44-47, 49
1988, c. 61	An Act to amend the Act respecting occupational health and safety 1989-03-22 ss. 1, 2 (ss. 62.2-62.21), 3-6 1989-10-01 s. 2 (s. 62.1)
1988, c. 64	Savings and Credit Unions Act 1989-03-15 ss. 1-344, 346-447, 448 (1 st par.), 449-513, 516-572, 574-593 1990-01-01 ss. 514, 515
1988, c. 65	An Act to amend the Jurors Act 1989-06-15 ss. 1-10
1988, c. 67	An Act to amend the Transport Act 1989-02-08 ss. 1-6, 8-10 1990-06-01 s. 7
1988, c. 69	An Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters 1989-12-01 ss. 8, 10, 29, 43-45, 48, 54
1988, c. 74	An Act respecting certain aspects of the status of municipal judges 1989-05-17 s. 3 (s. 609)
1988, c. 75	An Act respecting police organization and amending the Police Act and various legislation 1989-04-26 ss. 1-13, 20, 27-34, 37-46, 91-100, 104, 135-141, 143, 144, 203, 204, 272 1990-06-27 s. 35 1990-08-31 ss. 14-19, 21-26, 236, 244-254 1990-09-01 ss. 36, 47-88, 108-134, 169-201, 205-210, 212-222, 224-235, 237-240, 242, 243, 255-271, Schedule I, Schedule II 2000-03-29 s. 202
1988, c. 84	Education Act 1997-08-13 ss. 111, 112, 205, 207, 516-521, 523, 524, 526, 527, 530-535, 537-540 1998-01-01 ss. 262, 263, 402
1988, c. 95	An Act respecting Laurentian Mutual Insurance 1988-12-31 ss. 1-27
1989, c. 1	Election Act 1990-04-15 s. 1 (subpar. 4)
1989, c. 7	An Act to amend the Act to preserve agricultural land 1989-07-01 ss. 1, 4, 19 (par. 3), 20, 21, 24, 25, 26, 29, 31, 33 (1 st par.), 35 1989-08-02 ss. 3, 5-18, 19 (par. 1, 2), 22, 23, 27, 28, 30, 32, 33 (2 nd , 3 rd par.), 34
1989, c. 13	An Act respecting the examination of complaints from customers of electricity distributors 1989-07-12 ss. 10, 23, 33 1989-09-01 ss. 1-9, 11-22, 24-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1989, c. 22	An Act to amend the Act respecting the National Assembly 1990-05-09 s. 1
1989, c. 25	An Act to amend the Chartered Accountants Act 1990-04-15 s. 1 (par. 1)
1989, c. 36	An Act respecting school elections 1990-04-15 s. 12 (par. 4)
1989, c. 38	Supplemental Pension Plans Act 1990-09-01 ss. 89, 107-110, 244 (1 st par. (subpar. 7)), 264 (1 st par. (subpar. 3))
1989, c. 47	An Act to amend the Automobile Insurance Act 1990-01-01 ss. 1-10, 11 (except for the words “and the amount of his indemnity” in the 2 nd par. of s. 179.3), 12-15
1989, c. 48	An Act respecting market intermediaries 1989-07-12 ss. 30, 39, 115-135, 184-203, 210-212, 215-221, 254-256, 259-262 1989-09-20 s. 204 1989-10-01 ss. 91-114 1989-11-01 ss. 58-90, 136-160 1991-05-01 ss. 1 (def. of “market intermediary in insurance business”, “market intermediary in damage insurance” and “market intermediary in insurance of persons”), 2 (1 st par.), 14 (1 st par.) 1991-09-01 ss. 1 (definitions not in force), 2 (2 nd par.), 3-13, 14 (2 nd , 3 rd , 4 th par.), 15-25, 27, 28, 29 (except second sentence of 1 st par.), 31-38, 40-48, 161-183, 205-209, 213, 214, 222-253, 257, 258
1989, c. 51	An Act to amend the Charter of human rights and freedoms concerning the commission and establishing the Tribunal des droits de la personne 1990-06-27 ss. 14, 15 1990-09-01 ss. 16 (ss. 100-102), 22 1990-12-10 ss. 1-13, 16 (ss. 103-133), 17-21
1989, c. 52	An Act respecting municipal courts and amending various legislation 1991-04-01 ss. 1-66, 68-205, 207-218, Schedule I (par. 1-59, 62-130)
1989, c. 54	An Act respecting the Public Curator and amending the Civil Code and other legislative provisions 1990-04-15 ss. 1-154, 156-207
1989, c. 55	An Act to amend the Civil Code of Québec and other legislation in order to favour economic equality between spouses 1989-07-01 ss. 1-47
1989, c. 57	An Act to amend the Bailiffs Act 1989-09-13 ss. 1-22, 24-35, 38 1990-02-14 ss. 23, 36, 37
1989, c. 66	An Act to amend the Act respecting electrical installations 1990-08-02 s. 12
1989, c. 114	An Act to amend the Act to incorporate the Roberval and Saguenay Railway Company 1989-12-13 ss. 1-4

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1990, c. 4	An Act to amend various legislative provisions respecting the implementation of the Code of Penal Procedure 1990-10-01 ss. 1-292, 294-590, 592-743, 746-1126, 1128-1258 1993-11-01 ss. 744, 745, 1127
1990, c. 5	An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan 1990-09-01 ss. 1-53
1990, c. 13	An Act respecting the marketing of agricultural, food and fish products and amending various legislation 1990-09-12 ss. 1-229
1990, c. 29	An Act respecting adoption and amending the Civil Code of Québec, the Code of Civil Procedure and the Youth Protection Act 1990-09-24 ss. 1-16
1990, c. 32	An Act to amend various legislative provisions respecting the pension plans of the public and parapublic sectors 1990-09-01 s. 46 (par. 2)
1990, c. 38	An Act to amend the Act respecting the Ministère des Transports 1991-04-01 ss. 1-3
1990, c. 41	An Act respecting the Conseil métropolitain de transport en commun and amending various legislation 1994-07-20 ss. 72, 82, 86-97, 99
1990, c. 54	An Act to amend the Act respecting the Barreau du Québec 1991-09-30 ss. 2, 78, 81 1994-01-06 s. 43
1990, c. 60	An Act to amend the Retail Sales Tax Act and other fiscal legislation 1991-01-01 ss. 1-63
1990, c. 64	An Act respecting the Ministère des Forêts 1991-01-30 ss. 1-43
1990, c. 71	An Act to repeal the Act respecting the Agence québécoise de valorisation industrielle de la recherche 1991-04-01 ss. 1-6
1990, c. 75	An Act to amend the Pharmacy Act 1998-07-01 ss. 1-10
1990, c. 77	An Act to amend the Securities Act 1991-03-15 ss. 1, 2, 5-10, 12-28, 31-58 1991-08-01 ss. 4, 29 1992-04-15 s. 30
1990, c. 78	An Act to amend the Education Act and the Act respecting private education 1997-08-13 s. 18
1990, c. 80	An Act to amend the Agricultural Products, Marine Products and Food Act 1992-01-01 s. 5 (par. 2, subpar. <i>m</i> and <i>n</i>)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1990, c. 81	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1991-03-15 ss. 1-3
1990, c. 82	An Act to amend the Act respecting transportation by taxi 1991-05-01 ss. 2 (par. 2), 6, 7, 12 (par. 4), 13
1990, c. 83	An Act to amend the Highway Safety Code and other legislative provisions 1991-02-01 ss. 2 (par. 1, 2, 4-7), 15-17, 20-23, 25, 48, 49, 62, 67, 92, 94, 96-111, 113-128, 130-138, 141-147, 149, 150, 158, 161, 163, 164, 167-171, 172 (ss. 473, 473.1), 173-186, 188, 189, 191-195, 203, 205, 207, 211, 212, 218, 224, 232, 235, 238, 240, 254 1991-11-13 ss. 209, 213 1991-11-14 ss. 3-6, 8-11, 13, 14, 18, 19, 24, 26-29, 31-34, 36, 37 (par. 2), 43 (par. 1), 44-47, 51 (par. 1), 52, 53 (par. 1, 3), 54, 56, 60, 61, 69, 70, 75-79, 81-85, 87-91, 93, 95, 214 (par. 1), 216 (s. 553 (1 st par.)), 217 (par. 1), 220 (par. 1), 226 (par. 1-11), 227 (par. 1, 2, 4, 6, 9), 227 (par. 3 concerning par. 6 and 6.4 of s. 619), 228, 231, 242 (par. 1), 244-250, 261, 262 1999-08-01 s. 241 (as regards s. 645.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)) 2000-01-27 s. 140 (par. 1, 3)
1990, c. 86	An Act to amend the Act respecting insurance and other legislation 1991-03-15 ss. 1-5, 6 (par. 2), 7, 12, 14 (ss. 93.154-93.154.3), 16 (ss. 93.238-93.238.3), 20, 22-35, 38, 39 (ss. 285.1-285.3, 285.5-285.11, 285.17-285.26), 45-56, 61, 63, 64 1991-07-01 ss. 6 (par. 1), 8-11, 13, 14 (s. 93.154.4), 15, 16 (s. 93.238.4), 17-19, 21, 36, 37, 39 (ss. 285.4, 285.12-285.16), 40-44, 57-60, 62
1990, c. 88	An Act to again amend the Financial Administration Act 1991-01-16 s. 2 1991-04-24 s. 1
1990, c. 91	An Act to amend the Charter of the city of Québec 1990-10-01 s. 12
1990, c. 98	An Act respecting The Laurentian Mutual Management Corporation and The Laurentian Life Insurance Company Inc. 1991-01-01 ss. 1-31
1991, c. 13	An Act to amend the Act respecting the Québec Pension Plan and other legislation 1991-10-25 ss. 1-7
1991, c. 15	An Act to amend the Fuel Tax Act 1991-09-01 ss. 1 (par. 3, 4, 6 to the extent that s. 23 of the Fuel Tax Act (R.S.Q., chapter T-1), as enacted by s. 10, applies to an importer, 7, 8 to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a refiner, 9 to the extent that par. 10 uses the word "vehicle", and par. 10 except, with respect to par. 10, to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a motor vehicle), 8 (par. 1, 2, 4), 10 to the extent that it enacts ss. 23, 23.1, 25, 28 excluding the words "or to a wholesale dealer who does not hold a collection officer's permit required by section 27", 30 excluding: in that part preceding subparagraph a of the first paragraph, the words "or a permit, or refuse to renew the permit"; in subparagraph c of the first paragraph, the words "or a permit"; subparagraph g of the first paragraph; in subparagraph h of the first paragraph, the words "a permit or"; in subparagraph i of the first paragraph, the words "permit or"; in the second paragraph, the words "or the permit"; s. 31.1 excluding, in the first paragraph, the words "or of a permit"; s. 31.2 excluding: in the first paragraph, the words "or permit";

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 15	An Act to amend the Fuel Tax Act – <i>Cont'd</i> in the fifth paragraph, the words “or permit”; s. 31.3, s. 31.4 excluding the words “or permit” and s. 31.5 excluding, in the first paragraph, the words “or permit” of the Fuel Tax Act (R.S.Q., chapter T-1), and s. 20 to the extent that it enacts s. 43.2 of the Fuel Tax Act (R.S.Q., chapter T-1)
1992-04-01	ss. 1 (except par. 3, 4 and 6-10, to the extent that they were put into force by O.C. 1205-91), 2-7, 8 (par. 3), 9, 10 (except ss. 23, 23.1, 25, 28, 30 and 31.1-31.5 of R.S.Q., chapter T-1 that it enacts, to the extent that they were put into force by O.C. 1205-91), 11-19, 20 (except s. 43.2 of R.S.Q., chapter T-1 that it enacts), 21-34
1991, c. 16	An Act to amend the Tobacco Tax Act
1991-10-09	ss. 1, where it replaces or enacts the definitions of the words: “manufacturer”, “package” and “tobacco”, but to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, uses the words “package” and “tobacco”; “retail vendor” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, and s. 17.10 of the Tobacco Tax Act (R.S.Q., chapter I-2), as enacted by s. 21, apply to a retail vendor; “retail sale” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, applies to a retail sale, 7, 14 to the extent that it enacts that part preceding par. <i>a</i> and par. <i>b</i> and <i>e</i> of s. 14.2 of the Tobacco Tax Act (R.S.Q., chapter I-2), and s. 21 to the extent that it enacts ss. 17.10 and 17.11 of the Tobacco Tax Act (R.S.Q., chapter I-2)
1992-03-01	ss. 1 (except the definitions of the words “manufacturer”, “package”, “tobacco”, “retail vendor” and “retail sale”), 2-6, 8-13, 14 (except for that part preceding par. <i>a</i> , <i>b</i> and <i>e</i> of s. 14.2), 15-20, 21 (except for ss. 17.10 and 17.11), 22-24
1991, c. 20	An Act to repeal the Stamp Act and amending various legislative provisions
1992-05-01	ss. 1-11
1991, c. 21	An Act to amend the Cinema Act
1991-09-18	s. 52 (s. 168 (1 st par. (subpar. 2), 2 nd par.))
1991-10-22	ss. 6-9, 28, 29
1992-01-01	ss. 2-5, 10, 11, 14 (ss. 83, 83.1)
1992-04-01	ss. 14 (s. 81), 15 (ss. 86, 86.1)
1992-06-15	ss. 1, 12, 13, 14 (ss. 82, 82.1), 15 (ss. 85, 86.2), 16-27, 30-51, 52 (ss. 167, 168 (1 st par. (subpar. 1, 3-11))), 53-62
1991, c. 23	An Act to amend the Mining Act
1991-11-14	ss. 1, 2, 3, 5, 8
1995-03-09	ss. 4, 6, 7, 9, 10
1991, c. 24	An Act to amend the Consumer Protection Act
1992-05-15	ss. 14, 15, 18
1992-06-30	ss. 1-13, 16, 17, 19
1991, c. 26	An Act to amend various legislative provisions respecting the establishment of the register fund of the Ministère de la Justice
1992-01-01	ss. 1-7
1991, c. 28	An Act respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances
1992-10-01	ss. 1-19
1991, c. 33	An Act to amend the amount of fines in various legislation
1991-11-15	ss. 1-145

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 37	Real Estate Brokerage Act 1991-09-11 ss. 64-66, 68, 69, 74-78, 80, 88-92, 94-96, 101-106, 142-155, 158-162, 165, 166, 176, 177, 186-190 1993-05-17 ss. 178-181 1993-12-15 s. 184 1994-01-15 ss. 1-63, 67, 70-73, 81-87, 93, 97-100, 107-141, 156, 157, 163, 164, 167-175, 182, 183, 185 1994-08-01 s. 79
1991, c. 42	An Act respecting health services and social services and amending various legislation 1992-06-17 ss. 478 (assistance to victims of violence), 479, 480, 481, 482, 484 1992-07-01 s. 148 (2 nd , 3 rd , 4 th par.) 1992-08-01 ss. 571, 572, 583 1992-09-30 ss. 559, 560, 569, 574 (par. 1), 577 (par. 1), 581 (par. 1, 2, 3), 592 1992-10-01 ss. 1-108, 110-118, 148 (1 st par.), 160-164, 166-172, 173 (par. 2-5), 174-192, 194-213, 214 (except subpar. d of subpar. 7 of 1 st par.), 215-258, 260-338, 340, 343-359, 367, 368, 369 (except subpar. 3 of 1 st par.), 370-396, 405 (1 st par., 2 nd par. (par. 1, 2, 4)), 406-413, 415-417, 419 (par. 3, 4), 431-477, 478 (with exceptions), 485-504, 508-520, 531-555, 558 (par. 1), 578, 594, 620 1993-01-20 ss. 588, 590 1993-04-01 ss. 259 (1 st sentence), 568 1993-09-01 s. 564 1993-09-01 ss. 109, 214 (subpar. d of subpar. 7 of 1 st par.), 360 (1 st par.), 361-366, 369 (1 st par. (subpar. 3)), 565, 566, 581 (par. 5, 6), 582, 584
1991, c. 43	An Act to amend the Act to promote the parole of inmates and the Act respecting probation and houses of detention 1992-04-01 ss. 1, 2 1992-06-15 ss. 3-23
1991, c. 49	An Act to amend the Tourist Establishments Act 1993-11-10 ss. 1, 4 (par. 2), 10 (par. 1, 6), 12, 13
1991, c. 51	An Act to amend the Act respecting liquor permits and the Act respecting the Société des alcools du Québec 1992-01-15 ss. 4, 5 (par. 1, 2), 6, 7, 10, 12, 13 (par. 1, 2), 14, 15, 17, 18, 21, 22 (par. 1), 24, 25, 26 (par. 3), 27, 28, 30-34 1992-05-20 s. 20 1992-08-27 ss. 1, 3, 5 (par. 3), 8, 9, 11, 13 (par. 3), 16, 19, 22 (par. 2, 3), 23, 26 (par. 1, 2), 29, 35
1991, c. 53	An Act to repeal the Act to ensure continuity of electrical service by Hydro-Québec 1992-04-15 s. 1
1991, c. 58	An Act to amend the Automobile Insurance Act and the Act to amend the Automobile Insurance Act and other legislation 1993-07-01 s. 14
1991, c. 59	An Act to amend the Transport Act 1993-05-31 s. 4
1991, c. 62	An Act to amend the Act respecting the Société d'habitation du Québec and other legislation 1993-07-07 ss. 3, 6, 7
1991, c. 64	Civil Code of Québec 1994-01-01 ss. 1-3168

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 72	An Act to amend the Act respecting the Ministère des Approvisionnements et Services and other legislation
1992-04-01	ss. 4 (par. 2 to the extent that it concerns the mail and messenger services fund) (par. 3 relating to the supplies and services fund to the extent that it concerns goods supplied by the General Purchasing Director), 15
1992-04-01	ss. 4 (par. 1, 3 with respect to the provisions not affected by O.C. 305-92), 16
1993-08-18	ss. 1 (ss. 7.2-7.5), 18
1991, c. 73	An Act to amend the Financial Administration Act and other legislation
1993-08-18	ss. 1-13
1991, c. 74	An Act to amend the Building Act and other legislation
1995-09-01	ss. 68 (par. 5) (in any respect other than the qualification of contractors and owner-builders), 70 (par. 2) (in any respect other than the qualification of contractors and owner-builders)
1997-01-15	ss. 72 (par. 2), 73 (par. 2)
2000-11-07	ss. 2 (in all respects other than the qualification of contractors and owner-builders), 3, 5, 6, 8, 9 (to the extent that it enacts section 11.1 of the Building Act (R.S.Q., chapter B-1.1) in all respects other than the qualification of contractors and owner-builders), 10-12, 14, 15, 52-55, 56 (to the extent that it enacts sections 128.1, 128.4 (with regard to the revocation of the recognition of a person referred to in section 16 of the Act), 128.5 and 128.6 of the Building Act), 60, 61, 93 (par. 1, 2), 97, 98, 100 (in all respects other than the qualification of contractors and owner-builders), 116 (to the extent that it replaces section 282 of the Building Act with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies and to the extent that it replaces section 283 of the Building Act in all respects) and section 169 to the extent that it refers to sections 20, 26, 27, 33, 34, 113, 114, 116, 119, 123-128, 132-134, 139 of the Building Act
2002-10-01	ss. 16, 17, 20-23, 24 (to the extent that it refers to ss. 37-37.4, 38.1 and 39 of the Building Act (R.S.Q., chapter B-1.1)), 50, 51, 56 (to the extent that it enacts ss. 128.3, 128.4 (with regard to the revocation of the recognition of a person referred to in s. 35) of the Building Act)
2003-01-01	s. 13 (with regard to electrical installations to which Chapter V of the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies)
2004-10-21	s. 116 (to the extent that it replaces s. 282 of the Building Act (R.S.Q., chapter B-1.1) with regard to mechanical lifts and with regard to elevators and other elevating devices to which Chapter IV of the Construction Code, approved by Order in Council 895-2004 dated 22 September 2004, applies)
2005-02-17	s. 24 (to the extent that it refers to s. 38 of the Building Act (R.S.Q., chapter B-1.1))
2006-01-01	s. 116 (to the extent that it replaces s. 282 of the Building Act (R.S.Q., chapter B-1.1) with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies)
2006-06-21	s. 116 (with regard to public baths)
2012-05-03	s. 116 (with regard to amusement rides and devices)
2013-03-18	s. 116 (in all respects)
2015-06-13	s. 13 (in all respects)
1991, c. 80	An Act to amend the Environment Quality Act
1993-06-09	ss. 1 (par. 4), 6 (s. 70.19)
1997-12-01	ss. 1 (par. 1, 2, 3), 2-5, 6 (with respect to ss. 70.1-70.18 of R.S.Q., chapter Q-2), 7-16
1991, c. 82	An Act to amend the charter of the city of Montréal
1993-01-11	ss. 6, 11-26, 29-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 84	An Act to amend the Charter of the city of Québec 1994-04-15 ss. 39-41, 43, 45 (s. 601 <i>b</i> (1 st par.)), 47
1991, c. 85	An Act to amend the charter of the city of Longueuil 1993-05-31 ss. 1-3
1991, c. 87	An Act respecting the city of Saint-Hubert 1993-05-01 s. 48
1991, c. 106	An Act respecting Aéroports de Montréal 1992-08-29 ss. 1-7
1992, c. 5	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1992-05-19 ss. 1-12
1992, c. 11	An Act to amend the Act respecting industrial accidents and occupational diseases, the Act respecting occupational health and safety and the Health Insurance Act 1992-09-23 ss. 29, 30, 44 (par. 3), 45, 83 1992-10-01 ss. 4, 8 (par. 1, 3), 32 (par. 1), 40, 43, 44 (par. 1), 48, 65-69, 71 (s. 176.7.1), 72-74, 75 (ss. 176.16, 176.16.1 (1 st par.)), 76, 84, 86 1992-10-28 ss. 49-64, 88, 89 1992-11-01 ss. 1-3, 5-7, 10-28, 31, 32 (par. 2), 33-39, 41, 42, 44 (par. 2), 46, 47, 70, 71 (ss. 176.7.2, 176.7.3, 176.7.4), 75 (s. 176.16.1 (2 nd par.)), 77, 78, 80-82, 85, 87
1992, c. 17	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1992-06-30 ss. 1-20
1992, c. 18	An Act to amend the Financial Administration Act and the Act respecting municipal debts and loans 1992-08-19 ss. 1-6
1992, c. 20	An Act to amend the Courts of Justice Act and to make various provisions respecting the establishment of the judicial district of Laval 1992-08-31 ss. 1-11
1992, c. 21	An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation 1992-09-30 ss. 104, 381 1992-10-01 ss. 2-9, 17-20, 22-40, 46-52, 56, 59-61, 68 (ss. 619.2-619.4, 619.8-619.15, 619.18-619.46, 619.48-619.68), 69-77, 79-81, 83-100, 101 (par. 1, 2, 4), 102, 103, 106-110, 114, 116-299, 300 (par. 1, 2), 311 (par. 1), 320 (par. 2), 322, 327 (par. 1), 328, 329 (par. 2), 330, 333-364, 370-375 1993-04-28 s. 68 (s. 619.27 (2 nd par.); date of application) 1993-04-28 ss. 78, 82, 300 (par. 3, 4), 301-310, 311 (par. 2), 312-319, 320 (par. 1), 321, 323-326, 327 (par. 2), 329 (par. 1), 331, 332 1993-05-01 s. 68 (s. 619.13 (1 st par.)) 1993-07-01 ss. 268-273 1993-09-01 s. 113
1992, c. 24	An Act to amend various legislative provisions concerning regional affairs 1993-04-01 s. 7 (Note: Section 6 repealing the Act respecting the Office de planification et de développement du Québec (R.S.Q., chapter O-3) comes into force on 1 April 1993, by virtue of the same Order in Council)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1992, c. 32	An Act respecting the Société de financement agricole and amending other legislative provisions 1993-06-17 ss. 1-52
1992, c. 44	An Act respecting the Société québécoise de développement de la main-d'œuvre 1992-09-01 ss. 1-15, 47-54, 67-69, 71 (par. 2), 73 (par. 2), 74, 81, 95, 96 1993-03-24 ss. 21, 23, 30, 39, 77, 78 (1 st par.), 84-91, 94 1993-04-01 ss. 16-20, 22, 24-29, 31-38, 40-46, 55-66, 70, 71 (par. 1), 72, 73 (par. 1), 75, 76, 78 (2 nd par.), 79, 80, 82, 83, 92, 93
1992, c. 50	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Approvisionnements et Services 1993-08-18 ss. 1-3
1992, c. 56	An Act to amend the Environment Quality Act 1993-02-15 s. 14
1992, c. 57	An Act respecting the implementation of the reform of the Civil Code 1994-01-01 ss. 1-716, 719
1992, c. 61	An Act respecting the implementation of certain provisions of the Code of Penal Procedure and amending various legislative provisions 1993-11-01 ss. 1-8, 10-25, 27-34, 36-40, 43, 44, 47-49, 51-54, 56, 58, 60-64, 67, 71, 75-88, 91, 93-99, 101-128, 131-168, 171-174, 178-193, 195-197, 200, 201, 204, 205, 207-210, 213, 216, 218-234, 237, 239-245, 248, 250-253, 255-260, 262, 264, 266, 267, 269-273, 276, 277, 279, 280, 282, 283, 285-293, 295-301, 303, 304, 309-316, 319, 320, 322-325, 328-330, 332, 334-344, 346-348, 350, 351, 353-376, 378, 380-382, 384-387, 389-392, 396, 397, 399, 400, 402-404, 407-412, 414-416, 418-422, 424-426, 428-439, 443-446, 449-456, 458-467, 471-474, 476-479, 483-490, 492, 496-498, 500-506, 508-510, 514-516, 518, 520-525, 527, 528, 530-533, 535-538, 540, 542-544, 546-550, 552, 553, 555-560, 562, 565, 566, 568-570, 572-582, 584, 586, 587, 589, 591, 593-597, 600-608, 610-620, 622-624, 626-639, 641-645, 647-656, 658, 662-678, 680-690, 692-699, 701-704
1992, c. 63	An Act to amend the Code of Civil Procedure with respect to the recovery of small claims 1993-11-01 ss. 1-20
1992, c. 64	An Act respecting the Conseil des aînés 1993-10-27 ss. 1-24
1992, c. 66	An Act respecting the Conseil des arts et des lettres du Québec 1993-07-07 ss. 1-50
1993, c. 1	An Act to amend the Code of Civil Procedure regarding family mediation 1997-05-01 s. 4 (to the extent that that section enacts the first sentence of a. 827.2 of the Code of Civil Procedure)
1993, c. 3	An Act to amend the Act respecting land use planning and development and other legislative provisions 1997-04-16 s. 31 (par. 3)
1993, c. 12	An Act to amend the Act respecting transportation by taxi 1996-01-01 ss. 2, 4, 24 (ss. 90.6, 91.1), 27

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1993, c. 17	An Act respecting the protection of personal information in the private sector 1994-01-01 ss. 1-4, 10-21, 22 (1 st par. (subpar. 1, 3), 2 nd par.), 23 (1 st par.), 27-114 1994-07-01 ss. 5-9, 22 (1 st par. (subpar. 2)), 23 (2 nd par.), 24-26
1993, c. 18	An Act to amend the Animal Health Protection Act 2004-12-08 ss. 6-8
1993, c. 21	An Act to amend the Agricultural Products, Marine Products and Food Act and to repeal the Act respecting the bread trade 1993-11-10 ss. 2, 4
1993, c. 22	An Act to amend the Tourist Establishments Act and to repeal certain legislative provisions 1993-11-10 ss. 1-7
1993, c. 23	An Act to amend the Financial Administration Act, the Act respecting the Ministère des Approvisionnements et Services and other legislative provisions 1993-08-18 ss. 1-9
1993, c. 25	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1993-07-14 s. 11 (s. 18 (3 rd par. (subpar. e))) 1993-08-31 s. 11 (s. 18 (4 th par.))
1993, c. 26	An Act respecting the Commission d'évaluation de l'enseignement collégial and amending certain legislative provisions 1993-07-14 ss. 1-30, 31 (par. 2, 3, 4), 32-48 1993-08-31 s. 31 (par. 1)
1993, c. 29	An Act to amend the Act respecting Attorney General's prosecutors 1993-08-11 s. 3
1993, c. 30	An Act to amend the Code of Civil Procedure and the Charter of human rights and freedoms 1994-01-01 ss. 2-4, 6-8, 10-16, 18
1993, c. 34	An Act respecting the Société du Centre des congrès de Québec 1994-05-30 s. 32
1993, c. 37	An Act respecting the conditions of employment in the public sector and the municipal sector 1993-09-15 ss. 1-19, 26, 27, 29-39, 43-55, 57 1993-10-01 ss. 20-25, 28, 40-42, 56
1993, c. 38	An Act to amend the Professional Code and the Nurses Act 1993-09-15 ss. 2 (par. 20), 3 (par. 2), 5 (par. 1), 7
1993, c. 39	An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions 1993-07-14 ss. 1-22, 23 (par. 1, 2, 4, 5, 6), 24, 25 (par. 1, 2, 3, 7), 26-40, 48-55, 56 (ss. 52.1-52.11, 52.13-52.15), 57-75, 77-97, 100 (1 st par.), 101, 102, 104-107, 109-111, 114-117 1993-10-27 ss. 23 (par. 3), 25 (par. 4, 5, 6), 41-47, 76, 98, 99, 100 (2 nd par.), 103, 108
1993, c. 40	An Act to amend the Charter of the French language 1993-12-22 ss. 1-69

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1993, c. 42	An Act to amend the Highway Safety Code 1993-09-01 ss. 1-28, 30-32 1993-11-01 s. 29
1993, c. 45	An Act to amend the Supplemental Pension Plans Act 1998-02-25 s. 1
1993, c. 48	An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons 1993-12-15 ss. 58-60, 63-65, 97-99, 537-539 1994-01-01 ss. 1-57, 61, 62, 66-96, 100-519, 521-526, 528-536 1994-07-01 ss. 520, 527
1993, c. 49	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1994-01-01 ss. 1-5, 7-12 1994-04-27 s. 6
1993, c. 55	An Act to amend the Forest Act and to repeal various legislative provisions 1994-05-04 s. 30 (par. 1) 1994-09-07 ss. 27, 30 (par. 2)
1993, c. 58	An Act to amend the Act respecting health services and social services 1995-04-01 s. 1 (ss. 530.40, 530.41) 1995-05-01 s. 1 (ss. 530.1-530.10, 530.16, 530.18, 530.20-530.24, 530.27-530.29, 530.31-530.39, 530.42)
1993, c. 61	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1994-01-01 ss. 11 (par. 1), 89, 90 1994-07-01 ss. 1 (par. 3, 5, 7), 19, 21-33, 35, 40, 43-47, 57 (par. 1, 2) 1995-01-01 ss. 1 (par. 4, 6, 8, 9), 4 (par. 1, 2, 4), 6, 11 (par. 3), 13-18, 20, 34, 36-39, 41, 42, 51, 52, 53 (par. 1) [except for the amendment concerning the second paragraph of the section it amends], 53 (par. 2), 54, 55, 58, 61, 62, 79 1999-01-20 ss. 11 (par. 2), 48, 49, 50, 53 (par. 1, for the amendment concerning the second paragraph of the section it amends), 53 (par. 3), 59, 60
1993, c. 70	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1994-10-31 ss. 2, 3 (par. 2), 4, 6, 10, 11 (par. 4, 10) 1996-10-01 ss. 11 (par. 1), 12 2006-09-13 ss. 5, 11 (par. 6)
1993, c. 71	An Act to amend the Act respecting the Régie des alcools, des courses et des jeux and various Acts concerning the activities under its supervision 1994-02-03 provisions concerning the activities under the supervision of the Régie 1994-10-01 provisions respecting the renewal of amusement machine licences or registrations and the revocation of such licences or registrations
1993, c. 72	An Act to amend the Code of Civil Procedure and various legislative provisions 1995-05-11 ss. 17, 18, 19
1993, c. 77	An Act to amend the Pesticides Act 1997-04-23 ss. 1-8, 10 (in respect of the repeal of s. 108 of R.S.Q., chapter P-9.3), 12, 13

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1994, c. 2	An Act respecting the Conservatoire de musique et d'art dramatique du Québec 1994-11-01 s. 28 2007-03-31 ss. 6, 13 (2 nd par.), 14-16, 19-27, 52-54, 56-75, 77-80, 83-88, 96-98 2007-09-01 ss. 31-36, 40-46 2007-12-01 ss. 37-39, 47-51
1994, c. 21	An Act respecting the Société de développement des entreprises culturelles 1994-10-19 ss. 1-16, 28, 29 (1 st par. (subpar. 1)), 30 (1 st par.), 40, 41, 65 1995-04-01 ss. 17-27, 29 (1 st par. (subpar. 2), 2 nd par.), 30 (2 nd , 3 rd par.), 31-39, 42-64
1994, c. 23	An Act to amend the Act respecting health services and social services and other legislative provisions 1995-05-01 ss. 4, 6, 8-15, 17-21, 23
1994, c. 24	An Act to amend the Supplemental Pension Plans Act 1995-08-17 s. 7 1995-12-31 ss. 13, 14
1994, c. 28	An Act to amend the Code of Civil Procedure 1995-10-01 ss. 1-26, 28-42
1994, c. 30	An Act to amend the Act respecting municipal taxation and other legislative provisions 1994-12-15 ss. 8, 29-32, 36, 41 (par. 2, 3), 42, 55 (par. 1, 2), 57, 83
1994, c. 35	An Act to amend the Youth Protection Act 1994-09-01 ss. 1-43, 45-51, 52 (par. 1), 54-60, 61 (par. 1, 2), 62-67, 70 1995-09-28 ss. 44, 61 (par. 3)
1994, c. 37	An Act respecting acupuncture 1994-10-15 ss. 46-50 1995-07-01 ss. 2, 5, 8-20, 22-25, 28-33, 36-45
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions 1994-10-15 ss. 1-199, 200 (except where it repeals ss. 10 (par. <i>b, c, d, f</i>), 11 of the Architects Act (R.S.Q., chapter A-21)), 201-207, 208 (par. 1), 209-211, 212 (except where it repeals s. 37 (1 st par. (subpar. <i>c, d, e, f, g, h</i>), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23)), 213-237, 238 (except where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 239-243, 244 (except where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec), 245-277, 279-293, 294 (except where it repeals ss. 21 (1 st par., 2 nd par. except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48)), 295-342, 343 (except where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 344, 345 (except where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act), 346-405, 406 (except where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)), 407-435, 437-470 1995-11-30 s. 406 (where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)) 1996-07-04 ss. 238 (where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 244 (where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions – <i>Cont'd</i>
	1998-07-01 s. 436 (s. 37.1 of the Pharmacy Act (R.S.Q., chapter P-10))
	2002-03-27 ss. 343 (where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 345 (where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act)
	2011-01-06 ss. 208 (par. 2), 212 (insofar as it repeals s. 37 (1 st par. (subpar. c, d, e, f, g, h), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions
	1996-06-01 s. 21
1995, c. 5	An Act to amend the Hydro-Québec Act
	1995-04-03 ss. 1-9
1995, c. 6	An Act to again amend the Highway Safety Code
	1995-04-12 s. 16
	1995-04-24 ss. 1-15
1995, c. 8	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions
	1995-06-28 ss. 5, 6, 51-53
1995, c. 9	An Act to amend the Act respecting the Caisse de dépôt et placement du Québec
	1995-03-31 ss. 1-9
1995, c. 12	An Act to amend the Police Act and the Act respecting police organization as regards Native police
	1995-04-05 ss. 1-5
1995, c. 18	An Act to facilitate the payment of support
	1995-12-01 ss. 1-79, 81 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 82-84, 86, 89-95, 96 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 99 (except for 1 st par. (subpar. 1)), 101
	1996-05-16 ss. 81 and 96 (where the collector of support is charged with compulsory execution of a judgment awarding support), 97, 98, 99 (1 st par. (subpar. 1))
	1997-04-01 ss. 80, 85, 87, 88, 100
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions
	1996-05-01 ss. 12 (where it enacts sections 40.2, 40.3 and 40.4 except, in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted” and except, in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”, 40.7-40.9, 40.11, 40.12, 40.39-40.42), 91
	1997-05-31 ss. 12 (where it enacts sections 40.1, 40.4 (in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted”), 40.5, 40.6), 51, and the amendment appearing in the schedule opposite s. 570
	1997-06-01 ss. 12 (where it enacts sections 40.4 (in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”), 40.10), 57-76, 84-90
	1997-10-15 ss. 77, 78, 79 (where it enacts s. 39), 80-83

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1995, c. 27	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 1995-11-29 ss. 1-23, 25-41
1995, c. 33	An Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights 2000-11-07 s. 17
1995, c. 38	An Act to amend the Consumer Protection Act 1995-09-20 ss. 1, 2, 3 (par. 2), 4-8, 9 (R.S.Q., chapter P-40.1 (s. 302, 1 st sentence)), 10, 11 1997-08-20 ss. 3 (par. 1), 9 (the second sentence of s. 302 of the Consumer Protection Act (R.S.Q., chapter P-40.1) enacted by s. 9)
1995, c. 39	An Act to amend the Code of Civil Procedure and the Act respecting the Régie du logement 1995-09-01 ss. 1-22
1995, c. 41	Court Bailiffs Act 1995-10-01 ss. 1-37
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions 1996-03-01 ss. 1, 3, 5, 7-9, 12, 13 (par. 2, 3, 4, 5), 15, 16, 19, 20, 22, 27, 31, 33-45, 47-49 1996-07-15 ss. 4, 17, 23, 24 1997-10-01 ss. 6 (s. 62.1 (1 st par.) of the Code of Penal Procedure), 18, 21, 32
1995, c. 55	An Act to amend the Act respecting the Québec Pension Plan and the Automobile Insurance Act 1996-06-01 ss. 1-9
1995, c. 61	An Act to amend the Act respecting the Régie du logement and the Civil Code of Québec 1996-09-01 ss. 1, 2
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions 1997-02-14 ss. 1-149, 151-201
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions 1996-03-01 ss. 10, 14, 21, 26 1996-04-01 ss. 3-7, 9, 17, 23, 25 1996-04-01 ss. 1 (par. 2), 20 (par. 2, 6), 24 1996-07-18 ss. 11, 20 (par. 4 and 7 [but solely in respect of s. 91 (subpar. 24.1 of 1 st par.) of the Act respecting income security]) 1996-07-18 s. 20 (par. 7 [in respect of s. 91 (subpar. 23 and 24 of 1 st par.) of the Act respecting income security]) 1996-08-01 ss. 1 (par. 1), 20 (par. 1) 1996-10-01 ss. 18, 20 (par. 4 [but solely in respect of s. 91 (subpar. 24.2 of 1 st par.) of the Act respecting income security]) 1997-01-01 ss. 12, 13, 20 (par. 5, 8, 9)
1996, c. 6	An Act respecting the implementation of international trade agreements 1996-07-10 ss. 1-10
1996, c. 8	An Act to amend the Act respecting lotteries, publicity contests and amusement machines in respect of international cruise ships 1999-09-08 s. 1

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife 1998-04-29 s. 7
1996, c. 20	An Act respecting the Société de télédiffusion du Québec and amending the Act respecting educational programming and other legislative provisions 1996-12-18 ss. 1-41
1996, c. 21	An Act respecting the Ministère des Relations avec les citoyens et de l'Immigration and amending other legislative provisions 1996-09-04 ss. 1-74
1996, c. 23	An Act to amend the Legal Aid Act 1996-07-17 s. 59 1996-08-28 ss. 42, 43 1996-09-26 ss. 1-5, 6 (ss. 4, 4.1, 4.4-4.13), 7-41, 44-58, 60 1997-01-01 s. 6 (ss. 4.2, 4.3)
1996, c. 24	An Act to amend the Act respecting the Société de récupération, d'exploitation et de développement forestiers du Québec 1996-11-13 s. 8
1996, c. 26	An Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities 1997-06-20 ss. 1-89
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions 1996-08-01* ss. 3 (except the words “, or by the insurers insuring transacting group insurance or the administrators of private-sector employee benefit plans,”), 5, 8 (1 st par. except the words “ in Québec”), 9, 11 (1 st , 3 rd par.) (4 th par. except the words “or by an insurer or employee benefit plan, as the case may be”), 12, 13 (1 st sentence which reads: “The maximum contribution for a reference period of one year shall not exceed \$750 per adult;”), 14, 15 (par. 1 except the words “who are not members of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan;”), 15 (par. 2, 3), 22 (1 st par.) (2 nd par. except the words “ and, with respect to medications provided by an institution, according to the price established in that list”), 31 (*The coming into force of the provisions of the sections referred to in the preceding paragraph have effect: — from 1996-08-01, in respect of the persons referred to in s. 15 (par. 1 to 3) of 1996, c. 32; — on the date or dates determined by the Government, in respect of the other persons eligible for the basic prescription drug insurance plan.) 1996-08-01 ss. 1, 51-82, 87, 88, 89 (par. 1 (3 rd par. of s. 3 of the Health Insurance Act except, in the introductory sentence, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”, except, in subpar. a of 3 rd par. the words “and is not a member of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”, and except subpar. c of 3 rd par.)), 89 (par. 2 (4 th par. of s. 3 of the Health Insurance Act except the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 89 (par. 3), 90, 92-94, 98-105, 109-116, 118 1996-09-01 ss. 17, 19 (1st par.), 20, 21, 43 (2nd par.) (*The provisions of 1996, c. 32 that came into force on 1996-08-01 and that have effect only in respect of the persons referred to in s. 15 (par. 1-3) have effect, from 1997-01-01, in respect of every person eligible for the basic prescription drug insurance plan.) 1997-01-01 ss. 3 (except the words “, or by the insurers insuring transacting group insurance or the administrators of private-sector employee benefit plans,”), 5, 8 (1st par. except the words “in Québec”), 9, 11 (1st, 3rd par.) (4th par. except the words “or by an insurer or employee benefit plan, as the case may be”), 12, 13 (1st sentence which reads: “The maximum contribution for a reference period of one year shall not exceed \$750 per adult.”), 14, 15 (par. 1 except the words “who are not members of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan.”), 15 (par. 2, 3), 22 (1st par.) (2nd par. except the words “and, with respect to medications provided by an institution, according to the price established in that list”), 31 1997-01-01 ss. 2,3 (the words “or by the insurers transacting group insurance or the administrators of private sector employee benefit plans”), 4, 6, 7, 8 (1st par., the words “in Québec”) (2nd par., 3rd par. except the words “or any other institution recognized for that purpose by the Minister that is situated outside Québec in a region bordering on Québec”), 10, 11 (2nd par.) (4th par., the words “, or by an insurer or employee benefit plan, as the case may be”), 13 (2nd sentence which reads “this amount includes any amounts paid by the adult as a deductible amount and coinsurance payment for a child of the adult or a person suffering from a functional impairment who is domiciled with the adult.”), 15 (par. 1, the words “who are not members of a group insurance contract or employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession or habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan”), 15 (par. 4), 16, 18, 19 (2nd par.), 22 (2nd par., the words “and, with respect to medications provided by an institution, according to the price established in that list”), 23-30, 32-37, 38 (except, in subpar. 2 of 1st par., the words “otherwise binding the policy-holder” and except, in subpar. 3 of 1st par., the words “administered by or on behalf of the policy-holder”), 39 (except, in subpar. 2 of 1st par., the words “otherwise binding the plan administrator”) and except, in subpar. 3 of 1st par., the words “binding the plan administrator”), 41, 42, 43 (1st par.), 44, 45 (except, in the first sentence, the words “or the plan member” and except the second sentence, which reads “Any notice of non-renewal or of a change in the premium or assessment from the insurer must be sent to the last known address of the plan member not later than 30 days preceding the date of expiry.”), 46-50, 83-86, 89 (par. 1, introductory sentence of 3rd par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 89 (par. 1, subpar. a of 3rd par. of s. 3 of the Health Insurance Act, the words “and is not a member of a group insurance contract or employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession, or habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”), 89 (par. 1, subpar. c of 3rd par. of s. 3 of the Health Insurance

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> Act), 89 (par. 2, 4 th par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 91 (except 3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2), 95 (s. 22.1.0.1 of the Health Insurance Act, except, in 3 rd par., the words “or institution”), 96, 97, 106-108, 117
1996, c. 44	An Act to amend the Act respecting the Société générale de financement du Québec 2001-03-31 s. 6 (when it enacts s. 8.1)
1996, c. 51	An Act respecting reserved designations and amending the Act respecting the marketing of agricultural, food and fish products 1997-10-15 ss. 1-27
1996, c. 54	An Act respecting administrative justice 1997-09-24 ss. 16, 17, 61, 63, 64, 68, 69, 70, 79, 80, 86 (1 st par.), 98, 199 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1998-04-01 ss. 1-13, 14 (in all other respects), 15, 18-60, 62, 65-67, 71-78, 81-85, 86 (2 nd par.), 87-92, 99-164, 177, 178, 182-198, schedules
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions 1997-12-01 ss. 46, 51, 156 1998-12-24 ss. 103, 104 (par. 1), 106, 107 1999-07-01 ss. 99, 121, 137 (par. 6) 1999-07-15 s. 53 1999-08-01 ss. 118, 119 2000-01-27 ss. 82, 93, 149, 150
1996, c. 60	An Act respecting off-highway vehicles 1997-10-02 ss. 1-10, 11 (1 st , 2 nd par. (subpar. 1, 2, 4, 5, 6), 3 rd par.), 12-17, 18 (1 st , 3 rd par.), 19-26, 28-82, 84-87 1998-02-02 ss. 11 (par. 3), 27 1999-09-01 s. 18 (2 nd par.)
1996, c. 61	An Act respecting the Régie de l'énergie 1997-02-05 ss. 8, 165 1997-05-01 s. 134 (with the exception of s. 16 (1 st par.) of R.S.Q., chapter S-41) 1997-05-13 ss. 6, 7, 9, 10, 12, 60-62, 122, 135, 148, 171 1997-06-02 ss. 4, 13-15, 19-22 1997-06-02 ss. 2, 3, 5, 11, 16, 17, 18 (1 st par.), 23, 26-30, 31 (2 nd par.), 33, 34, 37-41, 63-71, 77-79, 81-85, 104-109, 113, 115, 128, 129, 132, 142-144, 146, 157-159, 161, 162, 166, 170; and, as they apply to natural gas, ss. 1, 25, 31 (1 st par., subpar. 1, 2, 4, 5), 32, 35, 36, 42-54, 73-75, 80, 86-103, 110-112, 114 (par. 1-6), 116, 117, 147 1997-10-15 ss. 24, 127, 130, 131, 149-156, 168, and, as they do not apply to natural gas, ss. 1, 25 (1 st par. (subpar. 3), 2 nd par.), 35, 36, 42-47, 75, 87-89, 110-112, 116 (2 nd par., subpar. 4), 117 1997-11-01 ss. 137, 138, 140, 141, and, as they apply to petroleum products, ss. 55-58, 116 1998-01-01 as they do not apply to natural gas, ss. 102, 103 1998-02-11 ss. 18 (2 nd par.), 59, 118, 139 (s. 45.1, par. d of subpar. 1 of 3 rd par. of R.S.Q., chapter U-1.1), 160, 167 (1 st par.), 169, and, as they do not apply to natural gas, ss. 25 (1 st par., subpar. 2), 31 (1 st par., subpar. 4), 86, 90-101, 147

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 61	An Act respecting the Régie de l'énergie – <i>Cont'd</i>
1998-03-18	ss. 31 (1 st par. (subpar. 2, 5)), 32 (par. 3), 114 (par. 4) [as they do not apply to natural gas]
1998-05-02	ss. 121, 123, 125, 133, 1 st par. of s. 16 of R.S.Q., chapter S-41, as enacted by s. 134, 136, 145, 164 and, as they do not apply to natural gas, subpar. 1 of 1 st par. of s. 25, subpar. 1 of 1 st par. of s. 31, par. 1 and 4 of s. 32, 48-51, 53, 54 and, as it does not apply to natural gas and petroleum products, subpar. 1 of 2 nd par. of s. 116
1998-08-11	s. 114 (par. 7) and, as it does not apply to natural gas, s. 114 (par. 6)
1998-11-01	ss. 31 (1 st par. (subpar. 3)), 72, 76, 119, 120, 124 and, as they apply to steam, ss. 55-58 and, as they do not apply to natural gas, ss. 32 (par. 2), 73, 74, 80, 114 (par. 1-3, 5) and, as they do not apply to natural gas and petroleum products, s. 116 (1 st par., 2 nd par. (subpar. 2))
1996, c. 68	An Act to amend the Civil Code of Québec and the Code of Civil Procedure as regards the determination of child support payments
1997-05-01	ss. 1-4
1996, c. 69	An Act to amend the Savings and Credit Unions Act
1997-02-15*	ss. 1-3, 7-13, 14 (par. 1), 15, 16 (par. 1), 17 (par. 1, 3), 18, 19, 20 (par. 1), 21-165, 167-182, 184 (*Subject to the following provisions which come into force 1997-02-15:
	Provisions relating to the structure of credit unions and federations
	1. The new provisions relating to the structure of credit unions and federations whose fiscal period ended before 1 February 1997, and that therefore have eight months in which to hold their annual meeting, apply thereto from the time at which their respective annual meeting is held. Pending the annual meeting, such credit unions and federations may hold a special meeting for the purpose of determining the interest that is payable on permanent shares following the allocation of the annual surplus earnings. In such case, the new provisions relating to structure apply thereto only from the time at which the annual meeting is held. Credit unions and federations that do not take advantage of that extended time period may postpone until a later special meeting, held before 1 October 1997, the election of the members of their board of directors and board of audit and ethics, in which case the new provisions relating to structure will apply thereto only from the time at which that meeting is held.
	2. In the case of credit unions and federations whose fiscal period ends between 1 February 1997 and 31 May 1997 and that must therefore hold their annual meeting before 1 October 1997, the same provisions will apply from the time at which their respective annual meeting are held.
	3. In the case of credit unions and federations whose fiscal period ends between 1 June 1997 and 31 August 1997 and that therefore are not obliged to hold their annual meeting before 1 October 1997, the same provisions will apply, from the latter date, except where such credit unions or federations hold a special meeting before that time, in which case those same provisions apply thereto from the time at which that meeting is held.
	4. Notwithstanding the foregoing, where, on 15 February 1997, credit unions are involved in a process of amalgamation, the new provisions relating to structure will apply thereto from the time at which the amalgamation becomes effective, if the amalgamation agreement complies with those provisions.

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 69	An Act to amend the Savings and Credit Unions Act – <i>Cont'd</i> Where the agreement does not comply, the amalgamating credit unions have until 30 September 1997 to remedy the situation at a single special meeting of all the members of the credit unions that are being amalgamated. Provisions relating to administration - Decisions rendered by credit committees before they were abolished may be reviewed by any employee who is appointed for that purpose and whose position allows him to grant credit. - Representatives of legal persons who are members of a credit union and have been acting as directors or members of the board of supervision shall continue to act in that capacity until the end of their term of office. - The provisions of section 54 of the Act to amend the Savings and Credit Unions Act apply immediately to officers who, on 15 February 1997, are under suspension from duty. - Credit unions, federations and confederations have 18 months from the coming into force of paragraph 4 of section 36 of that Act to provide liability insurance for directors and officers. - The reports on activities that would have been submitted by the credit committees and ethics committees, had they not been abolished, shall be drafted by the boards of audit and ethics.)
1996, c. 70	An Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety 1997-10-01 ss. 9 (insofar as it enacts s. 284.2 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 39 (insofar as it enacts the second paragraph of s. 357.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 40, 44 (par. 2, insofar as it enacts subpar. 4.2 of the first paragraph of s. 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)) 1998-01-01 ss. 8, 10-18, 19 (par. 2), 20 (par. 1), 24, 25, 28, 30, 34 (par. 1), 38, 44 (par. 2, insofar as it enacts subpar. 4.3 of the first paragraph of s. 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 44 (par. 3-5) 1999-01-01 ss. 4, 19 (par. 1), 20 (par. 2), 22, 23, 26, 27, 29, 31, 32, 33, 39 (insofar as it enacts the first paragraph of s. 357.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 41-43, 44 (par. 6-11, 13)
1996, c. 74	An Act to amend various legislative provisions relating to the construction industry 1997-01-15 ss. 2, 10 (par. 4), 15-27 1997-01-15 ss. 7, 8
1996, c. 78	An Act to amend the Act respecting income security 1997-04-01 ss. 2-5, 6 (par. 2, 3, 4) 1997-10-01 ss. 1, 6 (par. 1)
1996, c. 79	An Act to amend the Act respecting financial assistance for students and the General and Vocational Colleges Act 1997-02-06 ss. 1, 2, 3, 4, 8, 9, 10, 12, 13, 14, 15, 17 1997-04-01 ss. 6, 16 1997-05-01 ss. 7, 11 1997-07-01 s. 5

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors 1998-10-21 ss. 10 (par. 4), 11 (par. 1, the words “and a list of the addresses for which no electors’ names are entered”), 13 (where it enacts s. 198.1 of the Election Act (R.S.Q., chapter E-3.3)) 1999-09-22 ss. 5, 8 (except for the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1 enacted by section 8)
1997, c. 16	An Act respecting the Saguenay—St. Lawrence Marine Park 1998-06-12 ss. 1-26
1997, c. 20	An Act to amend the Act to foster the development of manpower training and other legislative provisions 1998-04-01 s. 8 (s. 23.1 of R.S.Q., chapter D-7.1) 1998-02-04 ss. 13, 15 1998-04-01 s. 16
1997, c. 23	An Act to amend the Act respecting the Conseil consultatif du travail et de la main-d’œuvre 1997-11-26 ss. 1, 2
1997, c. 24	An Act to amend the Charter of the French language 1997-09-01 ss. 1, 2, 7-21, 23-26 1998-01-01 ss. 3-6, 22
1997, c. 27	An Act to establish the Commission des lésions professionnelles and amending various legislative provisions 1997-10-29 ss. 24 (enacting ss. 429.1, 429.5 (1 st par.), 429.12 of R.S.Q., chapter A-3.001), 30 (enacting s. 590 of R.S.Q., chapter A-3.001) [for the sole purpose of declaring the Minister of Labour responsible for the provisions of the latter Act concerning the Commission des lésions professionnelles], 62 1998-04-01 ss. 1-23, 24 (ss. 367-429, 429.2-429.4, 429.5 (2 nd par.), 429.6-429.11, 429.13-429.59), 25-29, 31-61, 63-68
1997, c. 29	An Act respecting the Centre de recherche industrielle du Québec 1997-06-30 ss. 1-42
1997, c. 37	An Act to amend the Act respecting safety in sports 2002-04-01 s. 2 (ss. 46.17, 46.18 of the Act respecting safety in sports (R.S.Q., chapter S-3.1))
1997, c. 39	An Act respecting certain flat glass setting or installation work 1997-07-09 ss. 1-3
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice 1997-09-24 ss. 845 (2 nd par.), 848-850 (as regards persons governed by s. 853), 853 (except the words “Until 1 December 1997”) 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1997-10-29 s. 866 (s. 58.1 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, chapter 27))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice – <i>Cont'd</i>
1998-04-01	ss. 1-10, 14-105, 111 (par. 1), 121 (par. 1), 124-184, 186-211, 216-337, 340-360, 362, 364-404, 410-565, 567 (par. 3), 568, 576 (par. 1), 577 (par. 1, 3, 4), 578-759, 761-824, 826-832, 833 (except the provisions of the second paragraph respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions), 835-844, 845 (1 st par.), 846, 847, 848-850 (as regards the persons governed by s. 841), 851, 852, 855-864
1998-04-01	ss. 11, 12, 13, 865, 867, 876 (par. 4)
1997, c. 44	An Act respecting the Commission de développement de la métropole
1997-06-20	s. 103
1997, c. 47	An Act to amend the Education Act, the Act respecting school elections and other legislative provisions
1997-08-13	ss. 2, 3, 16, 17, 25, 29-50, 52, 54-59, 61-63, 67-71
1998-07-01	ss. 1, 4-15, 18-24, 26, 27, 28 (subject to s. 68), 51, 53, 60, 64-66
1997, c. 49	An Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions
1998-07-02	ss. 4-7, 9
1997, c. 50	An Act to amend various legislative provisions of the pension plans in the public and parapublic sectors
1997-03-22	ss. 52, 53 (effective date)
1997, c. 53	An Act to amend various legislative provisions concerning municipal affairs
1998-07-01	ss. 7 (par. 3), 18 (par. 3), 24 (par. 2), 29 (par. 2), 33 (par. 2), 36 (par. 3), 42 (par. 2), 47 (par. 2), 52 (par. 4)
1997, c. 54	An Act to amend the Act respecting lotteries, publicity contests and amusement machines
1997-09-24	ss. 1-9
1997, c. 55	An Act respecting the Agence de l'efficacité énergétique
1997-10-22	ss. 1-11, 14, 15, 35
1997-12-03	ss. 12, 13, 16-31, 34
1997, c. 58	An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care
1997-07-02	ss. 1-19, 21 (par. 4), 24 (par. 3), 25-41, 44, 52, 59 (par. 4), 68, 98, 106 (par. 1), 121, 133, 134, 135 (par. 3), 136 (par. 3), 142-155
1997, c. 63	An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail
1997-09-10	ss. 16, 17 (1 st par. (the part preceding subpar. 1, subpar. 8)), 21-29, 31, 32
1997-12-17	ss. 37, 38 (the part preceding par. 1, par. 2, 5), 40-46
1997-12-17	ss. 58-68, 107 (par. 4), 110, 119 (the part preceding par. 1, par. 2), 135, 145, 147
1998-01-01	ss. 17 (1 st par. (subpar. 1-7)), 18-20, 30, 33-36, 38 (par. 1, 3, 4, 6, 7), 39, 120-123, 136, 137
1998-04-01	ss. 17 (2 nd par.), 69-96, 97 (par. 2, 3), 98-105, 107 (par. 1, 2), 108, 111-118, 119 (par. 1), 125, 127, 129-134, 138 (par. 4), 140-143, 146

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 64	An Act to amend the Act respecting the use of petroleum products and other legislative provisions 1999-02-24 ss. 1, 2 (enact. ss. 5, 7, 8 (2 nd par.), 14 (2 nd par.), 22 (subpar. 3), 23, 25 (subpar. 2, 5), 27 (3 rd par.), 37, 39, 41, 50, 51, 54, 59), 14 (enact. ss. 96, 97, 114, 115, 116), 15, 17, 18, 25 (3 rd par.) 1999-04-30 ss. 2 (enact. ss. 1-4, 6, 8 (1 st par.), 9-13, 14 (1 st par.), 15-21, 22 (subpar. 2 of 1 st par., 2 nd par.), 24, 25 (subpar. 1, 4 of 1 st par., 2 nd par.), 26, 27 (1 st , 2 nd , 4 th par.), 28-30, 32-38, 40, 42-49, 52, 53, 55-58, 60-66), 3-13, 14 (enact. ss. 98-113), 16, 19-24, 25 (1 st , 2 nd par.) 1999-07-01 s. 2 (enact. ss. 22 (subpar. 1), 25 (subpar. 3), 31)
1997, c. 75	An Act respecting the protection of persons whose mental state presents a danger to themselves or to others 1998-06-01 ss. 1-60
1997, c. 77	An Act to amend the Public Health Protection Act 1998-02-15 ss. 3-7
1997, c. 78	An Act to amend the Act to ensure safety in guided land transport 2000-01-01 ss. 1, 2, 4, 7, 15-18 2000-05-01 ss. 3, 5, 6, 8-12, 13 (par. 2), 14 (par. 1), 19
1997, c. 80	An Act to amend the Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator 1998-12-16 ss. 36, 37 1999-06-01 s. 31 1999-07-01 ss. 1-27, 29, 30, 33-35, 39-43, 45-61, 62 except as regards funds held in trust by the Joint Committee of the women's clothing industry for the payment of compensation for annual vacation with pay provided for in sections 8.00 to 8.06 of the Decree respecting the women's clothing industry (R.R.Q., 1981, chapter D-2, r. 26), 63-78, 81 2000-10-01 s. 62 as regards funds held in trust by the Joint Committee of the women's clothing industry for the payment of compensation for annual vacation with pay provided for in sections 8.00 to 8.06 of the Decree respecting the women's clothing industry (R.R.Q., 1981, chapter D-2, r. 26)
1997, c. 83	An Act to abolish certain bodies 1998-03-18 ss. 25, 31, 32, 33, 38 (par. 1), 41, 42, 43, 44, 49 (par. 3), 50 (par. 3), 56 (par. 3) 2002-10-01 ss. 29, 30
1997, c. 85	An Act to again amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions 1998-09-16 ss. 5-9, 395-399
1997, c. 87	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1998-03-11 ss. 1-5, 7-11, 14, 21, 23-28, 34, 35 1998-07-01 ss. 6, 12, 13, 16-19, 22, 29-33 1999-01-01 ss. 15, 20
1997, c. 90	An Act to amend the Act respecting financial assistance for students 1998-04-01 ss. 1, 2, 3, 13, 14 1998-05-01 ss. 4, 5, 6, 7, 8, 9, 10, 11, 12
1997, c. 91	An Act respecting the Ministère des Régions 1998-04-01 ss. 1-7, 16-66, 68

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 96	An Act to amend the Education Act and various legislative provisions 1998-04-01 ss. 107, 109-111, 126 (par. 2), 131, 163, 178, 180-183, 187-191
1998, c. 3	An Act to amend the Act respecting stuffing and upholstered and stuffed articles 2005-10-13 ss. 1-10
1998, c. 5	An Act to amend the Civil Code and other legislative provisions as regards the publication of personal and movable real rights and the constitution of movable hypothecs without delivery 1999-09-17 ss. 1-9, 12, 13, 19, 21, 23, 24, 25
1998, c. 15	An Act to amend the Act respecting immigration to Québec and other legislative provisions 1998-09-07 ss. 8, 10 (par. 8)
1998, c. 17	An Act respecting Investissement-Québec and Garantie-Québec 1998-08-21 ss. 1-83
1998, c. 19	An Act respecting Société Innovatech du Grand Montréal 1998-06-30 ss. 1-45
1998, c. 20	An Act respecting Société Innovatech Régions ressources 1998-06-30 ss. 1-42
1998, c. 21	An Act respecting Société Innovatech Québec et Chaudière-Appalaches 1998-06-30 ss. 1-45
1998, c. 22	An Act respecting Société Innovatech du sud du Québec 1998-06-30 ss. 1-45
1998, c. 24	An Act to amend the Mining Act and the Act respecting the lands in the public domain 1999-12-01 s. 82 (s. 169.2, except par. 3) 2000-11-22 ss. 1 (par. 2), 3 (par. 1), 4-51, 56-70, 75 (par. 3), 102 (par. 2), 103 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs), 105-109, 113 (par. 2), 114, 116, 117 (par. 2, 3), 118-120, 122, 124-126, 127 (par. 1, 3, 4), 128 (par. 1, 3-9, 12 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs)), 129, 130, 133, 134, 136, 142-145, 148-152, 158 2010-01-21 ss. 1 (par. 1), 2, 3 (par. 2-4), 71-74, 75 (par. 1, 2), 76-81, 82 (to the extent that it enacts ss. 169.1 and 169.2 (par. 3)), 83-101, 102 (par. 1), 103 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine), 104, 113 (par. 1), 115, 117 (par. 1), 123, 127 (par. 2), 128 (par. 2, 10, 11, 12 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine)), 131, 132, 154-157
1998, c. 27	An Act to amend the Act to promote the parole of inmates 1999-01-27 s. 13
1998, c. 30	An Act to amend the Act respecting municipal courts and the Courts of Justice Act 1998-09-09 ss. 6, 7, 14, 16, 21 1998-10-15 ss. 4, 5, 8-13, 18, 19, 22-28, 30, 31, 36, 40-42, 44 2001-03-28 ss. 15, 37, 38, 39

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1998, c. 33	Tobacco Act 1998-10-01 ss. 67, 71 1998-11-01 ss. 32-40, 55-57
1998, c. 36	An Act respecting income support, employment assistance and social solidarity 1998-08-05 s. 203 1999-10-01 ss. 1-19, 20 (1 st par.), 21-26, 27 (1 st , 2 nd par.), 28-31, 33-55, 58, 67, 68 (except 2 nd par. (subpar. 4, what follows the word “work”)), 69-74, 75 (except 2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 76-78, 79 (except 1 st par., last sentence), 80-95, 96 (1 st , 3 rd par.), 97-155, 156 (par. 1-6, 8-23, 25-30), 158 (1 st par. (subpar. 1-13), 2 nd par.), 159-175, 178-186, 189-202, 204, 206, 209-212, 216, 217, 219-226, 228 (except for the provisions of the first paragraph concerning the report on the implementation of the provisions pertaining to the payment of part of the benefit relating to lodging to the lessor), 229 2000-01-01 ss. 68 (2 nd par. (subpar. 4, what follows the word “work”)), 75 (2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 79 (1 st par., last sentence), 96 (2 nd par.), 158 (1 st par. (subpar. 14)) 2000-11-01 ss. 56, 57, 156 (par. 31)
1998, c. 37	An Act respecting the distribution of financial products and services 1998-08-26 ss. 158-184, 194, 229, 231, 244-248, 251-255, 256 (1 st , 2 nd par.), 257, 284-287, 288 (1 st par.), 296 (2 nd par.), 297 (2 nd par.), 299, 302-311, 312 (1 st par.), 323-326, 504-506, 510, 568, 572, 577, 579, 581 1999-02-24 ss. 1-11, 13 (2 nd par.), 58, 59, 61-65, 70, 72, 185, 189, 190, 193, 195, 196, 200-217, 223-228, 232, 233 (1 st par.), 258-273, 274 (3 rd par.), 279-283, 312 (2 nd par.), 313, 314, 315 (2 nd par.), 316, 319, 321, 322, 327, 328, 331-333, 351, 352, 355-358, 364, 365, 366, 370, 408 (2 nd par.), 411-414, 416, 423, 424, 426, 440, 443, 503, 543, 573 (2 nd par.) 1999-07-19 ss. 45, 57, 66, 67, 73-79, 82 (1 st par.), 104 (1 st par.), 128, 130-134, 144 (1 st par.), 146-157, 197, 218-222, 234-239, 249, 250, 274 (2 nd par. (subpar. 1)), 395-407, 418, 427, 428, 445, 447, 449, 450, 451 (1 st par.), 452, 458, 459, 484, 485, 487, 502, 517-521, 534-542, 544-546, 549 (1 st par.), 550-553, 566, 569, 570, 571, 574, 576 1999-10-01 ss. 12, 13 (1 st par.), 14-16, 18-25, 27, 29, 30, 33-39, 41-44, 46-56, 60, 68, 69, 71, 80, 81, 82 (2 nd par.), 83-103, 104 (2 nd , 3 rd par.), 105-127, 129, 135-143, 144 (2 nd , 3 rd par.), 145, 186-188, 191, 192, 198, 199, 230, 233 (2 nd par.), 240-243, 256 (3 rd par.), 274 (1 st par., 2 nd par. (subpar. 2)), 275-278, 288 (2 nd par.) 289-295, 296 (1 st par.), 297 (1 st par.), 298, 300, 301, 315 (1 st par.), 317, 318, 320, 329, 330, 334-350, 353, 354, 359-363, 367-369, 371-394, 408 (1 st par.), 409, 410, 415, 417, 419-422, 425, 429-439, 441, 442, 444, 446, 448, 451 (2 nd par.), 453-457, 460-483, 486, 488-501, 507-509, 511-516, 522-533, 547, 548, 549 (2 nd , 3 rd par.), 554, 557-565, 567, 573 (1 st par.), 575, 578, 580, 582 1999-10-01 ss. 555, 556 2003-01-01 ss. 17, 26, 31, 32
1998, c. 38	An Act to establish the Grande bibliothèque du Québec 1998-08-05 ss. 1-3, 4 (1 st par. (subpar. 1, 3), 2 nd par.), 5-22, 24-33 1999-05-05 ss. 4 (1 st par. (subpar. 2)), 23
1998, c. 39	An Act to amend the Act respecting health services and social services and amending various legislative provisions 1999-04-01 ss. 171, 207, 208 1999-03-31 ss. 139, 141-149, 202 2001-04-01 ss. 63 (par. 2), 94-97, 160

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1998, c. 40	An Act respecting owners and operators of heavy vehicles 1998-07-21 ss. 1-4, 6-14, 19, 20, 22-46, 48, 49, 51, 54, 55 (par. 1), 55 (par. 2, as regards the definition of “tool vehicle”), 58, 59, 62, 65, 66, 69, 71-76, 78, 79, 94, 117, 120-123, 125, 126, 128 (par. 1), 144 (par. 7, 8, 12), 146-148, 150 (par. 1, 2), 154-162, 171, 172, 174-182 1998-11-27 s. 144 (par. 9, 10) 1998-12-24 ss. 130, 131, 132 1999-02-24 ss. 15 (1 st , 3 rd par.), 16 (1 st par.), 17, 18 1999-04-01 ss. 5, 21, 50, 55 (par. 2 (as regards the definition of “heavy vehicle”)), 56, 57, 60, 61, 63, 67, 70, 77, 80, 82, 84, 85, 86, 88-93, 95, 96, 98, 103, 107, 108, 109 (par. 1 (except as regards the deletion of ss. 413 and 471), par. 3)), 111, 114, 124 (par. 2, 3), 127, 128 (par. 2), 129, 133-140, 149, 151, 163-170, 173 1999-04-29 s. 112 1999-07-01 ss. 15 (2 nd par.), 16 (2 nd par.), 47 1999-06-02 ss. 83, 144 (par. 1-6, 11, 13-18, 20, 21, 23) 1999-07-01 ss. 52, 53, 64, 68, 81, 99-102, 104-106, 109 (par. 2), 118, 119, 124 (par. 1), 141-143, 144 (par. 19, 22, 24), 145, 150 (par. 3), 152, 153 1999-11-01 ss. 115, 116 2000-12-14 ss. 109 (par. 1 (as regards the striking out of section 471)), 110, 113
1998, c. 41	An Act respecting Héma-Québec and the haemovigilance committee 1998-07-08 ss. 1, 2, 4-54, 56-75 1998-09-28 ss. 3, 55
1998, c. 42	An Act respecting Institut national de santé publique du Québec 1998-10-08 ss. 1-3, 4 (1 st par. (subpar. 5), 2 nd par.), 5-48 1999-09-12 s. 4 (1 st par. (subpar. 2, 3, 4)) 2000-04-01 s. 4 (1 st par. (subpar. 1))
1998, c. 44	An Act respecting the Institut de la statistique du Québec 1998-10-14 ss. 1, 14-19, 21-24, 63 1999-04-01 ss. 2-13, 20, 25-62
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry 1998-09-08 ss. 1, 3, 25, 41, 42 (par. 1), 43-50, 58, 60-63, 68-70, 81, 82, 84-86, 88-100, 110-113, 120, 122 (par. 1) [which enacts s. 123 (par. 8.4) of the Act respecting labour relations, vocational training and manpower management in the construction industry], 122 (par. 2), 125-135 2000-11-07 ss. 4-7, 9, 30-32, 37 2002-10-01 ss. 8, 10-13 2002-11-20 ss. 71, 73, 75, 76, 78, 80
1998, c. 47	An Act respecting certain facilities of Ville de Montréal 1998-09-25 ss. 1-42
1998, c. 51	An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters 1999-05-13 ss. 1-25, 27, 29 2000-01-01 s. 26
1998, c. 52	An Act to amend the Election Act, the Referendum Act and other legislative provisions 1999-09-22 ss. 46, 47, 55, 56, 81, 94 (par. 3, 4)
1999, c. 11	An Act respecting Financement-Québec 1999-10-01 ss. 1-68

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 13	An Act to amend various legislative provisions relating to building and the construction industry 1999-09-08 ss. 1, 8, 10, 13
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses 1999-07-01 ss. 18, 19 (on the date of the coming into force of ss. 35 and 65 of 1997, c. 73, under the provisions of s. 98 (par. 2) of that Act) 1999-10-01 ss. 34 (on the date of the coming into force of the provisions of s. 19 of 1998, c. 36 (subpar. 3 of 1 st par.)), 35 (on the date of the coming into force of the provisions of s. 28 of 1998, c. 36 (subpar. 4 of 1 st par.))
1999, c. 16	An Act respecting Immobilière SHQ 1999-12-15 ss. 1-38
1999, c. 26	An Act respecting the Société nationale du cheval de course 1999-09-01 ss. 1-20
1999, c. 30	An Act to amend certain legislative provisions respecting the Public Curator 2000-04-01 ss. 7-15, 17, 18, 19 (par. 1, 3, 4), 20, 24
1999, c. 32	An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec 1999-08-04 ss. 1, 2 (1 st par., 2 nd par. (subpar. 2)), 3-15, 18-30, 33 2001-09-13 ss. 2 (2 nd par. (par. 1)), 16, 17, 31, 32
1999, c. 34	An Act respecting the Corporation d'hébergement du Québec 1999-12-01 ss. 1-26, 28-40, 42-55, 56 (par. 1), 57-61, 63-77 2000-01-05 ss. 27, 62 2000-04-01 ss. 41, 56 (par. 2)
1999, c. 36	An Act respecting the Société de la faune et des parcs du Québec 1999-09-08 ss. 1-3, 5-23, 33, 35, 36, 169, 170 1999-12-01 ss. 4, 24-32, 34, 37-168
1999, c. 37	An Act to amend the Act respecting prescription drug insurance 1999-09-01 ss. 1, 4-8
1999, c. 38	An Act respecting the transport of bulk material under municipal contracts 2000-09-20 ss. 1-3
1999, c. 41	An Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel 2000-03-30 ss. 1-50
1999, c. 45	An Act to amend the Act respecting health services and social services as regards access to users' records 2000-01-01 ss. 1-5
1999, c. 46	An Act to amend the Code of Civil Procedure 2000-02-01 ss. 1-19
1999, c. 47	An Act to amend the Civil Code as regards names and the register of civil status 2002-05-01 s. 8

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 49	An Act to amend the Civil Code as regards publication of certain rights by means of a notice 2000-01-01 s. 1
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions 2002-03-27 ss. 30 (to the extent that it enacts ss. 149.2-149.5 of the Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1)), 31, 47 (to the extent that it repeals ss. 19-22 of the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30)), 74
1999, c. 52	An Act to amend the Act respecting labour standards and other legislative provisions concerning work performed by children 2000-07-20 ss. 11 (where it enacts sections 84.6, 84.7 of the Act respecting labour standards), 12
1999, c. 53	An Act to provide for the implementation of agreements with Mohawk communities 1999-11-24 ss. 1-21
1999, c. 65	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions of a fiscal nature 2000-02-02 ss. 1-4, 6, 7, 9 (par. 1, 2, 3), 11, 13-16, 17 (par. 2), 18, 19, 27, 28 (par. 1), 29 (par. 1, 2, 5), 30-32, 46, 49-53, 54 (par. 2), 55-63, 65-71, 74-76 2002-02-02 ss. 28 (par. 2, 3, 4), 29 (par. 3, 4)
1999, c. 66	An Act to amend the Highway Safety Code and other legislative provisions 2000-04-01 ss. 8, 9, 12, 13, 22-24, 30, 31 2000-12-14 ss. 18, 26 (par. 1), 29 2001-03-01 s. 20 2003-09-03 s. 15 2008-04-01 ss. 10, 26 (par. 2)
1999, c. 69	An Act to again amend the James Bay Region Development Act 2000-09-27 ss. 1-16
1999, c. 75	An Act to amend the Environment Quality Act and other legislation as regards the management of residual materials 2000-05-01 ss. 1-13 (subsections 1, 3, 4, 5 (heading) of Division VII of Chapter I of the Environment Quality Act), 14-54 2001-01-01 subsection 2 of Division VII of Chapter I of the Environment Quality Act, enacted by section 13
1999, c. 77	An Act respecting the Ministère des Finances 2000-11-15 ss. 1-56
1999, c. 84	An Act to delimit the high water mark of the St. Lawrence River in the territory of Municipalité régionale de comté de La Côte-de-Beaupré 2002-10-03 ss. 1-4
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions 2000-03-01 ss. 1 (par. 1, 3 (the replacement of “beneficiary” by “insured person”), 4, 5), 2, 3, 8, 11-17, 19, 20, 22-29, 31-37, 38 (par. 3-6), 39-56 2001-05-31 ss. 1 (par. 2, 3 (the replacement of “deemed” by “temporary”)), 4-7, 9, 10 (except the new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces), 18, 21, 30, 38 (par. 1, 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 90	An Act to amend various legislative provisions respecting municipal affairs 2001-01-31 ss. 22-26, 31
2000, c. 8	Public Administration Act 2000-09-06 s. 144 2000-10-01 ss. 1, 2, 12-23, 29-36, 38-56, 58-76, 77 (par. 1-3, 5-10, 12), 78-92, 93 (except to the extent that it repeals sections 22, 49.6 of the Financial Administration Act (R.S.Q., chapter A-6) and Division IX of that Act comprising sections 83-85), 94-98, 100, 103-105, 109, 120-123, 125-143, 145-149, 152, 153, 157-173, 175, 178-182, 186, 188, 191, 201, 219, 221, 222, 224-228, 230, 231, 236, 238, 239, 240 (with the exception of the number and word “10.2 and” in paragraph 3 and paragraphs 4 and 5), 242, 243 (with the exception of the word and number “and 49.6”), 244-253 2001-04-01 ss. 6, 7, 28, 57, 93 (to the extent that it repeals section 49.6 and Division IX comprising sections 83-85 of the Financial Administration Act), 192, the number and word “10.2 and” in paragraph 3 of section 240, and the word and number “and 49.6” in section 243 of that Act 2001-06-20 ss. 37, 93 (to the extent that it repeals s. 22 of the Financial Administration Act (R.S.Q., chapter A-6)), 99, 101, 102, 106-108, 110-119, 124, 150, 151, 154-156, 174, 176, 177, 183-185, 187, 189, 190, 193-200, 202-218, 220, 223, 229, 232-235, 237, 241 2002-04-01 ss. 24-27
2000, c. 9	Dam Safety Act 2002-04-11 ss. 1-18, 19 (1 st , 2 nd , 3 rd , 5 th par.), 20-49
2000, c. 10	An Act to amend the Tourist Establishments Act 2001-12-01 ss. 1-4, 6-33
2000, c. 13	An Act to amend the Professional Code and other legislative provisions 2000-07-12 ss. 1-95
2000, c. 15	Financial Administration Act 2000-11-15 ss. 1-14, 20-32, 46-57, 77-163, 165, 166 (except to the extent that the latter replaces sections 8, 22, 36-36.2, 47, 48, 49.6, 59-69.0.7, 69.5 and Division IX comprising sections 83-85 of the Financial Administration Act (R.S.Q., chapter A-6)), 167 2001-03-01 ss. 67, 68, 69 and 166 (to the extent that it replaces sections 59, 68 and 69 of the Financial Administration Act (R.S.Q., chapter A-6)) 2002-03-01 ss. 15-19, 61-66, 70-76, 164, 166 (to the extent that the latter replaces ss. 8, 36-36.2, 47, 48, 60-67, 69.0.1-69.0.7, 69.5 of the Financial Administration Act (R.S.Q., chapter A-6))
2000, c. 18	An Act respecting the Office Québec-Amériques pour la jeunesse 2000-09-13 ss. 1-34
2000, c. 20	Fire Safety Act 2000-09-01 ss. 1-6, 8-38 (1 st par.), 39-152, 154-185 2001-04-01 ss. 7, 153
2000, c. 21	An Act to amend the Cinema Act 2001-01-01 ss. 1-8
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions 2000-11-15 ss. 68, 69 2001-09-20 ss. 58, 59, 65 2004-03-24 ss. 45 (par. 2), 50 (par. 1 (except the words “the registration fees and”), 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2000, c. 28	An Act respecting Nasdaq stock exchange activities in Québec 2000-10-19 ss. 1, 9
2000, c. 29	An Act respecting financial services cooperatives 2000-10-04 ss. 641, 642 2001-07-01 ss. 1-640, 643-683, 685-693, 695-698, 700-701, 704-711, 712 (1 st par.), 713-717, 719-723, 725-728, 730
2000, c. 35	An Act to amend the Transport Act 2000-06-30 ss. 2, 4, 5, 6, 7
2000, c. 36	An Act to amend the Act respecting the Ministère du Revenu as regards the suspension of recovery measures 2000-10-01 ss. 1-14
2000, c. 40	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act 2004-12-08 ss. 28-33 2005-05-11 s. 4 (to the extent that it introduces s. 3.0.1 (1 st par.) of the Animal Health Protection Act (R.S.Q., chapter P-42))
2000, c. 42	An Act to amend the Civil Code and other legislative provisions relating to land registration 2001-10-09 ss. 1, 2, 10, 11, 13-21, 24-26, 28-32, 41 (where it amends a. 2999.1 (1 st par.) of the Civil Code), 42, 43 (except where it deals with the information referred to in a. 3005 of the Civil Code, on the geodesic reference and geographic coordinates making it possible to describe an immovable), 44-52, 54-58, 60-62, 64, 65, 69, 71-78, 81, 83-86, 88, 89 (except where it strikes out s. 146 (2 nd par.) of the Act respecting the implementation of the reform of the Civil Code), 90, 91 (except where it repeals ss. 151 (1 st sentence), 152 (2 nd par.), 153 (par. 2) of the Act respecting the implementation of the reform of the Civil Code), 92 (except where it repeals s. 155 (par. 2.3, 2.4) of the Act respecting the implementation of the reform of the Civil Code), 93, 96-98, 100-107, 117, 119-127, 129-133, 136, 138-143, 148-153, 155, 157-185, 188, 197-209, 212-214, 216, 218-225, 229-236, 238, 241-245
2000, c. 44	Notaries Act 2002-01-01 ss. 1-25, 27-58, 60, 61, 93-105, 106 (except where it replaces the provisions of the Notarial Act (R.S.Q., chapter N-2) respecting the preservation of notarial acts <i>en minute</i> , the keeping, surrender, deposit and provisional custody of notarial records, the issue of copies and extracts from notarial acts <i>en minute</i> and the seizure of property related to the practice of the notarial profession), 107
2000, c. 45	An Act respecting equal access to employment in public bodies and amending the Charter of human rights and freedoms 2001-04-01 ss. 1-34
2000, c. 46	An Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State 2001-02-28 ss. 1-13
2000, c. 48	An Act to amend the Act respecting the conservation and development of wildlife and the Act respecting hunting and fishing rights in the James Bay and New Québec territories 2008-06-25 s. 14 (par. 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2000, c. 49	An Act respecting transport infrastructure partnerships 2007-08-15 ss. 23-27, 29
2000, c. 53	An Act respecting La Financière agricole du Québec 2001-04-01 ss. 1, 2, 3 (1 st , 3 rd par.), 4-18, 82, 83 2001-04-17 ss. 3 (2 nd par.), 19-69, 70 (1 st par.), 71-77, 78 (to the extent that it governs the regulations made under the Act respecting the Société de financement agricole (R.S.Q., chapter S-11.0101)), 79-81 2001-09-05 s. 70 (2 nd par.)
2000, c. 57	An Act to amend the Charter of the French language 2001-06-18 ss. 1-5, 6 (except the words “, Cree School Board, Kativik School Board” in s. 29.1 enacted by par.1), 7-15
2000, c. 61	An Act to amend the Maritime Fisheries Credit Act 2001-05-02 ss. 1-7
2000, c. 62	An Act respecting the Société d’Investissement Jeunesse 2001-02-28 ss. 1-4
2000, c. 68	An Act respecting La Société Aéroportuaire de Québec 2000-10-25 ss. 1-7
2000, c. 77	An Act respecting the Mouvement Desjardins 2001-07-01 ss. 1-62, 64, 66, 68, 71 (s. 689 of the Act respecting financial services cooperatives (2000, c. 29))
2001, c. 2	An Act to amend the Election Act and other legislative provisions 2001-05-02 ss. 1-12, 14-21, 23-25, 32-37, 38 (par. 1), 40-44, 48, 50-57
2001, c. 6	An Act to amend the Forest Act and other legislative provisions 2001-06-27 ss. 3-25, 27-29, 31, 34, 35 (to the extent that it enacts s. 43.2), 37, 48, 49, 53, 55, 56 (par. 2, 3), 59, 61, 64-69, 70 (par. 1), 71 (except for s. 84.8 that it enacts), 74-76, 78 (except for ss. 92.0.5 and 92.0.6 that it enacts), 79-90, 91 (except for s. 104.1 that it enacts), 92-98, 99 (par. 1), 100-102, 104-118, 119 (par. 1-4, 8), 120, 121, 122 (except for ss. 184 (2 nd par.), 186.7 (1 st par. (subpar. 3)) and 186.9 that it enacts), 123-129, 131-154, 157 (par. 1), 159, 160, 162, 163, 168, 170-172, 174-176, 182-188 2001-09-01 s. 169 2002-01-01 ss. 164-167, 173 2002-04-01 ss. 1, 54, 58, 158 2002-09-01 ss. 26, 161 2005-11-24 ss. 119 (par. 7), 122 (to the extent that it enacts s. 186.9) 2007-03-31 ss. 70 (par. 4), 91 (to the extent that it enacts s. 104.1), 122 (to the extent that it enacts s. 186.7 (1 st par. (subpar. 3))) 2008-04-01 ss. 60, 77, 130
2001, c. 9	An Act respecting parental insurance 2005-01-10 ss. 82 (to the extent that it concerns the Conseil de gestion de l’assurance parentale), 85 (to the extent that it concerns the Conseil de gestion de l’assurance parentale), 89, 90, 91 (except 2 nd par. (subpar. 2)), 92-110, 111 (except par. 1), 112-120, 152 2005-08-22 any portion not yet in force of s. 88 2005-10-19 s. 150 2005-11-16 any portion not yet in force of s. 82 2006-01-01 any portion not yet in force of ss. 3, 4, 7, 8, 16, 18-21, 23, 26, 34, 38, 82*, 83, 85, 91, 111 2006-01-01 any other section not yet in force * Order in Council 1102-2005 sets 16 November 2005 as the date of coming into force of any portion not yet in force of section 82.

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2001, c. 11	An Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions 2002-03-04 ss. 1-34
2001, c. 12	Geologists Act 2001-08-22 ss. 1-24
2001, c. 15	An Act respecting transportation services by taxi 2002-05-15 ss. 10 (3 rd par.), 79 (1 st par. (subpar. 4, 8)) 2002-06-05 ss. 12 (4 th par.), 88 2002-06-30 ss. 1-9, 10 (1 st , 2 nd par.), 11, 12 (1 st , 2 nd , 3 rd par.), 13-17, 18 (except 3 rd par. (subpar. 1)), 19-25, 26 (except 1 st par. (subpar. 3)), 27-34, 48-71, 79 (1 st par. (subpar. 1-3, 5-7, 9-12), 2 nd , 3 rd , 4 th par.), 80-87, 89-134, 139-151
2001, c. 19	An Act concerning the organization of police services 2001-10-10 s. 1 (par. 1)
2001, c. 23	An Act respecting public transit authorities 2002-02-13 s. 208
2001, c. 24	An Act to amend the Act respecting health services and social services and other legislative provisions 2001-06-29 ss. 6, 7 (to the extent that it introduces s. 126.2 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 8, 11 2001-12-19 ss. 1, 2, 55, 56, 58-61, 63, 65, 66, 67 (to the extent that it replaces s. 397.3 of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 68-78, 80-82, 85, 87, 92, 106, 108, 109 2002-04-01 s. 64 2002-05-01 ss. 36-38 2002-08-01 ss. 5, 7 (to the extent that it introduces s. 126.2 (3 rd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 9, 10, 12-34, 39-42, 46, 47, 50-52, 84, 90, 91, 94-101, 104, 107
2001, c. 26	An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions 2002-02-13 ss. 63 (where it enacts ss. 137.11-137.16 of the Labour Code (R.S.Q., chapter C-27)), 207 2002-10-02 s. 63 (where it enacts ss. 137.17-137.39 of the Labour Code) 2002-10-23 ss. 63 (where it enacts ss. 113, 137.62, 137.63 of the Labour Code), 139, 209, 220 2002-11-25 s. 63 (where it enacts s. 112 of the Labour Code) 2002-11-25 ss. 1-11, 12 (par. 1), 13-24, 25 (par. 2, 3), 26-30, 32 (where it enacts ss. 45.1, 45.2 of the Labour Code), 33-41, 43, 46, 48, 49, 52-56, 59, 63 (where it enacts ss. 114 (except with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 115, 116 (1 st par.), 117-132, 134-137.10, 137.40-137.61 of the Labour Code), 64 (except par. 3 where it enacts s. 138 (1 st par. (subpar. g, h)) of the Labour Code), 65-72, 83-92, 94-125, 127, 131, 140-150, 151 (par. 1-23, 25), 152-157, 160-172, 174-181, 182 (par. 1, 2, 4), 183-201, 203-205, 208, 210, 212-219 2003-04-01 s. 138 2003-09-01 s. 63 (where it enacts s. 133 of the Labour Code) 2004-01-01 s. 63 (where it enacts ss. 114 (with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 116 (2 nd par.) of the Labour Code)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2001, c. 29	An Act to amend the Highway Safety Code as regards alcohol-impaired driving 2002-04-21 ss. 3, 4, 21 2002-10-27 ss. 12, 13, 15
2001, c. 32	An Act to establish a legal framework for information technology 2001-10-17 s. 104 2001-11-01 ss. 1-103
2001, c. 35	An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions 2004-07-15 s. 35 2004-12-08 s. 30 2005-05-11 s. 29 (par. 2)
2001, c. 36	An Act constituting Capital régional et coopératif Desjardins 2001-07-01 s. 32 (s. 689 of the Act respecting financial services cooperatives (2000, c. 29))
2001, c. 38	An Act to amend the Securities Act 2003-06-27 ss. 8-11, 15-17, 18 (par. 2), 19, 20, 24-33, 35-52, 54, 59, 60, 82, 100 2005-06-01 s. 22
2001, c. 43	An Act respecting the Health and Social Services Ombudsman and amending various legislative provisions 2002-04-01 ss. 7-9, 12-28, 38, 39, 41 (ss. 33, 35-40, 44-50, 52-61, 66, 68-72, 76.8-76.14 of the Act respecting health services and social services (R.S.Q., chapter S-4.2))
2001, c. 60	Public Health Act 2003-02-26 ss. 7-17, 18 (the words “as provided in the national public health program”), 19-32, 146, 163 (s. 371 (par. 3, 4) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 164
2001, c. 64	An Act to amend the Act respecting the Barreau du Québec and the Stenographers’ Act 2006-05-01 ss. 2, 5-8
2001, c. 75	An Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments 2002-03-01 ss. 1-7
2001, c. 78	An Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals 2002-03-13 s. 16
2002, c. 17	An Act to amend the Act respecting childcare centres and childcare services and the Act respecting the Ministère de la Famille et de l’Enfance 2004-06-01 ss. 1, 8-11, 13, 14, 18 (par. 1-3, 7), 20, 23
2002, c. 21	An Act to amend the Act respecting municipal courts, the Courts of Justice Act and other legislative provisions 2002-06-26 s. 18 2002-07-01 ss. 1-8, 10-17, 19-53, 55-68 2002-09-01 ss. 9, 54

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 22	An Act to amend the Act respecting administrative justice and other legislative provisions 2002-10-02 ss. 32-34 (s. 137.27 of the Labour Code (R.S.Q., chapter C-27) enacted by 2001, c. 26, s. 63) 2005-10-01 s. 7
2002, c. 23	Lobbying Transparency and Ethics Act 2002-11-28 ss. 8-18 (Div. I of Chap. II), 19 (2 nd par.), 20-24, 25, 49-51, 56, 60 (insofar as it relates to a provision of Div. I of Chap. II), 61 (insofar as it relates to s. 25), 69
2002, c. 24	An Act respecting the Québec correctional system 2007-02-05 ss. 1-4, 6-15, 17-58, 59 (except to the extent that it deals with a temporary absence for a family visit), 60-118, 119 (except to the extent that it deals with a temporary absence for a family visit), 120-139, 143-159, 160 (except to the extent that it deals with a temporary absence for a family visit), 161-174, 175 (except to the extent that it deals with a temporary absence for a family visit and to the extent that it deals with communication of the date of the offender's eligibility for a temporary absence for reintegration purposes), 176 (except to the extent that it deals with a temporary absence for a family visit), 177-210 2007-06-04 ss. 59 (to the extent that it deals with a temporary absence for a family visit), 119 (to the extent that it deals with a temporary absence for a family visit), 140-142, 160 (to the extent that it deals with a temporary absence for a family visit), 175 (to the extent that it deals with a temporary absence for a family visit and to the extent that it deals with communication of the date of the offender's eligibility for a temporary absence for reintegration purposes), 176 (to the extent that it deals with a temporary absence for a family visit) 2008-03-03 s. 5
2002, c. 25	An Act to ensure the implementation of the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec 2003-09-15 s. 17 (to the extent that it enacts ss. 95.11-95.24 of the Forest Act (R.S.Q., chapter F-4.1))
2002, c. 27	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2002-06-26 s. 15 2002-12-01 ss. 12, 47 2003-01-01 s. 5 2003-02-26 ss. 14, 16, 17, 18, 20, 21, 22 (par. 1), 23 (par. 1), 25, 27, 29, 31 (2 nd par.), 32 (2 nd par.), 41 (par. 2), 42-44 2003-03-01 s. 10 (par. 1, 3) 2005-06-30 ss. 1 (par. 2), 22 (par. 3)
2002, c. 28	An Act to amend the Charter of the French language 2002-10-01 ss. 2-10, 18-24, 43-48 2022-05-05 s. 1 2022-06-20 s. 1 (Order in Council 654-2021 is repealed (Order in Council 724-2022).) 2023-06-01 s. 1 (Order in Council 724-2022 is repealed (Order in Council 1123-2022).)
2002, c. 29	An Act to amend the Highway Safety Code and other legislative provisions 2002-09-03 ss. 1, 3-6, 33, 34, 36, 39, 40, 42, 43 (regarding the reference to ss. 251 and 274.2), 45, 46, 53, 55, 56, 57 (regarding s. 492.2), 59-61, 67-70, 72-74, 77, 78 2002-10-27 ss. 2, 7-9, 13-17, 20 (except the reference to s. 202.2.1 in subpar. 1 of 1 st par. and except the 2 nd par.), 21-24, 25 (except par. 2), 26-28, 30-32, 35, 37, 41, 43 (regarding the reference to s. 233.2), 47-52, 54, 57 (regarding s. 492.3), 58, 62-66, 71, 75, 76 2002-12-16 ss. 10-12, 79, 80

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 30	An Act to amend the pension plans of the public and parapublic sectors 2003-02-20 ss. 6 (to the extent that it enacts s. 17.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)) except in respect of the category of employees comprised of employees on leave without pay, 10 (par. 3) except in respect of the category of employees comprised of employees on leave without pay, 18 except in respect of the category of employees comprised of employees on leave without pay
2002, c. 33	An Act to amend the Professional Code and other legislative provisions as regards the health sector 2003-01-30 ss. 1 (except where it replaces s. 37 (par. <i>c</i> , <i>m</i> , <i>n</i> and <i>o</i>) of the Professional Code (R.S.Q., chapter C-26)), 2 (except where it adds s. 37.1 (par. 1, 2, 3 (except subpar. <i>i</i>), 4) of the Professional Code), 3, 4 (except where it adds, in s. 39.2 of the Professional Code, a reference to par. 24, 34-36 of its schedule I as well as s. 39.10 of the Professional Code), 5-9, 11, 12 (except where it adds s. 36 (2 nd par. (subpar. 14)) of the Nurses Act (R.S.Q., chapter I-8)), 13-16, 17 (except where it adds s. 31 (2 nd par. (subpar. 10)) of the Medical Act (R.S.Q., chapter M-9)), 18-33 2003-06-01 ss. 1 (where it replaces s. 37 (par. <i>c</i> , <i>m</i> , <i>n</i> and <i>o</i>) of the Professional Code (R.S.Q., chapter C-26)), 2 (where it adds s. 37.1 (par. 1, 2, 3 (except subpar. <i>i</i>), 4) of the Professional Code), 4 (where it adds, in s. 39.2 of the Professional Code, a reference to par. 24, 34-36 of its schedule I as well as s. 39.10 of the Professional Code), 12 (where it adds s. 36 (2 nd par. (subpar. 14)) of the Nurses Act (R.S.Q., chapter I-8)), 17 (where it adds s. 31 (2 nd par. (subpar. 10)) of the Medical Act (R.S.Q., chapter M-9)) 2008-05-29 s. 10 2014-06-25 s. 2 (where it adds s. 37.1 (par. 3 (subpar. <i>i</i>)) of the Professional Code (chapter C-26))
2002, c. 34	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 2008-10-29 s. 1
2002, c. 41	An Act respecting the Observatoire québécois de la mondialisation 2003-01-15 ss. 1-35
2002, c. 45	An Act respecting the Autorité des marchés financiers 2003-02-06 ss. 116 (1 st par., 3 rd par.), 117-152, 153 (except 5 th par.), 154-156, 485, 689 (par. 3) 2003-04-16 ss. 1-3, 20-22, 25-32, 33 (1 st par.), 36, 39-47 2003-12-03 ss. 92, 95, 97-102, 106, 108-115 2004-02-01 ss. 4-19, 23, 24, 33 (2 nd par.), 34, 35, 37, 38, 48-62, 64-91, 93, 94, 96, 103, 104 (2 nd par.), 105, 107, 157-178, 179 (par. 1, 3), 180-196, 197 (par. 1, 3), 198-212, 214 (par. 1, 2), 215-219, 221 (par. 1, 2), 222-230, 231 (par. 1), 232, 240, 241, 243, 244, 246-263, 264 (to the extent that it enacts s. 7 of the Fish and Game Clubs Act (R.S.Q., chapter C-22)), 265, 266 (to the extent that it enacts s. 11 of the Amusement Clubs Act (R.S.Q., chapter C-23)), 267-274, 276-279, 280 (to the extent that it enacts s. 14 of the Cemetery Companies Act (R.S.Q., chapter C-40)), 281, 282 (to the extent that it enacts s. 52 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1)), 283, 284, 285 (to the extent that it enacts s. 98 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44)), 286, 288, 289, 291-293, 294 (to the extent that it enacts s. 15 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63)), 295-305, 307, 308, 310 (par. 2), 311-314, 316-333, 336, 338, 339, 340 (to the extent that it enacts s. 19 of the Religious Corporations Act (R.S.Q., chapter C-71)), 341, 344-346, 348, 349, 351, 352, 354, 355, 357 (par. 1), 358 (par. 2), 360, 363-372, 374 (par. 1), 375, 376, 379-382, 385, 386, 388, 389, 391-399, 401, 402, 404-406, 407 (par. 4), 408, 410-415, 417, 419-444, 446-458, 460-470, 472-482, 486-489, 492-501, 502 (to the extent that it enacts s. 22 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17)), 503, 505-508, 509 (to the extent that it enacts s. 75 of the Act respecting fabriques (R.S.Q., chapter F-1)), 510, 512, 513, 515-538,

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 45	An Act respecting the Autorité des marchés financiers – <i>Cont'd</i> 540, 542, 543, 544 (to the extent that it enacts s. 34 of the Winding-up Act (R.S.Q., chapter L-4)), 545-547, 549-551, 554-558, 559 (par. 2), 560-562, 564-566, 568, 569 (par. 2), 570-581, 583-588, 589 (par. 2), 590 (par. 2), 591 (par. 1), 594-596, 598, 599, 601-604, 610, 611, 613, 614 (to the extent that it enacts s. 7 of the National Benefit Societies Act (R.S.Q., chapter S-31)), 615, 616 (to the extent that it enacts s. 4 of the Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32)), 617-619, 620 (to the extent that it enacts s. 30 of the Professional Syndicates Act (R.S.Q., chapter S-40)), 621, 622, 624 (par. 3), 629, 631, 638, 639, 642-652, 654-685, 687, 688, 689 (par. 1, 2, 4, 5), 695-703, 705-726, 731, 739, 740, 742-744 Note: Sections 694 and 741 came into force on the date of coming into force of section 7. 2004-06-01 ss. 358 (par. 1), 359 (par. 2), 373, 374 (par. 2), 445, 730 2004-08-01 s. 104 (1st par.) 2010-01-01* ss. 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727-729 (*Order in Council 1282-2009 postponed the coming into force of those sections.)
2002, c. 50	An Act to amend the General and Vocational Colleges Act and the Act respecting the Commission d'évaluation de l'enseignement collégial 2004-04-07 s. 7
2002, c. 51	An Act to amend the Act respecting income support, employment assistance and social solidarity and the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail 2003-01-01 ss. 1-31
2002, c. 53	An Act to amend the Environment Quality Act and other legislative provisions 2008-06-01 ss. 1, 2 (par. 2), 3-5, 9-14, 18
2002, c. 55	An Act to amend the Travel Agents Act and the Consumer Protection Act 2003-01-29 s. 22 2004-11-11 ss. 18 (par. 2), 25 (par. 2, 6), 26
2002, c. 56	An Act to secure the supply of hogs to a slaughterhouse enterprise in the Abitibi-Témiscamingue region 2004-07-21 s. 1
2002, c. 61	An Act to combat poverty and social exclusion 2003-03-05 ss. 1 (1st par, 2nd par. (except the second sentence)), 2-20, 21 (1st par.), 61, 62 (except as regards ss. 58 and 60), 64, 66, 69 2003-04-01 ss. 1 (3rd par.), 46-57, 67 2005-10-17 ss. 1 (2nd par. (2nd sentence), to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2nd par., except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale that were retained"), 22-30, 31 (except 3rd par.), 32 (except 2nd par. (2nd sentence)), 33, 34, 58 (except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale retained by the Minister"), 59 (except the words "taking into account in particular the indicators proposed by the observatory,"), 60, 62 (to the extent that it concerns ss. 58 and 60), 63, 65 (1st par.), 68
2002, c. 62	An Act to amend the Highway Safety Code and the Act respecting the Ministère du Revenu 2003-03-05 s. 4 (to the extent that it replaces s. 359.1 (2nd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2)) 2003-04-13 s. 4 (to the extent that it replaces s. 359.1 (1st par.) of the Highway Safety Code (R.S.Q., chapter C-24.2))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 66	An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians 2003-07-01 ss. 5-11, 13, 15 (par. 2, 3), 16-20, 22-24, 29 2003-09-01 s. 28
2002, c. 69	An Act respecting pre-hospital emergency services and amending various legislative provisions 2011-05-31 ss. 63, 67, 69-75, 170, 171
2002, c. 70	An Act to amend the Act respecting insurance and other legislative provisions 2003-02-12 ss. 1-38, 39 (except s. 88.1 of the Act respecting insurance (R.S.Q., chapter A-32) which it replaces), 40-78, 79 (except Div. III.1 of Chapter V of Title III of the Act respecting insurance comprising ss. 200.0.4-200.0.13), 80-147, 149-157, 163, 164, 169, 173-175, 177, 179-186, 188, 189, 191-204 2003-02-26 s. 148 2003-06-25 ss. 170-172
2002, c. 71	An Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services 2011-05-01 s. 15 (s. 431 (2 nd par. (par. 6.2)) of the Act respecting health services and social services (R.S.Q., chapter S-4.2))
2002, c. 78	An Act to amend the Code of Penal Procedure 2003-07-01 ss. 1-7
2003, c. 5	An Act to amend the Highway Safety Code and the Code of Penal Procedure as regards the collection of fines 2004-05-16 ss. 1-7, 8 (except to the extent that it enacts s. 194.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)), 9-30 2004-12-05 s. 8 (to the extent that it enacts s. 194.3 of the Highway Safety Code (R.S.Q., chapter C-24.2))
2003, c. 17	An Act to amend the Act respecting financial assistance for education expenses 2004-05-01 ss. 1-43
2003, c. 18	An Act to amend the Cooperatives Act 2005-11-17 ss. 1-108, 109 (except to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (R.S.Q., chapter C-67.2)), 110-164, 166-185 2015-10-01 s. 109 (to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (chapter C-67.2))
2003, c. 23	An Act respecting commercial aquaculture 2004-09-01 ss. 1-80
2003, c. 25	An Act respecting bargaining units in the social affairs sector and amending the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 2005-08-24 ss. 12-51
2003, c. 29	An Act respecting the Ministère du Développement économique et régional et de la Recherche 2004-03-23 ss. 1-134, 135 (except par. 7-17, 20, 21, 24, 25 (to the extent that it amends s. 35 of the Winding-up Act (R.S.Q., chapter L-4)), 30, 31, 35-37), 136-178

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2004, c. 2	An Act to amend the Highway Safety Code and other legislative provisions 2005-01-01 ss. 6, 8, 12, 15, 30, 41, 55, 62, 76, 77, 79 2006-03-27 ss. 10, 16, 57, 58 (to the extent that it enacts the first paragraph of section 520.2 of the Highway Safety Code (R.S.Q., chapter C-24.2)), 61, 63-65 2007-06-15 ss. 35-39, 42-52, 54, 56 2007-10-01 ss. 33, 34 2008-06-18 ss. 27, 29 2008-10-28 ss. 7, 11, 14 2010-12-16 ss. 2, 5, 21-24, 28, 59 2013-12-01 s. 25
2004, c. 3	An Act to implement the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption and to amend various legislative provisions in relation to adoption 2004-09-01 ss. 26, 27 (par. 1), 28-30 2006-02-01 ss. 1-25, 27 (par. 2), 31-35
2004, c. 6	An Act to amend the Forest Act 2006-05-01 s. 6
2004, c. 11	An Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions 2004-06-30 ss. 1-80
2004, c. 12	An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace 2007-02-21 ss. 1 (ss. 175-177, 178 (2 nd par.), 179 of the Courts of Justice Act (R.S.Q., chapter T-16)), 2-8
2004, c. 25	An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions 2005-12-21 s. 22, except for the amendments in paragraphs 1 and 4 concerning the replacement of the words “the library” 2006-01-31 ss. 1-4, 5 (par. 1), 6-21, 22 (par. 1 concerning the replacement of the words “the library”, 2, 3, 4 concerning the replacement of the words “the library”, 5-7), 23-72, 74-79 2007-11-07 s. 5 (par. 2-4)
2004, c. 30	An Act respecting Services Québec 2005-05-02 ss. 1-3, 19-36, 38-44, 50, 58, 60 2005-06-22 ss. 4-18, 37, 45-49, 51, 53-56, 59
2004, c. 31	An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions 2006-04-01 ss. 3 (par. 1), 29, 33
2004, c. 32	An Act respecting the Agence des partenariats public-privé du Québec 2005-04-18 ss. 1-3, 19-36, 38-46, 53, 56-69, 71 2005-05-18 ss. 4-18, 37, 47-52, 54, 55, 70
2004, c. 37	An Act to amend the Securities Act and other legislative provisions 2005-03-16 s. 46 2005-09-14 ss. 1 (par. 2-4), 3 (par. 1-4, 6), 4 (par. 2), 7, 8, 9 (par. 1), 10 (par. 3), 11-13, 22, 23 (par. 2), 31 (par. 2), 37 (par. 2, 3), 38 (par. 4) 2009-09-28 s. 32 (to the extent that it enacts s. 308.2 of the Securities Act (R.S.Q., chapter V-1.1))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2004, c. 39	An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions 2006-01-01 ss. 68, 101, 122, 176, 192, 210, 236 2008-04-02 ss. 6 (to the extent that it enacts subdivision 4 of Division IV of Chapter II of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)), 47 (par. 3) (to the extent that it refers to s. 41.7), 124 (to the extent that it enacts Division III.3 of Chapter VI of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)), 136, 137 (par. 7) (to the extent that it refers to s. 109.8 of the Act respecting the Government and Public Employees Retirement Plan), 255 (to the extent that it enacts Division I.3 of Chapter VI of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1)), 262, 263 (par. 3) (to the extent that it refers to s. 138.7 of the Act respecting the Pension Plan of Management Personnel)
2004, c. 40	An Act to repeal the Act respecting the establishment of a steel complex by Sidbec and the Act respecting the Société du parc industriel et portuaire Québec-Sud 2005-03-23 ss. 1-17
2005, c. 7	An Act respecting the Centre de services partagés du Québec 2005-06-27 ss. 1-3, 18-36, 38, 39, 45-48, 54, 107, 109 2005-12-06 ss. 4-17, 37, 40-44, 49-53, 55-79, 80 (to the extent that it enacts the first sentence of s. 13 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1)), 81-106, 108
2005, c. 10	An Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions 2007-04-01 ss. 1-83
2005, c. 13	An Act to amend the Act respecting parental insurance and other legislative provisions 2005-08-22 any portion not yet in force of s. 50 2005-11-16 s. 70 (to the extent that it concerns s. 82 of the Act respecting parental insurance (2001, c. 9)) 2006-01-01 any portion not yet in force of ss. 2, 4-6, 10, 15, 20, 47, 102, 105 2006-01-01 any other section not yet in force
2005, c. 15	Individual and Family Assistance Act 2005-10-01 s. 191 2007-01-01 ss. 1-63, 64 (except 1 st par., second sentence), 65-73, 84-107, 109-136, 137 (except for the part concerning the Youth Alternative Program and a specific program), 138-156, 157 (except par. 2), 158-175, 180-190, 192, 193, 195, 198, 199 2007-04-01 ss. 74-83, 108, 137 (for the part concerning the Youth Alternative Program and a specific program)
2005, c. 16	An Act to amend the Education Act and the Act respecting private education 2005-11-01 ss. 6-9 2006-09-01 ss. 1-5, 10-14
2005, c. 17	An Act to amend the Act respecting administrative justice and other legislative provisions 2006-01-01 ss. 1-16, 18-30, 32, 48 2006-07-01 ss. 17, 31, 33-42, 44, 45, 49 2007-01-01 ss. 46, 47
2005, c. 18	An Act respecting the Health and Welfare Commissioner 2006-08-14 ss. 2, 14, 17-21, 23, 28, 33, 34, 36, 38-44 2007-10-04 s. 15

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2005, c. 18	An Act respecting the Health and Welfare Commissioner – <i>Cont'd</i> 2008-06-01 ss. 22, 45 2008-09-30 s. 16
2005, c. 19	An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions 2005-08-31 s. 2 (to the extent that it introduces s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2)) 2005-12-08 s. 2 (other than the provisions introducing s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2))
2005, c. 22	An Act to amend the Building Act and other legislative provisions 2005-12-01 ss. 10 (par. 2, 3), 11, 12 (par. 1), 15-28, 30-38, 40, 41, 45 (par. 5, 6), 46-49, 54, 55 2008-06-25 ss. 1-9, 10 (par. 1, 4), 12 (par. 2), 13, 14, 29, 39, 42-44, 45 (par. 1-4), 50-53
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act 2006-10-02 ss. 1-21, 23
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions 2007-02-01 ss. 139, 140 (par. 2), 141 2007-02-14 ss. 244-246, 339 2009-02-01 s. 220 2010-01-01 s. 240 (the words “or a health professional”, “or professional” and “or person to whom the health professional provides health services” in the paragraph introduced by paragraph 2)
2005, c. 33	An Act to amend the Environment Quality Act 2006-01-19 ss. 1-5
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions 2006-02-01 ss. 5 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 89 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 90 (1 st par., solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director) 2006-04-01 ss. 2, 3 (except for “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”) 2007-03-05 ss. 1 (1 st par.), 4, 6-8, 10-12, 18, 22, 57 (par. 2) 2007-03-15 ss. 5 (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006), 90 (1 st par.) (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006) 2007-03-15 ss. 1 (2 nd par., 3 rd par.), 3 (the words “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”), 9, 13-17, 19-21, 23-56, 57 (par. 1), 58-88, 90 (2 nd par., 3 rd par.), 91-94
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions 2011-01-01 s. 3 (insofar as it replaces s. 2 (1 st par. (subpar. 3 (subpar. a)))) of the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., chapter P-30.3) and insofar as it enacts s. 2 (1 st par. (subpar. 4))) 2016-11-20 ss. 4 (par. 2), 30-47

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2006-04-12 ss. 1, 2, 19, 22 (par. 1), 27 (par. 2), 30, 33-37 2006-08-30 ss. 3-7, 12, 13, 18, 21, 25 (to the extent that it enacts the title of Division III.1 and section 70.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 26, 29, 32, 39-41, 46, 47 2007-01-01 s. 14 2007-04-11 ss. 9, 15-17, 20, 22 (par. 3), 23 (to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.1, 84.2, 84.4 of the Act respecting prescription drug insurance), 38, 42, 44, 45 2007-10-01 s. 8 2008-04-21 ss. 10, 22 (par. 2), 24, 27 (par. 1) 2009-01-01 ss. 25 (to the extent that it enacts ss. 70.1 and 70.2 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.3 and 84.5 of the Act respecting prescription drug insurance)
2005, c. 41	An Act to amend the Courts of Justice Act and the Act respecting municipal courts 2008-02-13 s. 20
2005, c. 44	An Act to abolish certain public bodies and transfer administrative responsibilities 2007-02-05 ss. 28-34
2006, c. 4	An Act respecting reserved designations and added-value claims 2006-11-06 ss. 7, 8, 12-14, 16-29, 71, 79 2007-12-31 ss. 9 (par. 1, 2, 5 (to the extent that it concerns reserved designations)), 58, 74 2008-06-15 ss. 1-6, 9 (par. 3, 4, 5 (to the extent that it concerns added-value claims)), 10, 11, 15, 30-57, 59-70, 72, 73, 75-78
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting 2007-02-15 s. 15 (insofar as it enacts ss. 301.19-301.22) 2007-02-15 ss. 13 (insofar as it enacts s. 204 (only for the purposes of the implementation of s. 301.19 (par. 3))), 15 (insofar as it enacts s. 263 (only for the purposes of the implementation of s. 301.21)) 2011-10-26 s. 15 (insofar as it enacts s. 297) 2015-01-28 ss. 2, 4, 13, 14 (insofar as it enacts the words “and including particulars about voting in the advance poll and at the returning officer’s office” in s. 227 (1 st par.)), 24
2006, c. 18	An Act to amend the Act respecting the Office Québec-Amériques pour la jeunesse and the Act respecting the Office franco-québécois pour la jeunesse 2006-08-01 ss. 1-15
2006, c. 23	Private Security Act 2006-09-15 ss. 39, 40, 43-68, 83-89, 107-113, 133 2010-03-03 ss. 1 (par. 1, 2), 2, 4, 5 (1 st par. (subpar. 1, 2)), 6-15, 27-29, 31-33, 35-38, 41 (par. 2 (except the words “and agent licences”)), 42, 69-77, 79-82, 90-106, 114, 115, 118-122, 123 (as regards the provisions respecting agencies), 125, 126, 128, 129, 130 (insofar as the latter section applies to agency licences) 2010-07-22 ss. 1 (par. 3-6), 3, 5 (1 st par. (subpar. 3-5), 2 nd par.), 16-26, 30, 34, 41 (par. 2 (the words “and agent licences”)), 78, 116, 117, 123 (as regards the provisions concerning agents), 124, 127, 130 (insofar as the latter section applies to agent licences), 131, 132

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2006, c. 26	An Act to amend the Act respecting the Conservatoire de musique et d'art dramatique du Québec 2007-03-31 ss. 3, 4, 7, 8, 10, 11, 13, 16, 19, 20 2007-09-01 ss. 5, 6
2006, c. 29	An Act respecting contracting by public bodies 2008-10-01 ss. 1-59
2006, c. 34	An Act to amend the Youth Protection Act and other legislative provisions 2007-07-09 ss. 1-7, 9, 10 (except par. 3), 11-32, 33 (except. par. 1), 34, 37, 38, 40-69, 71-75, 78 2007-11-01 ss. 8, 35, 70 (insofar as it enacts s. 132 (1 st par. (subpar. k)) of the Youth Protection Act (R.S.Q., chapter P-34.1)) 2008-07-07 ss. 10 (par. 3), 33 (par. 1), 36, 70 (insofar as it enacts s. 132 (1 st par. (subpar. i)) of the Youth Protection Act (R.S.Q., chapter P-34.1)) 2009-05-14 ss. 39 (insofar as it enacts ss. 72.9 and 72.10 of the Youth Protection Act (R.S.Q., chapter P-34.1)), 70 (insofar as it enacts s. 132 (1 st par. (subpar. j)) of the Youth Protection Act)
2006, c. 41	An Act to amend the Crime Victims Compensation Act and other legislative provisions 2007-01-16 ss. 2 (to the extent that it enacts s. 5.2 of the Crime Victims Compensation Act (R.S.Q., chapter I-6)), 3, 4, 9 (to the extent that it concerns the amendment made to s. 6 of the Crime Victims Compensation Act by s. 3 of the Act to amend the Crime Victims Compensation Act and other legislative provisions), 10 2007-03-22 ss. 1, 2 (except to the extent that it enacts s. 5.2 of the Crime Victims Compensation Act (R.S.Q., chapter I-6), already in force), 5-8, 9 (except to the extent that it concerns the amendment made to s. 6 of the Crime Victims Compensation Act by s. 3 of the Act to amend the Crime Victims Compensation Act and other legislative provisions, already in force)
2006, c. 43	An Act to amend the Act respecting health services and social services and other legislative provisions 2007-03-01 ss. 1, 3, 7, 8, 15, 17, 32, 53 2008-01-01 ss. 2, 4, 5 (except s. 108 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 6, 9-14, 16, 18-31, 33-43, 45-52, 54-57
2006, c. 49	An Act respecting the Commission administrative des régimes de retraite et d'assurances 2007-05-09 ss. 11-26, 135
2006, c. 50	An Act to amend the Securities Act and other legislative provisions 2008-02-01 ss. 28 (par. 3), 30 (par. 2), 36 (to the extent that it enacts s. 89 of the Securities Act (R.S.Q., chapter V-1.1)), 41, 61 (par. 4), 62 (par. 1), 67 (par. 1, 3), 68, 71, 72 (par. 2), 73, 74, 78 (par. 1, 2), 80, 108 (par. 13, 14) 2008-03-17 ss. 16-20, 23, 24, 35 (to the extent that it repeals ss. 84 and 85 of the Securities Act (R.S.Q., chapter V-1.1)), 61 (par. 2), 66 (par. 2), 108 (par. 5 (to the extent that it introduces s. 331.1 (par. 6.1) of the Securities Act)) 2008-06-01 ss. 33, 34, 38 (to the extent that it repeals ss. 99 of the Securities Act (R.S.Q., chapter V-1.1)), 39, 61 (par. 3), 88, 108 (par. 10) 2009-09-28 s. 108 (par. 5 (to the extent that it introduces s. 331.1 (par. 6.2) of the Securities Act (R.S.Q., chapter V-1.1))) 2010-04-30 ss. 2, 36 (to the extent that it enacts ss. 89.1 to 89.3 of the Securities Act (R.S.Q., chapter V-1.1)), 37, 38 (to the extent that it repeals ss. 100, 102 and 103 of the Securities Act), 56, 58, 108 (par. 9)
2006, c. 51	An Act to amend the Act respecting school elections and the Education Act 2009-09-01 ss. 1-3, 5, 6

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2006, c. 53	An Act to amend the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act 2011-01-01 ss. 6-14, 16, 17 (insofar as it enacts ss. 323.2-323.5 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 26 (par. 2), 27 (par. 1, 3)
2006, c. 55	An Act to amend various legislative provisions concerning retirement 2008-04-02 ss. 6, 26, 53
2006, c. 57	An Act respecting the Centre de la francophonie des Amériques 2008-03-19 ss. 1-44
2006, c. 58	An Act to amend the Labour Code and other legislative provisions 2008-04-01 ss. 1, 16, 27-30, 34 (par. 1-4), 35-39, 43, 44, 46-58, 63-65, 73-83
2006, c. 59	An Act respecting the governance of state-owned enterprises and amending various legislative provisions 2011-11-30 s. 43 (par. 1)
2007, c. 2	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment 2013-04-01 ss. 1-5
2007, c. 3	An Act to amend the Act to foster the development of manpower training and other legislative provisions 2008-01-01 ss. 5 (par. 2), 7, 8, 14, 15 (par. 3), 17, 18, 23 (par. 2) (to the extent that it enacts s. 27 (par. 5) of the Act to promote workforce skills development and recognition (R.S.Q., chapter D-7.1)), 55
2007, c. 21	An Act to amend the Act respecting the Régie de l'assurance maladie du Québec and to amend other legislative provisions 2009-04-15 s. 32
2007, c. 32	An Act to amend the Act respecting Services Québec and other legislative provisions 2008-02-20 ss. 1-4 2008-04-01 ss. 5-15
2007, c. 38	An Act to promote the maintenance and renewal of public infrastructures 2008-04-30 ss. 1-8
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points 2008-09-03 ss. 41, 45-51, 53-57, 72, 73 that relates to s. 597.1 (1 st par.) of the Highway Safety Code (R.S.Q., chapter C-24.2), 82, 83, 87, 88 (except “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in par. 1 of s. 12.39.1 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28)), 103 2008-09-17 ss. 59, 64 2008-12-07 ss. 1, 7, 20, 34, 36 (except s. 202.4 (3 rd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 37-39, 40 (except s. 209.2.1 (1 st par, subpar. 1) of that Code that it enacts), 42-44, 52, 60, 63, 74, 78 2009-01-01 s. 66 2009-07-01 s. 67 2009-08-19 s. 105

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points – <i>Cont'd</i>
2009-12-06	ss. 8, 9, 12, 13, 15, 16 (par. 2 (except for “79,” and “ , 185 and 191.2”)), 18, 19, 27, 29, 30, 32, 33, 35 (par. 2), 40 (s. 209.2.1 (1 st par. (subpar. 1)) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 68-71, 75, 76, 84-86, 96
2010-01-17	ss. 10, 11 (except for “ , a moped”), 17
2010-05-02	s. 11 (the words “ , a moped”)
2011-06-19	ss. 14, 16 (par. 2 (with respect to “79,” and “ , 185 and 191.2”)), 21-26, 28, 31, 35 (par. 1), 92, 93
2007, c. 41	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances
2008-10-08	ss. 1, 2 (to the extent that it enacts ss. 77.3 to 77.7), 5, 6
2008-12-15	ss. 2 (to the extent that it enacts ss. 77.1 and 77.2), 3, 4
2007, c. 43	An Act to amend various legislative provisions concerning pension plans in the public sector
2008-04-02	ss. 40, 81, 158
2008-05-07	ss. 7, 9, 11, 33, 34, 36, 39 (par. 2) (to the extent that it concerns par. 7.3.2), 59-62, 82 (par. 2), 104-107, 110, 117, 119-121, 128, 144-147, 159 (par. 1)
2010-04-01	ss. 4, 13, 23, 24, 27-29, 53, 54, 68, 75, 76, 89, 94, 98, 100, 101, 115, 125, 126, 129, 140, 150, 151, 160, 169
2010-06-07	ss. 6, 8, 25, 26 (par. 2), 35, 37, 39 (par. 2) (to the extent that it concerns s. 130 (par. 7.3.1) of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)), 41, 63, 64, 71, 77 (par. 2), 80, 82 (par. 3, 4), 83, 90, 91, 148, 149, 152, 153, 154 (par. 2), 157, 159 (par. 2), 161, 167, 168, 170
2008, c. 7	An Act to amend the Act respecting the Autorité des marchés financiers and other legislative provisions
2011-01-01	ss. 109-118, 122, 128, 129, 133 (par. 3), 171
2008, c. 9	Real Estate Brokerage Act
2010-05-01	ss. 1, 2, 3 (except par. 14), 4-128, 130-160, 161 (except 2 nd par.)
2008, c. 11	An Act to amend the Professional Code and other legislative provisions
2008-10-15	ss. 1-30, 32-57, 59-117, 118 (par. 1), 119, 121-226
2009-01-31*	ss. 31, 58, 118 (par. 2), 120 (*Order in Council 75-2009 postponed the coming into force of ss. 118 (par. 2) and 120.)
2010-04-01	ss. 118 (par. 2), 120
2008, c. 12	An Act to amend the Financial Administration Act
2008-10-08	ss. 1, 2
2008, c. 13	An Act to amend the Police Act and other legislative provisions
2009-02-11	s. 13
2009-04-01	ss. 1, 2, 5-11, 14, 15
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions
2008-09-03	ss. 98 (par. 1), 118
2008-09-17	s. 48
2008-11-05	s. 136
2008-12-07	ss. 5, 13, 14 (par. 1), 31, 32, 41, 42, 87, 92, 93, 97, 116
2009-12-06	ss. 11 (par. 2), 58

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions – <i>Cont'd</i> 2010-12-01 ss. 15, 16, 17, 103-110 2011-01-01 ss. 25, 44, 72 ¹ (par. 2) 2011-05-01 s. 37 2013-04-07 ss. 2 (par. 1), 18, 19, 21, 22, 91, 95 2019-02-11 s. 54 (par. 1, 2, 4)
2008, c. 18	An Act to amend various legislative provisions respecting municipal affairs 2009-06-01 ss. 91-94, 106 2009-12-01 s. 80 2010-12-30 ss. 88, 108 (Division II.1 of Chapter IV of the Civil Protection Act (R.S.Q., chapter S-2.3)) 2011-03-02 s. 135
2008, c. 24	Derivatives Act 2009-02-01 ss. 1-54, 56, 57, 60-81, 82 (except 2 nd par.), 86-174, 175 (except 1 st par. (subpar. 21, 22)), 176-179, 182-222, 224-239 2009-09-28 ss. 55, 58, 59 2012-04-13 ss. 82 (2 nd par.), 83-85, 175 (1 st par. (subpar. 21, 22))
2008, c. 25	An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector 2010-06-07 ss. 22, 96
2008, c. 29	An Act to amend the Education Act and other legislative provisions 2009-02-11 ss. 26, 30, 35 2009-07-01 ss. 1-8, 19, 20, 22-25, 28, 29, 31-33, 54 2009-09-01 ss. 37, 38 2011-01-01* ss. 36, 39-53 2011-11-06* ss. 9-18, 21, 34 (*Order in Council 813-2010 postponed the coming into force of ss. 9-18, 21, 34, 36, 39-53) 2014-01-01 ss. 36, 39-53 2014-11-02 ss. 9-18, 21, 34
2009, c. 6	An Act respecting the Institut national des mines 2010-06-28 ss. 1-36
2009, c. 8	An Act to amend the Courts of Justice Act and the Act respecting the Ministère de la Justice 2011-04-14 ss. 4, 13
2009, c. 19	An Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment 2009-06-18 ss. 1-6, 8-11, 17-20, 29 2011-01-01 ss. 7, 22, 23 (insofar as it replaces s. 315.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) and insofar as it enacts ss. 315.3 and 315.4 of that Act), 24-27
2009, c. 21	An Act to affirm the collective nature of water resources and provide for increased water resource protection 2009-06-18 preamble, ss. 1-17 2011-09-01 ss. 18, 19 (ss. 31.74, 31.88-31.94, 31.96, 31.98-31.108 of the Environment Quality Act (R.S.Q., chapter Q-2)), 21, 22 (s. 46 (par. s (subpar. 2.3, 2.4, 2.6)) of the Environment Quality Act) enacted by par. 2, 26, 27, 30-32, 39, 40

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2009, c. 21	An Act to affirm the collective nature of water resources and provide for increased water resource protection – <i>Cont'd</i> 2014-08-14 ss. 19 (ss. 31.75-31.87, 31.95, 31.97 of the Environment Quality Act (chapter Q-2)), 20, 22 (s. 46 (par. s (subpar. 1-2.2, 2.7)) of the Environment Quality Act) enacted by par. 2, 22 (par. 3), 23-25, 28, 29, 33-38
2009, c. 22	An Act to amend the Act respecting tourist accommodation establishments and other legislative provisions 2011-01-01 ss. 1-18
2009, c. 24	An Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions 2010-01-01 ss. 72, 73, 92, 93 2010-03-31 ss. 32-52, 55-57, 60, 64, 69 2012-01-01 ss. 74-88, 90, 91, 94-111, 122, 128 2013-10-01 s. 119
2009, c. 25	An Act to amend the Securities Act and other legislative provisions 2009-09-28 ss. 1-3, 5, 8-32, 34-46, 52-58, 60, 62, 63, 65-75, 77, 79-104, 106-112, 115, 117-135 2010-05-01 s. 113 2010-05-01 s. 116
2009, c. 26	An Act to amend various legislative provisions respecting municipal affairs 2011-01-01 s. 114
2009, c. 28	An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations 2010-06-23 s. 11 (ss. 187.3.1, 187.3.2, 187.5 - 187.5.6 of the Professional Code (R.S.Q., chapter C-26)) 2012-06-21 s. 11 (ss. 187.1, 187.2, 187.3, 187.4, 187.4.1, 187.4.2, 187.4.3 of the Professional Code (chapter C-26)) 2012-09-20 ss. 1-10, 12-18
2009, c. 30	An Act respecting clinical and research activities relating to assisted procreation 2010-08-05 ss. 1-7, 9-16, 17 (except 1 st par. (subpar. 2,3)), 18-29, 30 (except par. 3), 31-60
2009, c. 33	An Act to amend the Environment Quality Act and other legislative provisions in relation to climate change 2011-12-14 ss. 1 (ss. 46.5-46.17 of the Environment Quality Act (R.S.Q., chapter Q-2)), 2, 6
2009, c. 35	An Act to amend the Professional Code and other legislative provisions 2010-04-01 ss. 19, 20
2009, c. 36	An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements, and amending various legislative provisions 2009-10-21 ss. 30-48, 56, 57
2009, c. 45	An Act to amend various legislative provisions concerning health 2011-05-31 ss. 4, 6, 39, 43
2009, c. 52	Business Corporations Act 2011-02-14 ss. 1-728

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2009, c. 53	An Act respecting Infrastructure Québec 2010-03-17 ss. 1-64
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector 2010-05-01 ss. 139-153 2010-07-15 s. 13 2012-04-13 ss. 158, 159, 177 2012-04-20 ss. 91, 100, 111, 138 (par. 2) 2015-10-28 s. 92
2010, c. 3	Sustainable Forest Development Act 2012-05-30 ss. 315, 320 2012-11-14 ss. 116, 126
2010, c. 4	An Act to amend the Cadastre Act and the Civil Code 2011-06-06 ss. 1, 2, 3
2010, c. 5	An Act giving effect to the Economic Statement delivered on 14 January 2009, to the Budget Speech delivered on 19 March 2009 and to certain other budget statements 2010-09-01 ss. 227 (when it enacts ss. 350.50 and 350.51 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1)), 243, 245 2011-11-01* ss. 197-200, 202, 227 (when it enacts ss. 350.52-350.55 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1)) (*Note: That 1 November 2011 or, if prior to that date, the first of the dates set in accordance with the following paragraphs <i>a</i> to <i>c</i> in respect of each operator of an establishment providing restaurant services to which the paragraphs apply, be set as the date of coming into force of sections 197 to 200, 202 and section 227, when it enacts sections 350.52 to 350.55 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1): (<i>a</i>) the date on which an operator activates in an establishment, after 31 August 2010, a device referred to in section 350.52 of the Act respecting the Québec sales tax, in respect of that establishment; (<i>b</i>) the date on which an operator makes the first supply of a meal in an establishment if the supply is made after 31 August 2010 and is the first supply made in connection with the operation of the establishment, in respect of that establishment; or (<i>c</i>) the date that is 60 days after the date of a notice sent to an operator to the effect that the operator committed an offence against a fiscal law after 20 April 2010; the notice is signed by a public servant who is the head of the Service d'implantation et de suivi des modules d'enregistrement des ventes in the Direction générale adjointe de la recherche fiscale within the Direction générale de la planification, de l'administration et de la recherche of the Ministère du Revenu).
2010, c. 7	An Act respecting the legal publicity of enterprises 2010-11-17 ss. 75-78, 176-178, 180-183, 186-190, 191 (par. 1), 193, 196-198, 200-210, 221, 223-225, 228-231, 235-240, 255, 258, 260, 263, 276-279, 284, 295 (where it replaces Div. III of the Regulation respecting the application of the Act respecting the publicity of sole proprietorships, partnerships and legal persons (R.R.Q., chapter P-45, r. 1)), 301, Schedules I, II and IV 2011-02-14 ss. 1-74, 79-175, 179, 191 (par. 2, 3), 192, 194, 195, 199, 211-220, 222, 226, 227, 232, 233, 241-254, 256, 257, 259, 261, 262, 264-275, 280-283, 285-294, 295 (except where it replaces Div. III of the Regulation respecting the application of the Act respecting the publicity of sole proprietorships, partnerships and legal persons (R.R.Q., chapter P-45, r. 1)), 296, 297, 299, Schedules III and V

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2010, c. 11	An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector 2010-09-22 ss. 5 (to the extent that it concerns s. 22.1 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1)), 10, 12, 14 (to the extent that it concerns par. 3.3 of Schedule II to that Act), 24 (to the extent that it concerns s. 6.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)), 25, 26, 31, 33, 35 (to the extent that it concerns par. 2.3 of Schedule I to that Act)
2010, c. 12	An Act to provide a framework for mandatory state financing of certain legal services 2010-08-18 s. 36 2010-09-07 ss. 1-35, 37
2010, c. 15	An Act respecting the Institut national d'excellence en santé et en services sociaux 2011-01-19 ss. 4-9, 12, 13, 54, 56-74, 76, 77, 81-87, 89-93
2010, c. 18	An Act to amend various legislative provisions respecting municipal affairs 2010-12-30 s. 83
2010, c. 30	Code of ethics and conduct of the Members of the National Assembly 2012-01-01 ss. 10-36, 41, 43-50, 56-61, 79, 91-107, 114-129
2010, c. 34	An Act to amend the Highway Safety Code and other legislative provisions 2012-04-15 ss. 28, 35 (par. 2), 102
2010, c. 39	An Act to tighten the regulation of educational childcare 2011-10-15 ss. 14 (to the extent that it enacts ss. 101.3 to 101.20 of the Educational Childcare Act (R.S.Q., chapter S-4.1.1)), 15 (to the extent that it refers to s. 105.2 of the Educational Childcare Act), 23 (to the extent that it refers to s. 105.2 of the Educational Childcare Act), 29
2010, c. 40	An Act to enact the Money-Services Businesses Act and to amend various legislative provisions 2012-01-01 ss. 15, 16 (to the extent that it enacts ss. 22.1 to 22.6 of the Real Estate Brokerage Act (R.S.Q., chapter C-73.2)), 17, 21-24 2014-07-01 ss. 25 (par. 1), 28, 29 (par. 2-4, except where par. 2 and 3 of that section cause "particularly" to be struck from s. 17 (1 st par. (subpar. 7 and 8)) of the Act respecting the legal publicity of enterprises (chapter P-44.1)), 30, 31 (par. 2), 32, 33 (par. 5), 35, 37-42, 44 (par. 4, 6), 47-49, 51, 52, 58
2010, c. 40, Schedule I	Money-Services Businesses Act 2012-04-01 ss. 1 (except 2 nd par. (subpar. 5)), 2, 3 (except to the extent that it concerns the operation of automated teller machines), 4 (except 1 st par. (subpar. 5), 2 nd par.), 5, 6 (except 3 rd par.), 7-57, 59-85 2013-01-01 ss. 1 (2 nd par. (subpar. 5)), 3 (to the extent that it concerns the operation of automated teller machines), 4 (1 st par. (subpar. 5), 2 nd par.), 6 (3 rd par.), 58
2011, c. 10	Unclaimed Property Act 2012-01-01 ss. 30, 57, 64, 81, 92
2011, c. 15	An Act to improve the management of the health and social services network 2013-02-01 ss. 41, 45
2011, c. 17	Anti-Corruption Act 2012-06-01 ss. 41, 43-47, 49, 63, 64

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2011, c. 18	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund 2011-08-29 ss. 60-63, 317 (except as concerns the replacement of the Tariff of fees respecting land registration (R.R.Q., chapter B-9, r. 1) by Schedule I to the Act respecting registry offices (R.S.Q., chapter B-9))
2011, c. 22	An Act to prohibit the resale of tickets at a price above that authorized by the producer of the event 2012-06-07 s. 1
2011, c. 26	An Act to amend various legislative provisions mainly concerning the financial sector 2012-04-13 ss. 42, 43 (ss. 82.1-82.7 of the Derivatives Act (2008, chapter 24)), 44, 59, 60, 61 (s. 175 (1 st par. (subpar. 21.1, 22.1) of the Derivatives Act (2008, chapter 24)) 2013-12-31 s. 61 (par. 1)
2011, c. 30	An Act to eliminate union placement and improve the operation of the construction industry 2012-05-02 ss. 3-5, 7 2012-09-01 ss. 25-28 2012-11-28 s. 57 (to the extent that it concerns ss. 107.3-107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20))
2011, c. 35	An Act to prevent, combat and punish certain fraudulent practices in the construction industry and make other amendments to the Building Act 2011-12-14 ss. 22, 29, 30 2014-01-01 ss. 12, 13 2015-01-01 s. 11
2011, c. 37	An Act to amend the Pharmacy Act 2013-09-03* ss. 1-5 *Order in council 871-2013 postponed the coming into force of ss. 1 to 5.
2012, c. 3	An Act to establish the Access to Justice Fund 2012-11-05 ss. 1 (s. 32.0.3 (par. 2) of the Act respecting the Ministère de la Justice (chapter M-19)), 4
2012, c. 9	An Act to dissolve the Société de gestion informatique SOGIQUE 2013-01-01 ss. 1-7
2012, c. 10	An Act respecting the professional recognition of medical electrophysiology technologists 2012-09-20 s. 11 2012-11-21 ss. 1-10, 12-20
2012, c. 16	An Act to prevent skin cancer caused by artificial tanning 2013-02-11 ss. 1-25
2012, c. 20	An Act to promote access to justice in family matters 2012-12-01 ss. 46-50, 54 2013-09-18 ss. 29-41 2014-04-01 ss. 1-28, 42, 45, 51, 53, 56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2012, c. 23	An Act respecting the sharing of certain health information 2012-07-04 ss. 1-6, 120, 121, 130, 132-135, 147-150, 163-166, 168-175, 178, 179 2012-12-01 s. 176 2013-04-15 ss. 153-159 2013-06-20 ss. 7-10, 11 (except 1 st par. (subpar. 4-6)), 12-21, 23, 25 (except “or sold under pharmaceutical control” in par. 1 and par. 2, 3), 26 (except “and, in the case of a collective prescription, the date it was filled” in par. 4, “and, in the case of a collective prescription, of the health professional who filled it” in par. 13 and “and, in the case of a collective prescription, where it was filled” in par. 14), 27, 28 (except “or a person or partnership”), 29, 30, 31 (except “or a person or partnership operating a medical imaging laboratory or a medical diagnostic radiology laboratory”), 32 (1 st par.), 33-36, 46-49, 51-54, 55 (1 st par.), 56-58, 59 (except “or fill a collective prescription for medication”), 60-74, 75 (except “and any other person for whom an entry is requested”), 76-78, 79 (except par. 10), 80-82, 83 (1 st par.), 84-105, 109-119, 122, 123 (except “40 or 43, the second paragraph of section 50”), 124 (except “or 108”), 125-129, 131 (except “40,”), 136-146, 151, 152, 160, 161 (except par. 4), 162, 167, 177 2013-11-27 ss. 37, 38 2015-04-01 ss. 25 (par. 1, the words “or sold under pharmaceutical control”), 28 (the words “or a person or partnership”), 31 (the words “or a person or partnership operating a medical imaging laboratory or a medical diagnostic radiology laboratory”), 32 (2 nd par.) 2019-02-28 ss. 11 (1 st par. (subpar. 6)), 24, 25 (par. 2, 3), 43-45, 75 (the words “and any other person for whom an entry is requested”), 79 (par. 10), 83 (2 nd par.), 123 (“43,”), 161 (par. 4)
2012, c. 25	Integrity in Public Contracts Act 2014-11-05 s. 23
2012, c. 30	An Act to amend various legislative provisions concerning municipal affairs 2013-06-26 ss. 2, 4-22, 24-32
2012, c. 31	An Act to establish the Health and Social Services Information Resources Fund 2013-01-01 ss. 1-6
2013, c. 5	An Act to amend the Election Act with regard to on-campus voting by students in vocational training centres and post-secondary educational institutions 2013-11-04 ss. 1, 2, 5 (par. 1, 2), 9, 11, 12, 15 (the words “or in a vocational training centre or a post-secondary educational institution where they exercise their right to vote under section 301.25”)
2013, c. 6	An Act to amend the Police Act as concerns independent investigations 2016-06-27 ss. 3 (to the extent that it enacts ss. 289.1 to 289.3 and 289.19 to 289.22 of the Police Act (chapter P-13.1)), 4, 5
2013, c. 11	An Act to amend the Act respecting Héma-Québec and the haemovigilance committee 2019-04-24 s. 8
2013, c. 12	An Act to amend the Professional Code with respect to disciplinary justice 2015-07-13 ss. 1, 3 (to the extent that it concerns ss. 115.1, 115.2, 115.4 and 115.6-115.10 of the Professional Code (chapter C-26)), 4, 5 (to the extent that it concerns ss. 117 and 117.1 of the Professional Code (chapter C-26)), 6-21, 23-25, 29-32
2013, c. 15	An Act to amend the Act respecting school elections and other legislative provisions 2013-12-11 s. 4 2014-11-02 ss. 5, 6

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2013, c. 16	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 2016-01-01 s. 53 (to the extent that it enacts s. 17.12.12 (1 st par. (subpar. 6)) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), except as concerns the financing of activities relating to the application of the Mining Tax Act (chapter I-0.4) and the regulations); s. 54 (to the extent that it inserts a reference to s. 17.12.20 of the Act respecting the Ministère des Ressources naturelles et de la Faune); s. 55 (to the extent that it enacts s. 17.12.20, except for par. 1, of the Act respecting the Ministère des Ressources naturelles et de la Faune); s. 58 (to the extent that it applies to the mining activity management component of the Natural Resources Fund) 2018-06-20 s. 165
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector 2014-01-15 ss. 77, 78
2013, c. 23	An Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions 2013-11-06 ss. 96, 97, 104-111, 118-126, 137-139, 141 2013-11-13 ss. 1-10, 14-95, 98-103, 112-117, 127-136, 140, 142-168 2014-12-01 ss. 11-13
2013, c. 25	An Act to amend the Public Service Act mainly with respect to staffing 2015-05-29 ss. 1, 3-8, 10-13, 14 (except where it enacts s. 50.1 (1 st par. (subpar. 11))), 15-17, 19, 22 (par. 1-5), 24, 32, 34-36, 39 2019-04-01 ss. 25, 27 (where it enacts s. 116.5)
2013, c. 26	Voluntary Retirement Savings Plans Act 2014-04-16 ss. 14, 28, 29, 31, 39-41, 107-109, 114, 115, 143
2013, c. 27	An Act to amend the Civil Code as regards civil status, successions and the publication of rights 2014-03-01 ss. 1, 2, 5 2014-09-17 s. 29 2015-10-01 ss. 3, 4
2013, c. 32	An Act to amend the Mining Act 2015-05-06 ss. 35, 38 2016-12-14 s. 108
2014, c. 1	An Act to establish the new Code of Civil Procedure 2016-01-01 aa. 1-27, 29-35 (except 4 th par.), 36-302, 303 (except 1 st par. (subpar. 7)), 304-835
2014, c. 2	An Act respecting end-of-life care 2015-12-16 ss. 63, 64 2016-06-15 ss. 52 (2 nd par.), 57, 58 (to the extent that the provisions concern the advance medical directives register)
2014, c. 13	An Act to amend the Act respecting the Barreau du Québec, the Notaries Act and the Professional Code 2015-06-29 ss. 19 (par. 1), 20 (par. 1)
2015, c. 3	An Act to amend the Cooperatives Act and other legislative provisions 2015-10-01 s. 32 2019-05-31 ss. 1-4, 8-10, 17-25, 40, 47-54

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2015, c. 6	An Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts 2017-12-15 ss. 10-17
2015, c. 8	An Act mainly to implement certain provisions of the Budget Speech of 4 June 2014 and return to a balanced budget in 2015-2016 2015-07-14 ss. 25-33
2015, c. 16	An Act to amend various legislative provisions mainly concerning shared transportation 2016-01-01 ss. 2, 5, 9 (par. 2), 10, 20-29
2015, c. 20	An Act to group the Commission administrative des régimes de retraite et d'assurances and the Régie des rentes du Québec 2016-01-01 ss. 1-74
2015, c. 22	An Act to modernize the governance of Conservatoire de musique et d'art dramatique du Québec 2016-02-10 ss. 1, 2 (except where it enacts s. 15 of the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)), 3-9, 11, 12, 15, 16 2016-04-01 ss. 2 (where it enacts s. 15 of the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1)), 10, 13, 14
2015, c. 25	An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation 2016-04-11 s. 1 (s. 50 (par. 3), to the extent that it concerns the system designed to allow every insured person, within the meaning of the Health Insurance Act (chapter A-29), to find a physician who agrees to provide medical care to the person) 2017-04-19 s. 1 (s. 50 (par. 3), to the extent that it concerns the implementation by the Board of a system designed to allow every insured person to make an appointment with a general practitioner who is subject to an agreement entered into under s. 19 of the Health Insurance Act (chapter A-29))
2015, c. 26	An Act mainly to make the administration of justice more efficient and fines for minors more deterrent 2016-01-01 s. 1 2016-09-15 ss. 3, 9-12, 15-18 2018-02-01 ss. 2, 4, 19, 20, 21, 24, 25, 27
2015, c. 31	An Act mainly to improve the regulation of tourist accommodation and to define a new system of governance as regards international promotion 2016-04-15 ss. 1-24
2015, c. 35	An Act to improve the legal situation of animals 2016-03-23 s. 7 (ss. 16, 19 of the Animal Welfare and Safety Act (chapter B-3.1))
2016, c. 1	Funeral Operations Act 2018-08-15 ss. 1-3, 7, 8, 9, 11, 12, 15 (1 st par.), 16 (2 nd par.), 17 (2 nd par.), 21, 27, 30, 33, 36, 38, 46, 48 (2 nd par.), 61, 63, 65 (1 st par.), 66 (1 st par. (subpar. 3), 2 nd par., 3 rd par.), 69, 70 (2 nd par.), 79 (3 rd par.), 81, 82 (2 nd par.), 88, 97 (2 nd par.) 2019-01-01 ss. 4-6, 10, 13, 14, 15 (except 1 st par.), 16 (except 2 nd par.), 17 (except 2 nd par.), 18-20, 22-26, 28, 29, 31, 32, 34, 35, 37, 39-45, 47, 48 (except 2 nd par.), 49-60, 62, 64, 65 (except 1 st par.), 66 (except 1 st par. (subpar. 3), 2 nd par., 3 rd par.), 67, 68, 70 (except 2 nd par.), 71-78, 79 (except 3 rd par.), 80, 82 (except 2 nd par.), 83-87, 89-96, 97 (except 2 nd par.), 98-142, 144-149

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2016, c. 3	Québec Immigration Act 2018-08-02 ss. 1-71, 72 (except par. 2), 73-129
2016, c. 7	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 2016-09-01 ss. 85-93 2017-01-11 ss. 154, 167 2017-04-01 ss. 94-153 2017-10-01 ss. 21-56, 58-82
2016, c. 8	An Act to modify mainly the organization and governance of shared transportation in the Montréal metropolitan area 2017-06-01 ss. 3, 4, 47-50, 59-129, 132-134
2016, c. 9	An Act respecting development of the small-scale alcoholic beverage industry 2016-12-14 ss. 1-21
2016, c. 12	An Act to amend various legislative provisions to better protect persons 2017-11-27 ss. 1, 2 2018-01-01 ss. 3, 6 (par. 1), 8, 11
2016, c. 15	Firearms Registration Act 2018-01-29 ss. 1-27
2016, c. 25	An Act to allow a better match between training and jobs and to facilitate labour market entry 2017-12-01 ss. 29, 33, 34 (as regards decisions under a provision of Chapter IV of Title II of the Individual and Family Assistance Act (chapter A-13.1.1) or under the program provided for in s. 106.1 of that Act), 37, 39, 44 2018-04-01 ss. 23, 24, 26-28, 30-32, 34 (except as regards decisions under a provision of Chapter IV of Title II of the Individual and Family Assistance Act (chapter A-13.1.1) or under the program provided for in s. 106.1 of that Act), 35, 36, 38, 40-43 2018-07-01 s. 25
2016, c. 28	An Act to extend the powers of the Régie de l'assurance maladie du Québec, regulate commercial practices relating to prescription drugs and protect access to voluntary termination of pregnancy services 2018-10-31 ss. 39 (to the extent that it concerns s. 8.1.2 of the Act respecting prescription drug insurance (chapter A-29.01)), 50 (to the extent that it concerns s. 8.1.2 of the Act respecting prescription drug insurance)
2016, c. 35	An Act to implement the 2030 Energy Policy and to amend various legislative provisions 2017-04-01 s. 23 (s. 250 (except as regards s. 17.12.22 (par. 1, 2) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2))) 2018-09-20 s. 23 (except s. 250, as regards s. 17.12.22 (par. 1, 2) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2))
2017, c. 11	An Act to amend various legislation mainly with respect to admission to professions and the governance of the professional system 2019-10-01 s. 146
2017, c. 18	An Act to amend the Youth Protection Act and other provisions 2018-05-15 ss. 39, 114 2019-01-28 ss. 1 (par. 1 (to the extent that it enacts s. 1 (1 st par., subpar. c. 2) of the Youth Protection Act (chapter P-34.1))), par. 2-4), 2-8, 14-20, 22, 24-31, 33-38, 41-46, 51, 68-70, 88, 94-96, 98-100, 103-113, 115-117

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2017, c. 20	An Act to make wearing of the uniform by police officers and special constables mandatory in the performance of their duties and respecting the exclusivity of duties of police officers who hold a managerial position 2018-06-20 ss. 2-5, 10
2017, c. 22	An Act to group the Office Québec/Wallonie-Bruxelles pour la jeunesse, the Office Québec-Amériques pour la jeunesse and the Office Québec-Monde pour la jeunesse 2017-12-20 s. 2 (to the extent that it concerns the mobility of young people in Québec and elsewhere in Canada) 2018-04-01 ss. 1, 2 (any other part of the section), 3-24
2017, c. 24	An Act mainly to modernize rules relating to consumer credit and to regulate debt settlement service contracts, high-cost credit contracts and loyalty programs 2018-08-01 ss. 9, 23 (to the extent that it enacts s. 115.1 (1 st par.) of the Consumer Protection Act (chapter P-40.1)), 43, 44 (to the extent that it enacts ss. 187.6, 187.8 of the Consumer Protection Act), 49-52, 55 (to the extent that it enacts s. 244.1 of the Consumer Protection Act), 57, 58, 59 (to the extent that it enacts s. 251.2 of the Consumer Protection Act), 64-66, 70, 71-74, 79, 81 (2 nd par.) (to the extent that it concerns s. 187.8 of the Consumer Protection Act), 84 2019-02-01 ss. 4, 48, 53, 55 (to the extent that it enacts ss. 244.2-244.6 of the Consumer Protection Act (chapter P-40.1)), 63 (to the extent that it enacts s. 321 (1 st par. (subpar. <i>h</i>), 2 nd par.) of the Consumer Protection Act), 75 2019-08-01 ss. 2, 3, 6-8, 10-22, 23 (except to the extent that it enacts s. 115.1 (1 st par.) of the Consumer Protection Act (chapter P-40.1)), 24-42, 44 (except to the extent that it enacts ss. 187.6, 187.8 of the Consumer Protection Act), 45-47, 54, 56, 59 (except to the extent that it enacts s. 251.2 of the Consumer Protection Act), 60, 61, 63 (except to the extent that it enacts s. 321 (1 st par. (subpar. <i>h</i>), 2 nd par.) of the Consumer Protection Act), 67, 68, 76-78, 80, 81 (2 nd par.) (except to the extent that it concerns s. 187.8 of the Consumer Protection Act), 82
2018, c. 1	An Act to increase the jurisdiction and independence of the Anti-Corruption Commissioner and the Bureau des enquêtes indépendantes and expand the power of the Director of Criminal and Penal Prosecutions to grant certain benefits to cooperating witnesses 2018-06-20 s. 27
2018, c. 4	An Act respecting the implementation of recommendations of the pension committee of certain public sector pension plans and amending various legislative provisions 2019-01-01 ss. 3, 4, 11, 13, 17, 18, 22, 25, 27, 29 (par. 4, 5), 33-36, 39-42, 57, 66, 68 (par. 4, 5), 70, 73-75
2018, c. 7	An Act to amend the Highway Safety Code and other provisions 2019-07-03 ss. 126, 143 (to the extent that it enacts s. 509.2.1 of the Highway Safety Code), 145 2019-11-07 s. 174 (par. 2, 3) 2019-11-25 ss. 9, 13-20, 162 2020-02-01 s. 149 2021-04-01 ss. 39, 48 (to the extent that it enacts s. 239.1.1 of the Highway Safety Code), 62
2018, c. 11	An Act mainly to introduce a basic income for persons with a severely limited capacity for employment 2023-01-01 ss. 1-5, 6 (insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act (chapter A-13.1.1)), 8, 12, 14-16, 19 (insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act), 20, 21 (insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act), 22 (insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act), 23 (insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act), 24, 25, 26 (insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act), 30

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2018, c. 12	An Act to amend various labour-related legislative provisions mainly to give effect to certain Charbonneau Commission recommendations 2018-06-20 ss. 1-28
2018, c. 13	An Act to amend the Building Act and other legislative provisions mainly to give effect to certain Charbonneau Commission recommendations 2018-09-04 ss. 1-45
2018, c. 14	An Act to amend various legislative provisions concerning consumer protection 2020-05-06 ss. 1, 2 (par. 3), 3-6, 25
2018, c. 18	An Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions 2020-12-01 s. 60 (par. 2) 2021-06-01 ss. 54-57, 59, 87 (to the extent that it amends s. 60.4 of the Tax Administration Act (chapter A-6.002) to refer to s. 350.62 (par. 2) of the Act respecting the Québec sales tax (chapter T-0.1)) 2023-01-01 ss. 7, 8, 9 (par. 1), 11, 12, 24-26
2018, c. 19	An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions 2018-08-07 ss. 1-5, 6 (to the extent that it enacts s. 23.2 (except 1 st par. (subpar. 2, 3)) of the Act respecting the Société des alcools du Québec (chapter S-13)), 7, 19 (to the extent that it enacts ss. 23-26, 44-47, 49, 56, 67-82, 112, 113 of the Cannabis Regulation Act (2018, chapter 19, s. 19)), 23, 43 (to the extent that it enacts s. 202.3.1 of the Highway Safety Code (chapter C-24.2)), 58 (to the extent that it enacts the Government's power to provide exceptions by regulation), 59 (to the extent that it enacts the Government's power to provide exceptions by regulation), 61, 65 (to the extent that it enacts the Government's power to provide exceptions by regulation) 2018-10-17 ss. 6 (to the extent that it enacts s. 23.2 (1 st par. (subpar. 2, 3)) of the Act respecting the Société des alcools du Québec (chapter S-13)), 19 (except to the extent that it enacts ss. 22-26, 44-47, 49, 56, 58-60, 63-82, 112, 113 of the Cannabis Regulation Act (2018, chapter 19, s. 19)), 63, 64, 74 (with regard to the adjustments related to the Cannabis Act (Statutes of Canada, 2018, chapter 16)) 2018-12-18 ss. 20, 21, 24-26, 30, 32, 33, 35-41, 44, 45 (except to the extent that it enacts s. 202.4.1 (1 st par. (subpar. 2)) of the Highway Safety Code (chapter C-24.2)), 46-49, 50 (except par. 1), 51, 54-57, 60, 62, 68-73, 74 (with regard to the adjustments related to the Act to amend the Criminal Code (offences relating to conveyance) and to make consequential amendments to other Acts (Statutes of Canada, 2018, chapter 21)) 2019-07-03 ss. 58 (any portion not yet in force), 59 (any portion not yet in force), 65 (any portion not yet in force)
2018, c. 20	An Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages 2021-08-05 ss. 1, 2 (to the extent that it enacts ss. 26-31, 33-34.1 of the Act respecting liquor permits (chapter P-9.1)), 3-9, 11, 12 (par. 1-3, 5), 13, 15, 17, 20, 23, 24, 26-28, 29 (par. 1, 2, 4), 30-32, 35, 36, 38, 40-45, 46 (par. 1, 2 (subpar. a, b), 3), 47, 48, 50, 51, 52 (par. 1 (to the extent that it enacts s. 97 (par. 1.1) of the Act respecting liquor permits), 2), 53-55, 56 (par. 1, 2, 3 (except to the extent that it enacts s. 114 (par. 2.2, 2.3) of the Act respecting liquor permits), 4-6, 8-10, 13), 57, 58, 59 (par. 1-4, 5 (to the extent that it strikes out s. 2 (par. 20) of the Act respecting offences relating to alcoholic beverages (chapter I-8.1)), 6), 64 (par. 1), 66-69, 70 (par. 2), 71 (par. 1), 72, 73, 85, 88, 89 (par. 1, 2, 4), 90 (par. 1-3), 91, 92 (par. 3-5), 94-98, 100-102, 104, 110, 115, 117, 119, 120, 128-133, 135-137

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2018, c. 20	An Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages – <i>Cont'd</i> 2021-08-05 to the extent that they do not cover delivery permits: ss. 2 (to the extent that it enacts s. 25 of the Act respecting liquor permits), 12 (par. 4), 52 ((par. 1) to the extent that it enacts s. 97 (par. 1) of the Act respecting liquor permits), 70 (par. 3), 71 (par. 2)
2019, c. 11	An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration 2019-11-01 s. 9
2019, c. 13	An Act to transfer responsibility for the registry of lobbyists to the Lobbyists Commissioner and to implement the Charbonneau Commission recommendation on the prescription period for bringing penal proceedings 2022-10-13 ss. 1-17, 19-23, 27
2019, c. 28	An Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs 2020-08-31 ss. 74-109, 158, 159 2021-07-21 s. 148
2020, c. 4	An Act to amend mainly the Pharmacy Act to facilitate access to certain services 2021-01-25 ss. 1 (par. 1), 2 (par. 1 (subpar. b)) insofar as it replaces s. 17 (2 nd par. (subpar. 6-8, 10)) of the Pharmacy Act (chapter P-10), 2 (par. 2) insofar as it enacts s. 17 (3 rd par. (subpar. 3)) of the Pharmacy Act
2020, c. 5	An Act respecting mainly the implementation of certain provisions of the Budget Speeches of 17 March 2016, 28 March 2017, 27 March 2018 and 21 March 2019 2021-01-01 ss. 15-18 2021-01-01 ss. 22-34 2021-09-13 ss. 35-91
2020, c. 6	An Act to amend the Nurses Act and other provisions in order to facilitate access to health services 2020-05-13 ss. 21, 22, 70, 89-93 2020-07-08 ss. 23-28, 71-73 2021-01-25 ss. 1-20, 29-69, 74-88, 94-96
2020, c. 11	An Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons 2021-10-01 s. 153 (par. 2 (to the extent that it enacts s. 68 (par. 3.4) of the Public Curator Act (chapter C-81))) 2022-11-01 ss. 1-152, 153 (except par. 2 (to the extent that it enacts s. 68 (par. 3.4) of the Public Curator Act)), 154-256
2020, c. 20	An Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner 2022-11-01 ss. 1-48
2020, c. 21	Credit Assessment Agents Act 2023-02-01 ss. 8 (insofar as it concerns security freezes), 9, 13 (insofar as it concerns security freezes), 15 (insofar as it concerns security freezes), 18, 108
2020, c. 24	An Act to strengthen the complaint examination process of the health and social services network, in particular for users receiving services from private institutions 2021-06-01 ss. 1-4, 6-19

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2020, c. 26	An Act respecting off-highway vehicles 2021-12-31 s. 24
2021, c. 2	An Act to amend various provisions relating to assisted procreation 2021-11-15 ss. 18-20, 31, 32
2021, c. 3	An Act respecting the Institut de technologie agroalimentaire du Québec 2021-07-01 ss. 1-96
2021, c. 11	An Act to amend the Public Service Act and other provisions 2022-02-21 ss. 4-25, 27-53, 57
2021, c. 19	An Act mainly to improve the transparency of enterprises 2022-08-29 ss. 2 (par. 2), 7, 23, 24, 30
2021, c. 23	An Act respecting mainly the health insurance plan and prescription drug insurance plan eligibility of certain children whose parents' migratory status is precarious and amending the Act respecting end-of-life care 2021-09-22 ss. 1-8, 10-27
2021, c. 29	An Act to amend mainly the Food Products Act 2021-12-08 s. 36 (par. 7) (except subpar. 2 of the paragraph it enacts)
2021, c. 30	Tourist Accommodation Act 2022-09-01 ss. 1-56
2021, c. 31	An Act to amend the Act respecting elections and referendums in municipalities, the Municipal Ethics and Good Conduct Act and various legislative provisions 2022-01-01 ss. 53, 54, 56, 71 (par. 2), 84, 115-120, 127, 143, 144
2021, c. 35	An Act to amend various legislative provisions mainly for the purpose of reducing red tape 2022-09-29 s. 79 (par. 1 (subpar. a), 4, 5)
2022, c. 3	An Act respecting the implementation of certain provisions of the Budget Speech of 25 March 2021 and amending other provisions 2022-10-01 ss. 29-53
2022, c. 10	An Act mainly to end petroleum exploration and production and the public financing of those activities 2022-08-23 ss. 1 (except ss. 74-76 of the Act ending exploration for petroleum and underground reservoirs and production of petroleum and brine (2022, chapter 10, section 1)), 2-123
2022, c. 17	An Act respecting the National Student Ombudsman 2022-06-29 ss. 1-15, 18, 52, 53 (1 st par.), 55 2023-09-15 ss. 71 (par. 1, 3), 77, 79 (par. 2), 86

**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS YET TO BE DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2022**

Provisions not in force on 31 December 2022 and rendered inapplicable or obsolete following the coming into force of other provisions are not included in this table.

Reference	Title
1969, c. 51	Manpower Vocational Training and Qualification Act s. 62
1971, c. 48	An Act respecting health services and social services s. 149
1972, c. 55	Transport Act ss. 126, 151 (par. <i>a</i>), 155 (par. <i>a</i>)
1977, c. 68	Automobile Insurance Act s. 93
1978, c. 7	An Act to secure the handicapped in the exercise of their rights s. 71
1978, c. 9	Consumer Protection Act s. 6 (par. <i>c</i> , <i>d</i>)
1979, c. 45	An Act respecting labour standards ss. 5 (par. 4), 29 (par. 4, 6), 39 (par. 6, 7), 112, 136-138
1979, c. 63	An Act respecting occupational health and safety ss. 204-215
1979, c. 64	An Act respecting the protection of persons and property in the event of disaster ss. 17, 19 (2 nd par.), 23, 45, 47
1979, c. 85	An Act respecting child day care ss. 5, 6, 97
1979, c. 86	An Act respecting safety in sports ss. 31, 39
1980, c. 39	An Act to establish a new Civil Code and to reform family law ss. 63, 64 (1 st , 2 nd par.), 70 (1 st par.)
1981, c. 31	An Act respecting the sociétés d'entraide économique and amending various legislation ss. 57-59, 124 (2 nd par. (par. 3)), 126, 127 (2 nd par.), 129 (the word and figure "or 126"), 168 (1 st par., subpar. 4 (the words "matters provided for by section 107, paragraph 3 of section 108, section 115 and paragraphs 1 to 3, 5 and")), 182-188
1982, c. 17	An Act to provide for the carrying out of the family law reform and to amend the Code of Civil Procedure s. 81 (par. 3)
1982, c. 25	An Act to amend the Environment Quality Act and other legislation ss. 27-34

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1982, c. 61	An Act to amend the Charter of human rights and freedoms ss. 6 (par. 2), 21 (R.S.Q., chapter C-12, s. 86.2 (former), 1 st par.), 25, 30
1983, c. 23	An Act to promote the advancement of science and technology in Québec ss. 66-79, 83-93, 94 (1 st par.), 95 (1 st , 3 rd par.), 96 and 97, to the extent that they relate to the Fonds established by par. 3 of s. 65 and ss. 65 (par. 3), 82, 125, 126
1983, c. 38	Archives Act s. 82
1983, c. 39	An Act respecting the conservation and development of wildlife s. 46
1983, c. 43	An Act respecting restaurant and hotel workers who derive income from gratuities ss. 1, 3-6, 8, 10, 11, 12, to the extent that they refer to an allocation of gratuities or to gratuities that are allocated
1983, c. 53	An Act to amend the Agricultural Products, Marine Products and Food Act s. 3 (par. 2, 3)
1983, c. 54	An Act to amend various legislative provisions s. 81 (R.S.Q., chapter S-25.1, s. 53 (par. 3))
1984, c. 16	An Act respecting commercial fisheries and aquaculture and amending other legislation ss. 4, 11
1984, c. 41	An Act to amend the Securities Act s. 19
1985, c. 26	An Act to amend the Act to preserve agricultural land ss. 12, 17
1985, c. 34	Building Act ss. 120, 121, 214 (except with regard to the Gas Distribution Act (chapter D-10), the Act respecting piping installations (chapter I-12.1), the Act respecting electrical installations (chapter I-13.01), the Act respecting building contractors vocational qualifications (chapter Q-1) and the Act respecting pressure vessels (chapter A-20.01) in respect of buildings and facilities intended for use by the public to which Part 11 of the Code adopted by Chapter I of the Construction Code applies), 218, 219, 263-267, 274-279, 284, 291 (1 st par. (except with regard to a licence issued under the Act respecting building contractors vocational qualifications and except in all respects other than the qualification of contractors and owner-builders))
1986, c. 60	An Act respecting the sale of the Raffinerie de sucre du Québec ss. 16, 17, 19
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act s. 4 (par. 12 (Montmorency))
1986, c. 91	Highway Safety Code s. 496
1986, c. 109	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act s. 21

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1987, c. 25	An Act to amend the Environment Quality Act s. 1
1987, c. 36	An Act to again amend the Act respecting probation and houses of detention in respect of close supervision ss. 1-3
1987, c. 94	An Act to amend the Highway Safety Code and other legislation ss. 49, 50, 62, 70 (R.S.Q., chapter C-24.2, s. 519.14), 77, 78
1987, c. 102	An Act to amend the Act respecting land use planning and development, the Cities and Towns Act and the Municipal Code of Québec s. 22
1988, c. 39	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act s. 12
1988, c. 47	An Act to amend the Act respecting health services and social services and other legislation s. 10
1988, c. 51	An Act respecting income security s. 85
1988, c. 56	An Act to amend the Code of Civil Procedure in respect of the collection of support payments ss. 1 (R.S.Q., chapter C-25, ss. 553.3-553.9), 2-10, 12
1988, c. 57	An Act to ensure safety in guided land transport s. 63 (2 nd par.)
1988, c. 75	An Act respecting police organization and amending the Police Act and various legislation ss. 211, 223, 241
1988, c. 84	Education Act ss. 123, 124, 131, 137, 139, 206, 210, 354, 355, 509-515, 522, 525, 528, 529, 536
1988, c. 86	An Act to amend the charter of the city of Montréal s. 2 (par. 1)
1989, c. 7	An Act to amend the Act to preserve agricultural land s. 2
1989, c. 15	An Act to amend the Automobile Insurance Act and other legislation s. 1 (R.S.Q., chapter A-25, s. 72)
1989, c. 47	An Act to amend the Automobile Insurance Act s. 11 (R.S.Q., chapter A-25, s. 179.3, the words “and the amount of his indemnity”)
1989, c. 48	An Act respecting market intermediaries s. 26
1989, c. 52	An Act respecting municipal courts and amending various legislation s. 67, Sched. I (par. 60, 61, 131)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1989, c. 59	An Act to amend the Act respecting child day care s. 4
1990, c. 26	An Act to amend the Environment Quality Act s. 4 (R.S.Q., chapter Q-2, ss. 31.46-31.51)
1990, c. 77	An Act to amend the Securities Act ss. 3, 11
1990, c. 78	An Act to amend the Education Act and the Act respecting private education ss. 3, 13-17, 19-22
1990, c. 80	An Act to amend the Agricultural Products, Marine Products and Food Act s. 5 (par. 1, 2 (R.S.Q., chapter P-29, s. 9 (1 st par., par. <i>k, l, l.1, o, p</i>)), 3)
1990, c. 83	An Act to amend the Highway Safety Code and other legislative provisions ss. 2 (par. 3), 40-42, 129, 140 (par. 2, 4), 166, 187, 190, 241 (except as regards s. 645.3 of the Highway Safety Code (R.S.Q, chapter C-24.2)), 257
1991, c. 6	An Act respecting the construction and putting into operation of power control and transformer stations and an aluminium plant in the Deschambault-Portneuf industrial park ss. 3, 4
1991, c. 27	An Act amending the Education Act and amending the Act respecting private education s. 4
1991, c. 42	An Act respecting health services and social services and amending various legislation ss. 259 (2 nd sentence), 360 (2 nd par.), 483, 570, 573, 574 (par. 2), 575, 581 (par. 4)
1991, c. 74	An Act to amend the Building Act and other legislation ss. 49 (except with regard to the qualification of contractors and owner-builders), 56 (to the extent that it enacts s. 128.4 (except with regard to the revocation of the recognition of a person referred to in s. 16 and except with regard to the revocation of the recognition of a person referred to in s. 35) of the Building Act (chapter B-1.1)), 68 (par. 1-4 (except with regard to the qualification of contractors and owner-builders)), 70 (par. 1 (except with regard to the qualification of contractors and owner-builders)), 93 (par. 3 (except with regard to the qualification of contractors and owner-builders)), 106 (par. 1), 109, 114, 123 (except to the extent that it does not apply to the Bureau des examinateurs électriciens and the Bureau des examinateurs en tuyauterie), 124, 125 (par. 2), 130, 133-135, 138, 163-165
1991, c. 83	An Act to amend the charter of the city of Laval ss. 5-7
1991, c. 84	An Act to amend the Charter of the city of Québec ss. 45 (s. 601 <i>b</i> (2 nd par.)), 50, 54-56
1991, c. 104	An Act respecting Cooperants, Mutual Life Insurance Society ss. 1-13, 14 (2 nd , 3 rd par.), 15-39
1992, c. 21	An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation ss. 365-369, 378

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1992, c. 29	An Act to amend the Act to promote the reform of the cadastre in Québec and other legislative provisions ss. 2 (par. 2), 3
1992, c. 35	An Act to amend the Securities Act ss. 2, 13
1992, c. 36	An Act to amend the Act respecting child day care s. 3
1992, c. 43	An Act respecting the Institut québécois de réforme du droit ss. 1-19
1992, c. 56	An Act to amend the Environment Quality Act ss. 1-13, 15-23
1992, c. 61	An Act respecting the implementation of certain provisions of the Code of Penal Procedure and amending various legislative provisions s. 499
1993, c. 1	An Act to amend the Code of Civil Procedure regarding family mediation ss. 1-3, 4 (R.S.Q., chapter C-25, s. 827.4), 5
1993, c. 3	An Act to amend the Act respecting land use planning and development and other legislative provisions s. 69
1993, c. 18	An Act to amend the Animal Health Protection Act s. 1
1993, c. 39	An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions s. 56 (R.S.Q., chapter L-6, s. 52.12 (1 st par.))
1993, c. 45	An Act to amend the Supplemental Pension Plans Act ss. 2, 3
1993, c. 54	An Act respecting assistance and compensation for victims of crime ss. 1-225
1993, c. 61	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions ss. 1 (par. 2), 12, 63
1993, c. 70	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration ss. 3 (par. 1), 8, 9, 11 (par. 2, 8, 9)
1993, c. 71	An Act to amend the Act respecting the Régie des alcools, des courses et des jeux and various Acts concerning the activities under its supervision ss. 4, 5 (par. 2, 3), 16 (par. 1), 26 (par. 2 (subpar. <i>i.1</i>)), 29 (par. 2-4), 30, 39-45, 47
1993, c. 72	An Act to amend the Code of Civil Procedure and various legislative provisions ss. 10, 11 (par. 2-4), 14-16, 20, 21

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1993, c. 77	An Act to amend the Pesticides Act ss. 9, 10 (as regards the repeal of s. 103 of R.S.Q., chapter P-9.3), 11
1994, c. 2	An Act respecting the Conservatoire de musique et d'art dramatique du Québec ss. 29, 30, 55, 76
1994, c. 8	An Act to amend the Health Insurance Act and the Act respecting the Régie de l'assurance-maladie du Québec ss. 2 (par. 5), 7, 9 (par. 2), 10, 15 (par. 6, 8), 21 (par. 1, 3)
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions ss. 200 (where it repeals ss. 10 (par. <i>b, c, d, f</i>), 11 of the Architects Act (R.S.Q., chapter A-21)), 278, 294 (where it repeals ss. 21 (1 st par., 2 nd par., except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions ss. 1-20, 22-33
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions s. 79 (where it enacts s. 39.1)
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions ss. 2, 6 (except s. 62.1 (1 st par.) of the Code of Penal Procedure), 10, 11, 13 (par. 1, 6), 14, 25, 26, 28-30
1995, c. 52	An Act to amend the Transport Act s. 2
1995, c. 65	An Act respecting the Agence métropolitaine de transport and amending various legislative provisions s. 159
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions s. 150
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions ss. 2, 8, 20 (par. 3)
1996, c. 12	An Act to amend the Financial Administration Act and other legislative provisions ss. 1, 2, 9
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife ss. 4, 13
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions ss. 8 (3 rd par., the words “or any other institution recognized for that purpose by the Minister that is situated outside Québec in a region bordering on Québec”), 38 (in subpar. 2 of 1 st par., the words “otherwise binding the policy-holder”) (in subpar. 3 of 1 st par., the words “administered by or on behalf of the policy-holder”), 39 (in subpar. 2 of 1 st par., the words “otherwise binding the plan administrator”) (in subpar. 3 of 1 st par., the words “binding the plan administrator”), 40, 45 (in 1 st sentence, the words “or the plan member” and the 2 nd sentence, which reads: “Any notice of non-renewal or of a

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> change in the premium or assessment from the insurer must be sent to the last known address of the plan member not later than 30 days preceding the date of expiry.”), 89 (par. 1 (subpar. b)), 91 (3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2)
1996, c. 50	An Act to amend the Agricultural Products, Marine Products and Food Act and the Environment Quality Act s. 2
1996, c. 53	An Act respecting the Commission administrative des régimes de retraite et d’assurances and amending various legislative provisions as regards pension plans ss. 2, 9, 13 (par. 1)
1996, c. 54	An Act respecting administrative justice Sched. IV (par. 27)
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions ss. 84, 108
1996, c. 62	An Act to amend the Act respecting the conservation and development of wildlife s. 1 (par. 1)
1996, c. 69	An Act to amend the Savings and Credit Unions Act ss. 4, 5, 6, 14 (par. 2), 16 (par. 2), 17 (par. 2), 20 (par. 2), 166
1996, c. 71	An Act to amend the Act respecting collective agreement decrees ss. 17, 41 (2 nd , 3 rd , 4 th , 5 th par.)
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors s. 8 (the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1)
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice ss. 106-110, 111 (par. 2), 112-115, 116 (par. 2), 117-120, 121 (par. 2), 122, 123, 833 (2 nd par.) [those provisions respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions], 834, 853 (the words “Until 1 December 1997” of the second and third paragraphs), 854 (the words “until 1 December 1997” of the second paragraph)
1997, c. 59	An Act to amend the Act respecting the Agence métropolitaine de transport s. 1 (s. 21.2)
1997, c. 72	An Act to again amend the Act respecting labour standards ss. 5, 6
1997, c. 77	An Act to amend the Public Health Protection Act ss. 1, 2, 8, 9, 10
1997, c. 78	An Act to amend the Act to ensure safety in guided land transport ss. 13 (par. 1), 14 (par. 2)
1997, c. 123	An Act respecting the Association de villégiature du Mont Sainte-Anne ss. 1-9, schedule

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1998, c. 18	An Act to amend the Professional Code with respect to the title of psychotherapist ss. 1, 2, 3 (ss. 187.1, 187.4)
1998, c. 35	An Act to amend the Roads Act and other legislative provisions ss. 12-14, 16
1998, c. 37	An Act respecting the distribution of financial products and services ss. 28, 40
1998, c. 40	An Act respecting owners and operators of heavy vehicles ss. 87, 97, 109 (par. 1 (as regards the striking out of section 413))
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry ss. 29, 35 (par. 1), 36, 38, 39, 40 (to the extent that the provisions do not apply to the vocational qualification of contractors and owner-builders), 55 (to the extent that the provisions do not apply to the vocational qualification of contractors and owner-builders)
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses ss. 32, 33 (on the date of coming into force of the provisions they amend, that is: s. 76 of 1993, c. 54 (in the definition of "spouse"); s. 197 of 1993, c. 54 (par. 2 of the definition of "spouse"))
1999, c. 35	An Act respecting environmental assessment of the proposed Churchill River hydroelectric development ss. 1-4
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions ss. 61, 65-67
1999, c. 51	An Act respecting the flag and emblems of Québec ss. 11, 12
1999, c. 79	An Act to amend the Act respecting the Régie des installations olympiques s. 1
1999, c. 88	An Act respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite ss. 5 and 8 (which come into force on the date on which the order made under s. 3 of that Act comes into force)
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions s. 10 (new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces)
2000, c. 8	Public Administration Act s. 240 (par. 4, 5)
2000, c. 9	Dam Safety Act s. 19 (4 th par.)
2000, c. 15	Financial Administration Act ss. 33-45, 58-60
2000, c. 20	Fire Safety Act s. 38 (2 nd par.)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions ss. 45 (par. 1), 50 (par. 1 (the words "the registration fees and"))
2000, c. 26	An Act to amend the Agricultural Products, Marine Products and Food Act and other legislative provisions ss. 11, 13 (par. 1, 3, 5, 7), 38, 77
2000, c. 28	An Act respecting Nasdaq stock exchange activities in Québec ss. 2-8
2000, c. 35	An Act to amend the Transport Act s. 1
2000, c. 40	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act ss. 4 (except to the extent that it introduces s. 3.0.1 (1 st par.) of the Animal Health Protection Act (R.S.Q., chapter P-42)), 14 (to the extent that it introduces s. 22.5), 15-18
2000, c. 42	An Act to amend the Civil Code and other legislative provisions relating to land registration ss. 43 (where it deals with the information referred to in a. 3005 of the Civil Code, on the geodesic reference and geographic coordinates making it possible to describe an immovable), 67
2000, c. 44	Notaries Act ss. 26, 59, 62-92, 106 (where it replaces the provisions of the Notarial Act (R.S.Q., chapter N-2) respecting the preservation of notarial acts <i>en minute</i> , the keeping, surrender, deposit and provisional custody of notarial records, the issue of copies and extracts from notarial acts <i>en minute</i> and the seizure of property related to the practice of the notarial profession)
2000, c. 48	An Act to amend the Act respecting the conservation and development of wildlife and the Act respecting hunting and fishing rights in the James Bay and New Québec territories s. 14 (par. 1)
2000, c. 53	An Act respecting La Financière agricole du Québec s. 78 (to the extent that it does not govern the regulations made under the Act respecting the Société de financement agricole (R.S.Q., chapter S-11.0101))
2000, c. 54	An Act to again amend various legislative provisions respecting municipal affairs ss. 3, 6
2000, c. 57	An Act to amend the Charter of the French language s. 6 (the words " Cree School Board, Kativik School Board" in s. 29.1 enacted by par. 1)
2001, c. 6	An Act to amend the Forest Act and other legislative provisions ss. 57, 99 (par. 2), 119 (par. 6)
2001, c. 15	An Act respecting transportation services by taxi ss. 18 (3 rd par. (subpar. 1)), 26 (1 st par. (subpar. 3))
2001, c. 26	An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions ss. 25 (par. 1), 64 (par. 3 where it enacts s. 138 (1 st par. (subpar. <i>g, h</i>)) of the Labour Code (R.S.Q., chapter C-27)), 135

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2001, c. 29	An Act to amend the Highway Safety Code as regards alcohol-impaired driving ss. 14, 16
2001, c. 35	An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions s. 29 (par. 1)
2001, c. 38	An Act to amend the Securities Act ss. 5 (par. 3), 12, 13, 23, 58, 64
2001, c. 57	An Act to amend the Act respecting off-highway vehicles ss. 1-3
2001, c. 58	An Act to amend the Act respecting immigration to Québec ss. 1-4
2001, c. 60	Public Health Act ss. 61-68
2002, c. 5	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions as regards the protection of confidential information ss. 12 (s. 69.1 (2 nd par, subpar. <i>n</i> (the words “or the Act respecting parental insurance (2001, chapter 9)”))), 13 (s. 69.4 (the words “or the Act respecting parental insurance (2001, chapter 9)”))
2002, c. 6	An Act instituting civil unions and establishing new rules of filiation ss. 228 (on the date of coming into force of 1993, c. 54, s. 76), 229 (on the date of coming into force of 1993, c. 54, s. 197)
2002, c. 22	An Act to amend the Act respecting administrative justice and other legislative provisions ss. 8, 10 (to the extent that it enacts s. 119.4 of the Act respecting administrative justice (R.S.Q., chapter J-3)), 24, 35
2002, c. 24	An Act respecting the Québec correctional system s. 16
2002, c. 25	An Act to ensure the implementation of the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec ss. 1-15
2002, c. 27	An Act to amend the Act respecting prescription drug insurance and other legislative provisions s. 19
2002, c. 29	An Act to amend the Highway Safety Code and other legislative provisions ss. 18, 19, 20 (1 st par. (subpar. 1 (regarding the reference to s. 202.2.1)), 2 nd par.), 25 (par. 2), 29
2002, c. 30	An Act to amend the pension plans of the public and parapublic sectors ss. 6 (to the extent that it enacts s. 17.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)) with regard to the category of employees comprised of employees on leave without pay, 10 (par. 3) with regard to the category of employees comprised of employees on leave without pay, 18 with regard to the category of employees comprised of employees on leave without pay

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2002, c. 45	An Act respecting the Autorité des marchés financiers ss. 116 (2nd par.), 153 (5th par.), 264 (except to the extent that it enacts s. 7 of the Fish and Game Clubs Act (R.S.Q., chapter C-22)), 266 (except to the extent that it enacts s. 11 of the Amusement Clubs Act (R.S.Q., chapter C-23)), 275, 280 (except to the extent that it enacts s. 14 of the Cemetery Companies Act (R.S.Q., chapter C-40)), 282 (except to the extent that it enacts s. 52 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1)), 285 (except to the extent that it enacts s. 98 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44)), 287, 290, 294 (except to the extent that it enacts s. 15 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63)), 340 (except to the extent that it enacts s. 19 of the Religious Corporations Act (R.S.Q., chapter C-71)), 342, 343, 347, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 502 (except to the extent that it enacts s. 22 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17)), 509 (except to the extent that it enacts s. 75 of the Act respecting fabriques (R.S.Q., chapter F-1)), 539, 544 (except to the extent that it enacts s. 34 of the Winding-up Act (R.S.Q., chapter L-4)), 548, 552, 614 (except to the extent that it enacts s. 7 of the National Benefit Societies Act (R.S.Q., chapter S-31)), 616 (except to the extent that it enacts s. 4 of the Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32)), 620 (except to the extent that it enacts s. 30 of the Professional Syndicates Act (R.S.Q., chapter S-40)), 727-729
2002, c. 61	An Act to combat poverty and social exclusion ss. 1 (2nd par. (2nd sentence), except to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2nd par. (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale that were retained”)), 31 (3rd par.), 32 (2nd par. (2nd sentence)), 35-45, 58 (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale retained by the Minister”), 59 (the words “, taking into account in particular the indicators proposed by the observatory,”), 65 (except 1st par.)
2002, c. 66	An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians ss. 1-4, 12, 14, 15 (par. 1), 21
2002, c. 70	An Act to amend the Act respecting insurance and other legislative provisions ss. 39 (where it replaces s. 88.1 of the Act respecting insurance (R.S.Q., chapter A-32)), 79 (where it enacts Division III.1 of Chapter V of Title III of the Act respecting insurance comprising ss. 200.0.4-200.0.13), 158-162, 165-168, 190
2002, c. 80	An Act to amend the Act respecting labour standards and other legislative provisions ss. 23, 32, 57 (par. 3 (s. 89 (par. 6 (insofar as it concerns paternity leave), 6.1) of the Act respecting labour standards (R.S.Q., chapter N-1.1))), 66 (par. 2) which come into force on the date of coming into force of 2001, c. 9, s. 9
2003, c. 18	An Act to amend the Cooperatives Act s. 165
2003, c. 29	An Act respecting the Ministère du Développement économique et régional et de la Recherche s. 135 (par. 7-17, 20, 21, 24, 25 (to the extent that it amends s. 35 of the Winding-up Act (R.S.Q., chapter L-4)), 30, 31, 35-37)
2004, c. 2	An Act to amend the Highway Safety Code and other legislative provisions ss. 58 (except to the extent that it enacts s. 520.2 (1st par.) of the Highway Safety Code (chapter C-24.2)), 73-75
2004, c. 12	An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace s. 1 (to the extent that it enacts s. 174 of the Courts of Justice Act (R.S.Q., chapter T-16))

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2004, c. 18	An Act to amend the Act respecting immigration to Québec ss. 2, 6, 10 (par. 5)
2004, c. 25	An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions s. 73
2004, c. 30	An Act respecting Services Québec ss. 52, 57
2004, c. 31	An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions ss. 60, 65, 66, 68 (to the extent that it refers to par. 5 of Schedule 1 to the Act respecting administrative justice (R.S.Q., chapter J-3)), 70 (par. 2)
2004, c. 37	An Act to amend the Securities Act and other legislative provisions ss. 15, 25, 26, 29, 30, 32 (except to the extent that it enacts s. 308.2 of the Securities Act (R.S.Q., chapter V-1.1)), 43 (par. 3), 56, 58, 61, 86
2005, c. 7	An Act respecting the Centre de services partagés du Québec s. 80 (except to the extent that it enacts the first sentence of s. 13 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1))
2005, c. 12	An Act respecting the reciprocal issue and enforcement of support orders ss. 1-41
2005, c. 15	Individual and Family Assistance Act s. 64 (1 st par., second sentence)
2005, c. 17	An Act to amend the Act respecting administrative justice and other legislative provisions s. 43
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act s. 24
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions ss. 25 (par. 4), 50, 184 (par. 3), 189, 221, 228, 229, 239 (1 st par., 3 rd par., 4 th par.), 240 (the words “of a health communication centre or of a podiatrist or midwife operating a private health facility, or the local files or index” in the paragraph proposed by par. 5), 287 (par. 1), 288 (ss. 2.0.1-2.0.5), 295, 302, 303, 304, 308 (par. 39), 322
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions s. 89 (except for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director)
2005, c. 38	Budget Act giving effect to the Budget Speech delivered on 21 April 2005 and to certain other budget statements ss. 283, 284
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions s. 27 (insofar as it enacts s. 48.3)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions ss. 23 (except to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 31, 43
2006, c. 11	An Act to facilitate organ donation ss. 1-4
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting ss. 3, 15 (insofar as it enacts ss. 262 (1 st par. (subpar. 1), 2 nd par., 3 rd par.), 263 (except for the purposes of the implementation of s. 301.21), 264-280, 301.18 (2 nd par.)), 19 (insofar as it enacts, in s. 327 (1 st par.), the words “and at the returning officer’s office”), 21
2006, c. 24	An Act to reduce the debt and establish the Generations Fund s. 3 (1 st par. (subpar. 3))
2006, c. 38	An Act to amend the Act respecting the enterprise registrar and other legislative provisions ss. 52, 53 (par. 1), 54, 57, 61, 62, 65, 79, 82, 95, 96
2006, c. 50	An Act to amend the Securities Act and other legislative provisions ss. 11, 21, 22, 26, 38 (except to the extent that it repeals ss. 99, 100, 102 and 103 of the Securities Act (R.S.Q., chapter V-1.1)), 65, 70 (par. 3), 89, 108 (par. 4)
2007, c. 21	An Act to amend the Act respecting the Régie de l’assurance maladie du Québec and to amend other legislative provisions s. 10
2007, c. 31	An Act to amend the Act respecting the Régie de l’assurance maladie du Québec, the Health Insurance Act and the Act respecting health services and social services s. 6 comes into force on the date of coming into force of s. 520.9 (1 st par. (subpar. 2)) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)
2007, c. 39	An Act to amend the Forest Act and other legislative provisions s. 34
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points ss. 6, 36 (s. 202.4 (3 rd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 73 (except to the extent that it relates to s. 597.1 (1 st par.) of the Highway Safety Code), 77, 88 (the words “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in s. 12.39.1 (par. 1) of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28)), 95, 97-101
2008, c. 7	An Act to amend the Act respecting the Autorité des marchés financiers and other legislative provisions ss. 47, 76, 82, 83, 131 (insofar as it enacts s. 349.3), 161, 162 (insofar as it repeals s. 297.6), 169
2008, c. 8	An Act to amend the Act respecting health services and social services, the Health Insurance Act and the Act respecting the Régie de l’assurance maladie du Québec ss. 1-26
2008, c. 9	Real Estate Brokerage Act ss. 3 (par. 14), 129, 161 (2 nd par.)
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions ss. 1 (except par. 2), 6, 9 (except par. 1), 14 (except par. 1), 20, 26, 27, 29, 33, 49 (except par. 2, 3), 50 (except par. 2), 51 (except par. 2), 53 (except par. 2), 72 (except par. 2), 79, 80, 86 (except par. 2-4), 100, 101, 111-115, 119, 124, 126-131

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2008, c. 18	An Act to amend various legislative provisions respecting municipal affairs ss. 77, 78, 82, 86 (par. 2), 95, 130, 131
2008, c. 25	An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector ss. 17, 18, 20
2009, c. 10	An Act to regularize and provide for the development of local slaughterhouses and to amend the Food Products Act s. 30 (par. 3, which comes into force on the date of coming into force of subparagraph <i>n</i> .3 of the first paragraph of section 9 of the Food Products Act (R.S.Q., chapter P-29), introduced by paragraph 5 of section 13 of the Act to amend the Agricultural Products, Marine Products and Food Act and other legislative provisions (2000, chapter 26)
2009, c. 17	An Act to amend the Act respecting transportation services by taxi ss. 8 (ss. 34.1, 34.2 (2 nd par. (subpar. 2))) of the Act respecting transportation services by taxi (R.S.Q., chapter S-6.01), 21
2009, c. 19	An Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment s. 23 (except insofar as it replaces s. 315.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) and it enacts ss. 315.3 and 315.4 of that Act)
2009, c. 25	An Act to amend the Securities Act and other legislative provisions ss. 6, 48-51, 105
2009, c. 27	An Act to amend the Act respecting financial services cooperatives and other legislative provisions ss. 2, 8, 10, 11
2009, c. 30	An Act respecting clinical and research activities relating to assisted procreation ss. 8, 17 (1 st par. (subpar. 2, 3)), 30 (par. 3)
2009, c. 51	An Act to amend the Consumer Protection Act and other legislative provisions ss. 1-34
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector ss. 5 (par. 1), 18 (to the extent that it enacts s. 40.2.1 (2 nd par.) of the Deposit Insurance Act (chapter A-26)), 75
2010, c. 7	An Act respecting the legal publicity of enterprises ss. 184 (on the date of coming into force of s. 200.0.9 of the Act respecting insurance (R.S.Q., chapter A-32)), 185 (on the date of coming into force of s. 200.0.11 of the Act respecting insurance)
2010, c. 20	An Act to implement certain provisions of the Budget Speech of 30 March 2010, reduce the debt and return to a balanced budget in 2013-2014 s. 39 (par. 2) (on the date of coming into force of s. 54 (par. 1) of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14))
2011, c. 20	An Act to amend the Environment Quality Act in order to reinforce compliance ss. 47, 48, 49 come into force respectively on the date or dates of coming into force of ss. 35, 36 and 37 of the Act to affirm the collective nature of water resources and provide for increased water resource protection (R.S.Q., chapter C-6.2)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2011, c. 26	An Act to amend various legislative provisions mainly concerning the financial sector ss. 20 (insofar as it enacts s. 115.2 (2 nd par.) of the Act respecting the distribution of financial products and services (chapter D-9.2)), 61 (except par. 1, 5, 6)
2011, c. 30	An Act to eliminate union placement and improve the operation of the construction industry ss. 8 (insofar as it concerns the labour-referral service for the construction industry), 44, 55, 56, 57 (except insofar as it concerns ss. 107.3 to 107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)), 62 come into force on 9 September 2013, unless their coming into force is set by the Government for an earlier date or dates; s. 48 insofar as it concerns the employee's photo comes into force on the date to be set by the Government
2011, c. 37	An Act to amend the Pharmacy Act ss. 1-5
2012, c. 15	An Act to modify the rules governing the use of photo radar devices and red light camera systems and amend other legislative provisions s. 21 (par. 3, 5) comes into force on the date or dates to be set by the Government, which may not be earlier than the date that is six months after the date on which the first report referred to in section 36 is tabled in the National Assembly
2012, c. 23	An Act respecting the sharing of certain health information ss. 11 (1 st par. (subpar. 4, 5)), 22, 26 (par. 4 (the words "and, in the case of a collective prescription, the date it was filled"), par. 13 (the words "and, in the case of a collective prescription, of the health professional who filled it"), par. 14 (the words "and, in the case of a collective prescription, where it was filled")), 39-42, 50, 55 (except 1 st par.), 59 ("or fill a collective prescription for medication"), 106-108, 123 ("40 or" and "the second paragraph of section 50"), 124 ("or 108"), 131 ("40,")
2012, c. 25	Integrity in Public Contracts Act ss. 3, 4, 5, 9, 13 (par. 6), 14, 16, 18 (par. 1), 24, 31-39, 43-45, 47, 48, 51, 52, 56, 69, 71-75, 78, 79, 81, 82
2012, c. 28	An Act to amend the Act respecting the Québec sales tax and other legislative provisions ss. 6, 13, 22
2013, c. 16	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 ss. 53 (to the extent that it enacts s. 17.12.12 (1 st par. (subpar. 6)) of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2), as concerns the financing of activities relating to the application of the Mining Tax Act (chapter I-0.4) and the regulations), 55 (to the extent that it enacts s. 17.12.20 (par. 1) of the Act respecting the Ministère des Ressources naturelles et de la Faune), 158-164, 166
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector ss. 92, 97 (par. 3)
2013, c. 30	An Act to amend various legislative provisions concerning municipal affairs s. 13
2014, c. 1	An Act to establish the new Code of Civil Procedure s. 35 (4 th par.)
2014, c. 17	An Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises ss. 7-10

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2015, c. 25	An Act to enact the Act to promote access to family medicine and specialized medicine services and to amend various legislative provisions relating to assisted procreation s. 1 (ss. 4-31, 39, 41, 42, 45-47, 49, 53, 54, 56, 59-68, 69 (to the extent that it concerns general practitioners), 74, 75, 77-79 of the Act to promote access to family medicine and specialized medicine services (2015, chapter 25, section 1))
2015, c. 35	An Act to improve the legal situation of animals s. 7 (ss. 17, 18, 20 of the Animal Welfare and Safety Act (chapter B-3.1))
2016, c. 1	Funeral Operations Act s. 143
2016, c. 3	Québec Immigration Act s. 72 (par. 2)
2016, c. 7	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 ss. 12 (on the date or dates to be set by the Government according to the classes it determines), 13-20, 57
2016, c. 22	An Act to amend various legislative provisions respecting mainly transportation services by taxi ss. 14, 15 (par. 1), 18 (to the extent that it concerns s. 59.3 of the Act respecting transportation services by taxi (chapter S-6.01)), 38 (to the extent that it concerns s. 112.1 (par. 2) of the Act respecting transportation services by taxi)
2016, c. 25	An Act to allow a better match between training and jobs and to facilitate labour market entry s. 22
2016, c. 26	An Act to amend the Education Act ss. 8, 47
2017, c. 4	An Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund s. 188 (s. 118.5 of the Environment Quality Act (chapter Q-2))
2017, c. 21	An Act to amend certain provisions regarding the clinical organization and management of health and social services institutions ss. 48, 65-75, 90 (par. 1)
2017, c. 23	An Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance Sections 1, 2, 5, 6, 7, 9, 11, 13 and 16 come into force on 1 July 2018 or any earlier date set by the Government.
2017, c. 27	An Act to facilitate oversight of public bodies' contracts and to establish the Autorité des marchés publics ss. 19 (1 st par. (subpar. 4)), 21 (1 st par. (subpar. 6), to the extent that it concerns the exercise of functions conferred on the Autorité des marchés publics under Chapter V.3 of the Act respecting contracting by public bodies (chapter C-65.1)), 129, 130 (par. 2), to the extent that it concerns the enactment of s. 23 (par. 13.2) of the Act respecting contracting by public bodies

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2018, c. 7	An Act to amend the Highway Safety Code and other provisions ss. 5 (to the extent that it enacts s. 202.5.1 of the Highway Safety Code (chapter C-24.2)), 29, 31 (par. 2), 32 (par. 1), 152, 164 (par. 4, 5), 178
2018, c. 11	An Act mainly to introduce a basic income for persons with a severely limited capacity for employment ss. 6 (except insofar as it concerns Chapters V and VI of Title II of the Individual and Family Assistance Act (chapter A-13.1.1)), 19 (except insofar as it concerns Chapter VI of Title II of the Individual and Family Assistance Act and except where it enacts s. 133.3 of that Act, insofar as the latter section concerns the Social Solidarity Program), 21 (except insofar as it concerns Chapters V and VI of Title II of the Individual and Family Assistance Act), 22 (except insofar as it concerns Chapters V and VI of Title II of the Individual and Family Assistance Act), 23 (except insofar as it concerns Chapters V and VI of Title II of the Individual and Family Assistance Act), 26 (except insofar as it concerns Chapters V and VI of Title II of the Individual and Family Assistance Act)
2018, c. 18	An Act to improve the performance of the Société de l'assurance automobile du Québec, to better regulate the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and to amend various legislative provisions ss. 2, 4, 5, 10, 14-23, 27, 28 (par. 4-6), 29 (par. 2-4), 30, 31 (par. 2, 4, 5), 32
2018, c. 19	An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions ss. 19 (s. 22 of the Cannabis Regulation Act (2018, chapter 19, s. 19)), 31, 34, 42, 43 (except to the extent that it enacts s. 202.3.1 of the Highway Safety Code (chapter C-24.2)), 45 (to the extent that it enacts s. 202.4.1 (par. 2) of the Highway Safety Code), 50 (par. 1), 52, 53
2018, c. 20	An Act to modernize the legal regime applicable to liquor permits and to amend various other legislative provisions with regard to alcoholic beverages ss. 2 (ss. 25 (to the extent that it covers delivery permits), 32 of the Act respecting liquor permits (chapter P-9.1)), 12 (par. 4 (to the extent that it covers delivery permits)), 14, 16, 29 (par. 3), 34 (except to the extent that it enacts s. 77.4 of the Act respecting liquor permits), 37, 52 (par. 1 (to the extent that it enacts s. 97 (par. 1) of the Act respecting liquor permits and to the extent that it covers delivery permits)), 56 (par. 3 (to the extent that it enacts s. 114 (par. 2.2, 2.3) of the Act respecting liquor permits), 11, 12), 59 (par. 5 (to the extent that it strikes out s. 2 (par. 26) of the Act respecting offences relating to alcoholic beverages (chapter I-8.1))), 70 (par. 3 (to the extent that it covers delivery permits)), 71 (par. 2 (to the extent that it covers delivery permits)), 134, 139, 140
2018, c. 23	An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions ss. 570, 571, 598, 657, 661-665, 667 (par. 2), 669, 675
2019, c. 11	An Act to increase Québec's socio-economic prosperity and adequately meet labour market needs through successful immigrant integration s. 25
2019, c. 24	An Act to amend the Education Act and other provisions regarding preschool education services for students 4 years of age ss. 1, 2, 4, 5, 6 (except par. 2), 8 (except par. 1), 11-16
2020, c. 2	An Act mainly to establish the Centre d'acquisitions gouvernementales and Infrastructures technologiques Québec ss. 28, 29

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2020, c. 5	An Act respecting mainly the implementation of certain provisions of the Budget Speeches of 17 March 2016, 28 March 2017, 27 March 2018 and 21 March 2019 ss. 19-21
2020, c. 21	Credit Assessment Agents Act s. 111
2020, c. 24	An Act to strengthen the complaint examination process of the health and social services network, in particular for users receiving services from private institutions s. 5
2020, c. 26	An Act respecting off-highway vehicles ss. 20, 136 (par. 34 of Sched. IV to the Act respecting administrative justice (chapter J-3))
2021, c. 5	An Act to amend mainly the Environment Quality Act with respect to deposits and selective collection ss. 13, 22
2021, c. 19	An Act mainly to improve the transparency of enterprises ss. 1, 2 (except par. 2), 3-6, 8-22, 25, 27-29, 31
2021, c. 25	An Act to modernize legislative provisions as regards the protection of personal information NOTE: s. 160 (insofar as it enacts s. 91 (par. 3) of the Act respecting the protection of personal information in the private sector (chapter P-39.1)) comes into force on 1 February 2023 (Order in Council 509-2022)
2021, c. 27	An Act to modernize the occupational health and safety regime ss. 122 (except where it concerns the definitions of “employer”, “dangerous substance” and “worker”), 125, 128, 138 (par. 1), 139 (par. 2, 4), 141, 143, 144 (except where it concerns par. 1), 145-147, 150, 151, 153, 154 (par. 1, 2, 4-11), 155, 156, 157 (par. 2, 3), 158-185, 207 (par. 1, 5, 6), 212, 219, 229 (par. 1), 232 (par. 5-10), 233 (par. 3 (insofar as it concerns the sections of Chapters I to X of the Act respecting occupational health and safety (chapter S-2.1))), 252-265, 268-271, 274-276 NOTE: Those sections come into force on the date or dates to be determined by the Government, which may not be after 6 October 2025.
2021, c. 29	An Act to amend mainly the Food Products Act ss. 2 (par. 2), 4 (par. 1), 6, 9-11, 13, 14, 16, 17, 18 (par. 2), 21 (par. 1, 3, 5, 7 (subpar. b)), 23 (par. 1 (subpar. b), 2), 24 (par. 1 (subpar. b), 2), 27, 32 (par. 1 (subpar. b), 6, 7, 9, 11-13), 35 (par. 2, 4), 36 (par. 3-6, 7 (subpar. 2 of the paragraph it enacts)), 43 (par. 2-4, 6), 47-55
2021, c. 32	An Act to create a court specialized in sexual violence and domestic violence NOTE: This Act comes into force on 30 November 2021, except ss. 3 and 4, which come into force on 30 November 2024 or an earlier date to be set by the Government.
2021, c. 37	An Act to amend the Election Act ss. 10, 49, 50, 53 (par. 3), 54-57, 68, 81, 82 (par. 1, 4), 83, 95, 103, 129 (on the recommendation of the Chief Electoral Officer)
2022, c. 8	An Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles ss. 56 (par. 1 (subpar. a, b)), 62-64, 69

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2022, c. 9	An Act to amend the Educational Childcare Act to improve access to the educational childcare services network and complete its development ss. 5, 16, 35, 49 (par. 2 (insofar as it adds “and fifth”, “, 13.1” and “and 59.6, the first paragraph of section 59.9 and sections 59.10, 59.12” to the second paragraph of s. 101.3 of the Educational Childcare Act (chapter S-4.1.1) and strikes out “59.1” in that paragraph)), 58 (par. 1, 6, 7), 59 (par. 1), 62 (insofar as it adds “13.1” to s. 110 of that Act), 69 (except insofar as it adds “2.2” to section 116 of that Act), 92 (insofar as it adds “59.2, 59.6, 59.10” to s. 75 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2)), 99
2022, c. 11	An Act to amend the Youth Protection Act and other legislative provisions s. 60 (insofar as it enacts ss. 131.6, 131.7, 131.9-131.13 of the Youth Protection Act (chapter P-34.1))
2022, c. 13	An Act to amend the Automobile Insurance Act, the Highway Safety Code and other provisions ss. 19 (par. 2), 20 (par. 2), 26, 27 (par. 1, 2 (insofar as it concerns section 202.2.0.1 of the Highway Safety Code (chapter C-24.2))), 28, 29, 31, 61-65, 68, 76 (par. 4-8, 11, 13), 84, 115, 116 NOTE: ss. 25 and 30 come into force on the date of coming into force of ss. 34 and 50 (par. 1) of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018 chapter 19).
2022, c. 15	An Act to terminate the public health emergency while maintaining transitional measures necessary to protect the health of the population NOTE: The provisions of this Act come into force on 1 June 2022 and cease to have effect on 31 December 2022, except s. 4 (2nd par.), which cease to have effect on 1 June 2027 or on any earlier date or dates to be set by the Government.
2022, c. 16	An Act to increase the supply of primary care services and to improve the management of that supply ss. 1-9, 19, 30
2022, c. 17	An Act respecting the National Student Ombudsman ss. 16, 17, 19-51, 53 (except 1st par.), 54, 56-70, 71 (except par. 1, 3), 72-76, 78, 79 (except par. 2), 80-85, 87-91, 93-99, 101, 102
2022, c. 18	An Act mainly to promote Québec-sourced and responsible procurement by public bodies, to reinforce the integrity regime of enterprises and to increase the powers of the Autorité des marchés publics ss. 4 (insofar as it enacts s. 14.7 (3rd par.) and s. 14.9 (2nd par.) of the Act respecting contracting by public bodies (chapter C-65.1), 8 (as regards s. 22.3 (1st par. (2nd sentence)) of that Act), 111-113, 115
2022, c. 22	An Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status NOTE: ss. 1, 5, 6, 7 (par. 2), 8, 9 (par. 2), 11, 13, 34 (as regards the usual given name), 41 (insofar as it enacts s. 146 (2nd par.) of the Civil Code), 109, 132-137, 151-179, 196, 202 (insofar as it enacts Division VII.1 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4)), 203, 205, 206 (par. 2), 230-232 come into force on 8 June 2023 or an earlier date to be set by the Government. ss. 44, 93-102, 138, 139, 147, 184-188 come into force on 8 June 2024 or an earlier date to be set by the Government.

INFORMATION REQUIRED BY LAW TO BE PUBLISHED

None in 2022.

2022, chapter 31

AN ACT RESPECTING THE INTERNATIONAL AIR TRANSPORT ASSOCIATION

Bill 206

Introduced by Mr. Mathieu Lévesque, Member for Chapleau

Introduced 5 May 2022

Passed in principle 1 June 2022

Passed 1 June 2022

Assented to 2 June 2022

Coming into force: 5 May 2022

Legislation amended: None



Chapter 31

AN ACT RESPECTING THE INTERNATIONAL AIR TRANSPORT ASSOCIATION

[Assented to 2 June 2022]

AS the International Air Transport Association was incorporated by the Act to Incorporate the International Air Transport Association (Statutes of Canada, 1945, chapter 51);

AS, under section 1 of the Agreement between the Gouvernement du Québec and the International Air Transport Association relating to the privileges granted by the Gouvernement du Québec to the Association and its non-Canadian employees, signed in Montréal on 27 October 1988, the Association is recognized as an international non-governmental organization;

AS the head office of the International Air Transport Association is located in Montréal;

AS, under section 3 of the incorporating act of the International Air Transport Association, the mission of the Association is

(a) to promote safe, regular and economical air transport for the benefit of the peoples of the world, to foster air commerce and to study the problems connected therewith;

(b) to provide means for collaboration among the air transport enterprises engaged directly or indirectly in international air transport service; and

(c) to cooperate with the International Civil Aviation Organization and other international organizations;

AS the International Air Transport Association plays an important role in maintaining and developing standards for air traffic safety and efficiency;

AS there is a need to protect the integrity and security of the payment mechanisms and financial services that the International Air Transport Association provides to its members and to other participants;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite any provision to the contrary, no sum of money held by the International Air Transport Association and required to be paid to a participant in its financial services may be the subject of a seizure in the hands of a third person or of a measure having the same effect.

The first paragraph does not apply in the following cases:

(1) the Association expressly consents to the seizure in the hands of a third person or to the measure; or

(2) the sum of money is in an account held by the Association in a Québec branch of a bank, authorized trust company or financial services cooperative.

For the purposes of the first paragraph, “financial services” means all of the Association’s settlement and clearing systems, including, but not limited to, the IATA Enhancement and Financing Services, the IATA Clearing House, the Billing and Settlement Plan, the Cargo Account Settlement Systems and the IATA Currency Clearing Service.

2. This Act has effect from 5 May 2022.

2022, chapter 32
AN ACT RESPECTING VILLE DE LAVAL

Bill 203

Introduced by Mr. Christopher Skeete, Member for Sainte-Rose

Introduced 10 May 2022

Passed in principle 7 June 2022

Passed 7 June 2022

Assented to 8 June 2022

Coming into force: 8 June 2022

Legislation amended:

Cities and Towns Act (Revised Statutes, 1964, chapter 193)

Cities and Towns Act (chapter C-19)



Chapter 32

AN ACT RESPECTING VILLE DE LAVAL

[Assented to 8 June 2022]

AS Ville de Laval would like amendments to be made to certain legislative provisions specific to it that concern the city's planning by-laws, its self-insurance fund and the duties of its director general;

AS the city is requesting additional time for replacing its zoning and subdivision by-laws following the revision of its land use and development plan;

AS the city would like the replacement procedure to also apply to the adoption of a by-law on conditional uses;

AS the city wishes to pay into its self-insurance fund the amounts it considers necessary for the city to be adequately protected;

AS it is advisable that the city's director general be required, as are the directors general of other municipalities, to send, to the authorities concerned, information that could show that a wrongdoing has been committed;

AS it is appropriate to make the legislative amendments required for those purposes;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite section 110.10.1 and the second paragraph of section 264.0.9 of the Act respecting land use planning and development (chapter A-19.1), Ville de Laval may, at any time before 8 June 2023, replace its zoning and subdivision by-laws on the conditions and according to the procedure described in the second and third paragraphs of section 160 of the Act mainly to regulate building inspections and divided co-ownership, to replace the name and improve the rules of operation of the Régie du logement and to amend the Act respecting the Société d'habitation du Québec and various legislative provisions concerning municipal affairs (2019, chapter 28).

The city may also, in exercising the powers referred to in the first paragraph, adopt a by-law on conditional uses, on the same conditions and according to the same procedure.

2. Section 109 of the Cities and Towns Act (Revised Statutes, 1964, chapter 193), enacted for Ville de Laval by section 18 of the Charter of the City of Laval (1965, 1st session, chapter 89) and amended by section 5 of chapter 112 of the statutes of 1978 and section 168 of chapter 57 of the statutes of 1983, is again amended by adding the following paragraph at the end:

“(u) to send to the Commission municipale du Québec or the Public Protector, as applicable, the information brought to his attention that could show that a wrongdoing, within the meaning of section 4 of the Act to facilitate the disclosure of wrongdoings relating to public bodies (chapter D-11.1), has been or is about to be committed with regard to the city.”

3. Section 465.19 of the Cities and Towns Act (chapter C-19), enacted for Ville de Laval by section 12 of chapter 57 of the statutes of 1994, is amended by striking out “of up to ten million dollars” in the first paragraph.

4. This Act comes into force on 8 June 2022.

2022, chapter 33

AN ACT RESPECTING LA MAISON-ALCAN AND THE COMPLEXE-DE-LA-MAISON-ALCAN HERITAGE SITE

Bill 204

Introduced by Madam Jennifer Maccarone, Member for Westmount–Saint-Louis

Introduced 28 April 2022

Passed in principle 8 June 2022

Passed 8 June 2022

Assented to 9 June 2022

Coming into force: 9 June 2022

Legislation amended: None



Chapter 33

AN ACT RESPECTING LA MAISON-ALCAN AND THE COMPLEXE-DE-LA-MAISON-ALCAN HERITAGE SITE

[Assented to 9 June 2022]

AS, on 9 November 2015, the Minister of Culture and Communications, under the powers conferred on the Minister by the Cultural Heritage Act (chapter P-9.002), sent a notice of intent to proceed with the classification of La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site;

AS, on 10 November 2015, the notice of intent to classify was registered at the registry office of the registration division of Montréal under number 21 956 162;

AS section 34 of the Cultural Heritage Act provides that classification takes effect on the date the notice of intent is sent;

AS section 54 of the Cultural Heritage Act states, in particular, that no person may, without giving the Minister at least 60 days' prior written notice, sell a classified heritage immovable or an immovable situated on a classified heritage site;

AS section 57 of the Cultural Heritage Act provides that, at the expiry of the period provided for in section 54, if the Minister has not notified the intention of exercising the right of pre-emption referred to in section 56, the classified heritage property may be sold to the person interested in acquiring it at the price submitted to the Minister under section 54;

AS, on 29 June 2016, by a deed of sale under a private writing registered the same day at the registry office of the registration division of Montréal under number 22 440 084, Société en commandite Nacla acquired from Rio Tinto Alcan Inc. the lots forming part of La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site, that is, lots 1 338 859, 1 338 860, 1 338 861, 1 338 862, 1 514 587, 1 514 588, 1 514 589, 1 514 590, 1 515 236, 1 515 237, 1 515 238, 1 515 239, 1 515 240, 1 515 241, 1 515 242, 1 515 243, 1 515 244, 1 515 245, 1 515 246, 1 515 247, 1 515 248, 1 515 249, 1 515 250, 1 515 251, 1 515 252, 1 515 253, 1 515 254, 1 515 255, 1 515 256, 1 515 257, 1 515 258, 1 515 259, 1 515 260, 1 515 261, 1 515 262, 1 515 263, 1 515 264, 1 515 265 and 1 515 266 of the cadastre of Québec, registration division of Montréal, including the buildings erected on them, hereinafter called the "lots forming La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site";

AS, at the time of the sale by Rio Tinto Alcan Inc. to Société en commandite Nacla, the prior written notice provided for in section 54 of the Cultural Heritage Act had been sent to the Minister on 16 December 2015 and amended on 18 April 2016;

AS it was mentioned in the notice that the sale would be at the price of \$49,776,201, whereas the deed of sale of 29 June 2016 provides for a price of \$48,392,126;

AS, on 2 February 2016 and on 24 May 2016, Rio Tinto Alcan Inc. was notified that the Minister did not intend to exercise the Minister's right of pre-emption in the context of the sale;

AS, on 3 November 2016, the Minister of Culture and Communications, under the powers conferred on the Minister by section 32 of the Cultural Heritage Act, extended the notice of intent to classify La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site;

AS, on 23 February 2017, the Minister of Culture and Communications, under the powers conferred on the Minister by section 29 of the Cultural Heritage Act, proceeded with the classification of La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site;

AS, on 1 March 2017, the two notices of classification were registered at the registry office of the registration division of Montréal under numbers 22 926 623 and 22 926 610, respectively;

AS, on 18 February 2021, by a deed of sale received before Lorena Lopez Gonzalez, notary, and registered at the registry office of the registration division of Montréal on 19 February 2021 under number 26 076 873, Société en commandite Nacla sold the lots forming La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site to Société en commandite Neonacla;

AS, at the time of the sale on 18 February 2021, the prior written notice provided for in section 54 of the Cultural Heritage Act had been sent to the Minister on 10 December 2020;

AS it was mentioned in the notice that the person interested in the acquisition was Société en commandite Nacla II and not the acquirer Société en commandite Neonacla;

AS, on 11 January 2021, Société en commandite Nacla was notified that the Minister did not intend to exercise the Minister's right of pre-emption in the context of the sale;

AS section 194 of the Cultural Heritage Act provides that the alienation of classified heritage property in contravention of that Act is absolutely null and that the right of action to have such nullity recognized is not subject to prescription;

AS, because the prior written notices given to the Minister contained information that did not match the information in the deeds of sale registered under numbers 22 440 084 and 26 076 873, the alienations are absolutely null under section 194 of the Cultural Heritage Act;

AS it is important for the owners of the lots forming La Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site that the absolute nullity of certain alienations resulting from information that did not match the prior written notices given to the Minister be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite section 194 of the Cultural Heritage Act (chapter P-9.002), the alienations made by the deed of sale of which a copy was registered at the registry office of the registration division of Montréal on 29 June 2016 under number 22 440 084 and the deed of sale of which a copy was registered at the registry office of the registration division of Montréal on 19 February 2021 under number 26 076 873 are not absolutely null because of information that did not match the prior written notices given to the Minister under section 54 of the Cultural Heritage Act. The right of action to have the nullity of the alienations recognized are, for that reason, prescribed.

2. This Act must be registered at the registry office, in the index of immovables, under lot numbers 1 338 859, 1 338 860, 1 338 861, 1 338 862, 1 514 587, 1 514 588, 1 514 589, 1 514 590, 1 515 236, 1 515 237, 1 515 238, 1 515 239, 1 515 240, 1 515 241, 1 515 242, 1 515 243, 1 515 244, 1 515 245, 1 515 246, 1 515 247, 1 515 248, 1 515 249, 1 515 250, 1 515 251, 1 515 252, 1 515 253, 1 515 254, 1 515 255, 1 515 256, 1 515 257, 1 515 258, 1 515 259, 1 515 260, 1 515 261, 1 515 262, 1 515 263, 1 515 264, 1 515 265 and 1 515 266, all of the cadastre of Québec, registration division of Montréal.

3. This Act comes into force on 9 June 2022.

2022, chapter 34

**AN ACT RESPECTING CERTAIN ALIENATIONS INVOLVING
THE MAISON LARUE LOCATED AT 306 RUE DES ÉRABLES,
NEUVILLE**

Bill 208

Introduced by Mr. Vincent Caron, Member for Portneuf

Introduced 12 May 2022

Passed in principle 8 June 2022

Passed 8 June 2022

Assented to 9 June 2022

Coming into force: 9 June 2022

Legislation amended: None



Chapter 34

AN ACT RESPECTING CERTAIN ALIENATIONS INVOLVING THE MAISON LARUE LOCATED AT 306 RUE DES ÉRABLES, NEUVILLE

[Assented to 9 June 2022]

AS, on 8 July 1976, the Minister of Cultural Affairs of Québec, on the advice of the Commission des biens culturels and by virtue of the powers vested by the Cultural Property Act (1972, chapter 19), classified the following immovable as cultural property: “[*Translation*] a house located at number 218 rue des Érables, on land known and designated as lot thirty-three (33) of the official cadastre of Paroisse de Pointe-aux-Trembles, registration division of Portneuf”;

AS the house is now designated as “maison Larue”;

AS the entry in the register of cultural property of the maison Larue was made on 18 November 1976 under file number 111-127, a copy of which was registered at the registry office of the registration division of Portneuf in Cap-Santé on 25 November 1976 under number 225 279;

AS the civic address of the maison Larue was changed in August 1985 and is now 306 rue des Érables, Neuville;

AS the Cultural Property Act (1972, chapter 19), as it read on 31 December 1977, was repealed by the coming into force of the Cultural Property Act (chapter B-4);

AS the first paragraph of section 20 of the Cultural Property Act (chapter B-4) states that no person shall alienate recognized cultural property without giving the Minister at least 60 days’ previous written notice;

AS section 23 of the Cultural Property Act (chapter B-4) states that notice in writing of the alienation of recognized cultural property must be given to the Minister within 30 days of its occurrence;

AS section 34 of the Cultural Property Act (chapter B-4) states that sections 17 and 19 to 23 of that Act apply, adapted as required, to classified cultural property;

AS, on 17 March 1993, Alberta Jobin gave the maison Larue erected on a part of lot 33 of the official plans and books of reference of the cadastre of Paroisse de Pointe-aux-Trembles, registration division of Portneuf, to her son Jean Larue by a deed of gift published at the registry office of the registration division of Portneuf on 4 June 1993 under number 456 506;

AS, at the time of the alienation by a deed of gift published under number 456 506, the notice required under sections 20 and 23 of the Cultural Property Act (chapter B-4) was not given;

AS section 56 of the Cultural Property Act (chapter B-4) states that every alienation of cultural property made contrary to that Act is absolutely null and the right of action to have such nullity recognized is not subject to prescription;

AS, on 17 February 2010 and after the cadastral renewal, the part of lot 33 of the official plans and books of reference of the cadastre of Paroisse de Pointe-aux-Trembles where the maison Larue is erected became known and designated as lot 3 832 411 of the cadastre of Québec, registration division of Portneuf;

AS, on 19 October 2012, the Cultural Property Act (chapter B-4) was replaced by the Cultural Heritage Act (chapter P-9.002);

AS section 242 of the Cultural Heritage Act states that cultural property classified before 19 October 2012 becomes classified heritage property under that Act;

AS, on 29 March 2019, Denis Larue and Jules Larue sold the maison Larue located at 306 rue des Érables, Neuville, and erected on land known and designated as lot 3 832 411 of the cadastre of Québec, registration division of Portneuf, to Tristan Alain-Larue by a deed of sale published in the land register of the registry office of that registration division on 2 April 2019 under number 24 500 127;

AS section 54 of the Cultural Heritage Act states that no person may, without giving the Minister at least 60 days' prior written notice, sell a classified heritage immovable;

AS, at the time of the sale published under number 24 500 127, the prior written notice required under section 54 of the Cultural Heritage Act was not given;

AS section 194 of the Cultural Heritage Act provides that the alienation of classified heritage property in contravention of that Act is absolutely null and the right of action to have such nullity recognized is not subject to prescription;

AS it is important for the past and current owners of the maison Larue erected on land known and designated as lot 3 832 411 of the cadastre of Québec, registration division of Portneuf, that the absolute nullity of certain alienations resulting from failure to give the notices required under the Cultural Property Act (chapter B-4) and the Cultural Heritage Act be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite sections 56 of the Cultural Property Act (chapter B-4) and 194 of the Cultural Heritage Act (chapter P-9.002), the alienations concerning the heritage property designated as “maison Larue” made by a deed of gift published in the land register of the registry office of the registration division of Portneuf under number 456 506 and by a deed of sale published in the land register of the registry office of the registration division of Portneuf under number 24 500 127 are not absolutely null on the ground that the notices required by sections 20 and 23 of the Cultural Property Act and 54 of the Cultural Heritage Act were not given. The right of action to have the nullity of those alienations recognized is, for that reason, prescribed.
- 2.** This Act must be published in the land register of the registry office of the registration division of Portneuf and the appropriate entries registered against lot 3 832 411 of the cadastre of Québec, registration division of Portneuf.
- 3.** This Act comes into force on 9 June 2022.

2022, chapter 35
AN ACT RESPECTING VILLE DE VICTORIAVILLE

Bill 205

Introduced by Mr. Sébastien Schneeberger, Member for Drummond–Bois-Francis

Introduced 10 May 2022

Passed in principle 10 June 2022

Passed 10 June 2022

Assented to 10 June 2022

Coming into force: 10 June 2022

Legislation amended: None



Chapter 35

AN ACT RESPECTING VILLE DE VICTORIAVILLE

[Assented to 10 June 2022]

AS Ville de Victoriaville wishes to acquire an immovable under co-ownership to establish various administrative services there;

AS, for that purpose, it is in the city's interest that it be granted certain powers;

AS, furthermore, the city adopted zoning by-law 1261-2019 and subdivision by-law 1262-2019 in the context of a revision of its planning program;

AS those by-laws were adopted in accordance with the procedure set out in the Act respecting land use planning and development (chapter A-19.1) in respect of an amending by-law, although they should have been adopted in accordance with the procedure set out in that Act in respect of a replacement by-law;

AS it is necessary to validate those two by-laws;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Ville de Victoriaville is authorized to acquire the immovable consisting of lot 2 474 077 of the cadastre of Québec, registration division of Arthabaska, and the building situated on it, to establish a divided co-ownership there.
- 2.** The declaration of co-ownership must provide, in the by-laws of the immovable, that Ville de Victoriaville must be represented on the board of directors of the syndicate for as long as the city holds a fraction of the immovable described in section 1.

The director representing the city is appointed by the city council from among its members.

- 3.** Sections 477.4 to 477.6 and 572.1 to 573.4 of the Cities and Towns Act (chapter C-19) apply to the awarding of any contract by the directors or the general meeting of the co-owners of the immovable for as long as Ville de Victoriaville owns a fraction of the immovable described in section 1, to the extent that the portion of the proposed expenditures chargeable to the city, taking into account the fraction it holds, attains or exceeds the amounts specified in those sections.

For the purposes of the sections mentioned in the first paragraph, any contract referred to in that paragraph is deemed to be a contract entered into by the city.

4. Any decision made by the directors or the general meeting of the co-owners that involves an expenditure of \$25,000 or more for Ville de Victoriaville must, to be binding on the city, be approved by its council or by any officer vested with the power to authorize such an expenditure under section 477.2 of the Cities and Towns Act.

5. The city's zoning by-law 1261-2019 and subdivision by-law 1262-2019 are validated to the extent that they were adopted in accordance with the procedure set out in the Act respecting land use planning and development (chapter A-19.1) in respect of an amending by-law, although they should have been adopted in accordance with the procedure set out in that Act in respect of a replacement by-law.

6. This Act must be registered in the land register of the Land Registry Office against lot 2 474 077 of the cadastre of Québec, registration division of Arthabaska.

7. This Act comes into force on 10 June 2022.

2022, chapter 36
AN ACT RESPECTING VILLE DE TERREBONNE

Bill 207

Introduced by Mr. Mathieu Lemay, Member for Masson

Introduced 12 May 2022

Passed in principle 10 June 2022

Passed 10 June 2022

Assented to 10 June 2022

Coming into force: 10 June 2022

Legislation amended: None

Order in Council amended:

Order in Council 736-2001 (2001, G.O. 2, 3024)



Chapter 36

AN ACT RESPECTING VILLE DE TERREBONNE

[Assented to 10 June 2022]

AS Ville de Terrebonne is the tenth largest town in the province of Québec in terms of population;

AS the municipal council of Ville de Terrebonne wishes to designate one of its members to preside over the sittings of the council and thus ensure their proper conduct;

AS such a designation requires an amendment to the constituting order of the town;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Order in Council 736-2001 (2001, G.O. 2, 3024) is amended by inserting the following section after section 27:

“**27.1.** The council shall designate one of its members to preside over the sittings of the council. It shall also designate one of its members as vice-chairman to replace the chairman when the latter is absent.”

2. This Act comes into force on 10 June 2022.

2022, chapter 37
AN ACT RESPECTING VILLE DE LONGUEUIL

Bill 209

Introduced by Madam Marilyne Picard, Member for Soulanges

Introduced 12 May 2022

Passed in principle 10 June 2022

Passed 10 June 2022

Assented to 10 June 2022

Coming into force: 10 June 2022

Legislation amended:

Charter of Ville de Longueuil (chapter C-11.3)



Chapter 37

AN ACT RESPECTING VILLE DE LONGUEUIL

[Assented to 10 June 2022]

AS public participation is a democratic requirement for local democratic institutions;

AS public participation improves social cohesion, develops the public's capacities to understand the issues, improves the quality of decisions, policies and services through the contribution of diverse knowledge, and creates the conditions in which innovation can emerge;

AS there are a number of models of public participation bodies in Québec and elsewhere in the world;

AS it is appropriate to establish an independent public participation body in Longueuil and to entrust it with mandates;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Charter of Ville de Longueuil (chapter C-11.3) is amended by inserting the following division after section 54.14:

“DIVISION VII

“PUBLIC PARTICIPATION OFFICE

“**54.15.** An office to be known as the “Office de participation publique de Longueuil” (the Office) is hereby established.

“**54.16.** The council shall designate, by a decision made by two-thirds of the votes cast, a president of the Office from among the candidates having special competence as regards public consultation, and may designate commissioners. The council shall determine, in the same resolution, their remuneration and other conditions of employment.

The president shall be appointed for a five-year term. The office of president is a full-time position. At the expiry of his term, the president shall remain in office until replaced or reappointed.

The term of office of a commissioner shall be specified in the resolution appointing the commissioner and shall not exceed five years.

The term of office of the president or a commissioner may be renewed once.

“54.17. The city council may, at the request of the president of the Office and by a decision made by two-thirds of the votes cast, appoint, for the period determined in the resolution, any additional commissioner having special competence as regards public consultation and determine his remuneration and other conditions of employment.

“54.18. The members of the city council or of a borough council and the officers and employees of the city are disqualified from holding office as president or commissioner.

“54.19. The president and the commissioners are entitled to reimbursement by the Office of expenses authorized by the Office and incurred in the exercise of their functions.

“54.20. The president may retain the services of the personnel the president requires for the exercise of the functions of the Office and fix their remuneration. Employees of the Office are not city employees.

The city council may also, at the request of the president, assign any city employee it designates to the functions of the Office.

The treasurer of the city or the assistant designated by the treasurer is treasurer of the Office.

“54.21. The fiscal year of the Office coincides with the fiscal year of the city. The auditor of the city shall audit the financial statements of the Office and, within 120 days after the end of the fiscal year, make a report of his audit to the council.

“54.22. The council shall put the sums necessary for the exercise of the Office’s functions at its disposal.

“54.23. The functions of the Office shall be to

(1) propose rules to govern the public consultations carried out by the body of the city in charge of such consultations pursuant to any applicable provision so as to ensure the establishment of credible, transparent and effective consultation mechanisms;

(2) hold a public consultation on any draft by-law amending or revising the city’s planning program;

(3) hold the public consultation on the draft by-law establishing the public participation policy provided for in section 80.1 of the Act respecting land use planning and development (chapter A-19.1);

(4) hold any public participation activity in the territory of the city, at the request of the city council or the executive committee, on any project or any matter of interest designated by the council or the committee; and

(5) hold any public participation measure designated for that purpose in the public participation policy adopted under section 80.1 of the Act respecting land use planning and development.

However, subparagraph 2 of the first paragraph and sections 109.2 to 109.4 of the Act respecting land use planning and development do not apply to a draft by-law whose sole purpose is to amend the city's planning program in order to authorize the carrying out of a project referred to in subparagraph 4 of the first paragraph of section 58.2.

“54.24. The city council may, by by-law, provide that the Office is mandated to hold, at the request of a borough council, any public consultation provided for by the Act respecting land use planning and development (chapter A-19.1) and under the jurisdiction of a borough council under sections 72 and following.

Every decision under the first paragraph shall be made by a two-thirds majority of the votes cast.

“54.25. The urban agglomeration council may, by by-law, provide that the Office is mandated to hold any public consultation on any project under its jurisdiction.

The by-law provided for in the first paragraph shall be of no effect unless a by-law adopted under section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001) establishes the criteria for determining what part of the Office's expenditures is an expenditure incurred in the exercise of urban agglomeration powers.

“54.26. Where the Office holds a public consultation provided for by any Act, the Office's consultation replaces the one provided for by that Act.

“54.27. The Office shall report on its activities to the council, at the request of the council and at least once a year. On that occasion, the Office may make any recommendation to the council.

“54.28. The council may, for the benefit of the Office's president, commissioners and employees, avail itself of the provisions of section 464 of the Cities and Towns Act (chapter C-19) that concern pension plans and insurance. For that purpose, the rules applicable with regard to a mandatory body of the city apply to the Office, with the necessary modifications.”

2. Section 58.3 of the Act is amended

(1) by inserting the following paragraphs after the first paragraph:

“The draft version of a by-law referred to in the first paragraph of section 58.2 must be submitted to a public consultation conducted by the Office de participation publique de Longueuil, which for that purpose must hold public hearings and must report on the consultation in a report in which it may make recommendations.

The public consultation under the second paragraph replaces the public consultation provided for in sections 125 to 127 of the Act respecting land use planning and development. In the case of a by-law subject to approval by way of referendum, the filing with the council of the Office’s report replaces, for the purposes of section 128 of the Act respecting land use planning and development, the public meeting to be held pursuant to section 125 of that Act.”;

(2) by replacing “Sections” in the second paragraph by “The second paragraph and sections”.

3. This Act comes into force on 10 June 2022.

2022, chapter 38
**AN ACT RESPECTING MUNICIPALITÉ
DE SAINT-DAMIEN-DE-BUCKLAND**

Bill 211

Introduced by Madam Stéphanie Lachance, Member for Bellechasse

Introduced 2 June 2022

Passed in principle 10 June 2022

Passed 10 June 2022

Assented to 15 June 2022

Coming into force: 15 June 2022

Legislation amended: None



Chapter 38

AN ACT RESPECTING MUNICIPALITÉ DE SAINT-DAMIEN-DE-BUCKLAND

[Assented to 15 June 2022]

AS Municipalité de Saint-Damien-de-Buckland wishes to acquire an immovable under co-ownership to, in particular, set up cultural, community and residential facilities there in order to meet the needs of its population;

AS, for that purpose, it is in the interest of the municipality that it be granted certain powers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Municipalité de Saint-Damien-de-Buckland may acquire under divided co-ownership all or part of the immovable consisting of lots 6 388 102, 6 414 565 and 6 414 568 of the cadastre of Québec, registration division of Bellechasse, as well as all or part of the buildings and works situated on those lots, or establish one or more divided co-ownerships on those lots, buildings and works.

2. Any declaration of co-ownership must, in the by-laws of the immovable, provide for a director on the syndicate's board of directors to represent the municipality for as long as the municipality owns a fraction of the immovable described in section 1.

The director representing the municipality is appointed by the municipal council from among its members.

3. Articles 934.1 to 938.4 and 961.2 to 961.4 of the Municipal Code of Québec (chapter C-27.1) apply to the awarding of contracts by the directors or the general meeting of the co-owners of the immovable for as long as the municipality owns a fraction of the immovable described in section 1, to the extent that the portion of the proposed expenditure chargeable to the municipality, taking into account the fraction it holds, attains or exceeds the amounts specified in those articles.

For the purposes of the articles mentioned in the first paragraph, any contract referred to in that paragraph is deemed to be a contract entered into by the municipality.

- 4.** Any decision made by the directors or the general meeting of the co-owners that involves an expenditure of \$25,000 or more for the municipality must be approved by its council or by any officer who has the power to authorize such an expenditure under article 961.1 of the Municipal Code of Québec to be binding on the municipality.
- 5.** This Act must be registered in the land register of the Land Registry Office against lots 6 388 102, 6 414 565 and 6 414 568 of the cadastre of Québec, registration division of Bellechasse.
- 6.** This Act comes into force on 15 June 2022.

INDEX

“See” before a chapter number means that the entry opposite does not refer to the main subject of that chapter, but rather to an Act, regulation, order in council or ministerial order amended, replaced, repealed or enacted by that chapter.

Page numbers refer to the first page of the chapter.

Subject	Chapter	Page
2030 Plan for a Green Economy concerning zero emission vehicles—Reinforcing the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the	8	137
A		
Academic freedom in the university sector.....	21	753
Acceleration of certain infrastructure projects	See 18	585
Access to family medicine and specialized medicine services.....	See 16	545
Access to justice by broadening the range of legal services provided free of charge or at a moderate cost—Improving	26	951
Access to the educational childcare services network and complete its development—Act to amend the Educational Childcare Act to improve	9	229
Act respecting the National Assembly as the sole oath required in order to sit in the Assembly—Recognizing the oath provided in the	30	977
Act respecting the National Assembly to establish the office of Commissioner for Respect—Amending the	27	959
Act respecting the Québec correctional system to provide for the power to require that an offender be connected to a device that allows the offender’s whereabouts to be known —Amending the	4	61
Act respecting the Québec sales tax and other provisions —Taxation Act.....	23	829
Act to amend the Act respecting the conservation and development of wildlife and other legislative provisions	See 10	261
Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund	See 8	137
Act to amend various legislative provisions mainly with respect to the financial sector.....	See 19	649
Administrative justice.....	See 8	137
	See 13	393
	See 14	435
	See 18	585

Index

Subject	Chapter	Page
Administrative Labour Tribunal	See 2	9
	See 14	435
	See 20	735
Affirming the collective nature of water resources and to promote better governance of water and associated environments.....	See 8	137
Agence du revenu du Québec	See 3	21
	See 19	649
Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance —Act to ratify the	28	963
Alienations involving the maison Larue located at 306 rue des Érables, Neuville	34	1161
Amending the Act respecting the National Assembly to establish the office of Commissioner for Respect	27	959
Amending the Act respecting the Québec correctional system to provide for the power to require that an offender be connected to a device that allows the offender's whereabouts to be known	4	61
Amending the Automobile Insurance Act, the Highway Safety Code and other provisions	13	393
Anti-corruption.....	See 18	585
Appropriation Act No. 1, 2022–2023.....	5	65
Appropriation Act No. 2, 2022–2023.....	12	337
Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the	28	963
Automobile insurance	See 13	393
	See 22	759
Automobile Insurance Act, the Highway Safety Code and other provisions—Amending the	13	393
Autorité des marchés publics	See 18	585
Autorité des marchés publics—Québec-sourced and responsible procurement by public bodies, to reinforce the integrity regime of enterprises and to increase the powers of	18	585
Autorité régionale de transport métropolitain.....	See 3	21

B

Balanced budget	See 3	21
Barreau du Québec	See 26	951
Bibliothèque et Archives nationales du Québec	See 19	649
Broadening the range of legal services provided free of charge or at a moderate cost—Improving access to justice by	26	951
Budget Speech of 25 March 2021	3	21

Index

Subject	Chapter	Page
Budgetary aspects and other measures promoting work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in Parliamentary committees	28	963
Building Act	See 18	585
	See 19	649
 C 		
Caisse de dépôt et placement du Québec	See 19	649
Cannabis regulation	See 18	585
Capital régional et coopératif Desjardins	See 22	759
Centre d'acquisitions gouvernementales	See 18	585
Centre de la francophonie des Amériques	See 14	435
Charter of human rights and freedoms	See 14	435
	See 17	555
	See 22	759
Charter of the French language	See 14	435
Charter of Ville de Longueuil	See 14	435
Charter of Ville de Montréal, metropolis of Québec	See 14	435
	See 18	585
	See 25	933
Childcare services network and complete its development —Act to amend the Educational Childcare Act to improve access to the educational	9	229
Cities and towns	See 14	435
	See 18	585
	See 25	933
Civil Code in relation to personality rights and civil status —Family law reform with regard to filiation and amending	22	759
Civil Code of Québec	See 14	435
	See 22	759
	See 25	933
Civil status—Family law reform with regard to filiation and amending the Civil Code in relation to personality rights and	22	759
Clinical and research activities relating to assisted procreation ...	See 22	759
Clinical organization and management of health and social services institutions	See 16	545
Code of Civil Procedure	See 14	435
	See 22	759
Code of ethics and conduct of the Members of the National Assembly	See 28	963
Code of Penal Procedure	See 13	393
	See 22	759
Combating maltreatment of seniors and other persons of full age in vulnerable situations	See 6	109

Index

Subject	Chapter	Page
Commissioner for Respect—Amending the Act respecting the National Assembly to establish the office of	27	959
Common language of Québec—French, official and	14	435
Communauté métropolitaine de Montréal	See 18	585
Communauté métropolitaine de Québec	See 18	585
Companies	See 25	933
Complementary Agreements No. 22 and No. 27 to the James Bay and Northern Québec Agreement —Implementation.....	1	1
Complexe-de-La-Maison-Alcan heritage site, La Maison-Alcan and the	33	1155
Concept of parliamentary group, conduct of proceedings in the Assembly and in parliamentary committees, budgetary aspects and other measures promoting work-family balance —Act to ratify the Agreement relating to the	28	963
Conditions of employment and the pension plan of the Members of the National Assembly	See 28	963
Conduct of proceedings in the Assembly and in parliamentary committees, budgetary aspects and other measures promoting work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group	28	963
Conseil des arts et des lettres du Québec.....	See 19	649
Conservation and development of wildlife	See 10	261
.....	See 19	649
Conservatoire de musique et d’art dramatique du Québec.....	See 19	649
Constitution	See 14	435
Constitution Act, 1867	See 30	977
Consumer protection	See 14	435
Contracting by public bodies	See 18	585
Cooperatives.....	See 25	933
Courts of justice.....	See 11	303
.....	See 14	435
.....	See 22	759
Credit assessment agents	See 3	21
Cree Hunters and Trappers Income Security Board.....	See 1	1
Cree Nation Government	See 1	1
Cree villages and Naskapi village	See 1	1
Cree, Inuit and Naskapi Native persons.....	See 1	1

D

Dam safety	See 8	137
Dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles—Reinforcing the enforcement of environmental and	8	137
Deposit Institutions and Deposit Protection.....	See 19	649

Index

Subject	Chapter	Page
Device that allows the offender's whereabouts to be known —Amending the Act respecting the Québec correctional system to provide for the power to require that an offender be connected to a	4	61
Disclosure of wrongdoings relating to public bodies.....	See 18	585
Duties on transfers of immovables.....	See 22	759
E		
Education.....	See 17	555
	See 25	933
Education Act for Cree, Inuit and Naskapi Native Persons	See 1	1
Educational childcare.....	See 9	229
	See 22	759
Educational Childcare Act to improve access to the educational childcare services network and complete its development—Act to amend the	9	229
Educational Childcare Regulation.....	See 9	229
Educational childcare services network and complete its development—Act to amend the Educational Childcare Act to improve access to the	9	229
Elections	See 18	585
	See 22	759
Elections and referendums in municipalities.....	See 18	585
	See 22	759
Ending exploration for petroleum and underground reservoirs and production of petroleum and brine	See 10	261
Ending petroleum exploration and production and the public financing of those activities	10	261
Enforcement of environmental and dam safety legislation, ensuring the responsible management of pesticides and implementing certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles—Reinforcing the	8	137
Ensuring the protection of trainees in the workplace	2	9
Environment quality	See 1	1
	See 8	137
	See 10	261
Environmental and dam safety legislation, ensuring the responsible management of pesticides and implementing certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles—Reinforcing the enforcement of	8	137
Executive power	See 14	435

Index

Subject	Chapter	Page

F

Family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status.....	22	759
Fight against maltreatment of seniors and other persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services —Strengthening the	6	109
Filiation and amending the Civil Code in relation to personality rights and civil status—Family law reform with regard to	22	759
Financement-Québec	See 3	21
Financial administration	See 3	21
	See 14	435
	See 17	555
	See 29	969
Financial assistance for education expenses	See 22	759
Fire safety	See 19	649
Fondation, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi	See 22	759
Fonds d'aide aux actions collectives	See 19	649
Fonds de solidarité des travailleurs du Québec (F.T.Q.)	See 22	759
Fostering voting in the next general election in Québec	24	925
French, official and common language of Québec	14	435
Funeral operations	See 22	759

G

General and vocational colleges	See 14	435
General election in Québec—Fostering voting in the next	24	925
Governance of state-owned enterprises	See 19	649
Governance of state-owned enterprises and amending other legislative provisions—Reinforcing	19	649
Government and Public Employees Retirement Plan	See 14	435
	See 22	759
Government departments	See 14	435
Government tariffs—Limiting the indexation of several	29	969

H

Harmonizing and modernizing rules relating to the professional status of artists	20	735
Health insurance	See 16	545
Health of the population—Terminating the public health emergency while maintaining transitional measures necessary to protect	15	541

Index

Subject	Chapter	Page
Health services and social services	See 6	109
	See 11	303
	See 16	545
	See 22	759
Héma-Québec and the biovigilance committee	See 19	649
Highway safety	See 13	393
	See 22	759
Highway Safety Code and other provisions—Amending the Automobile Insurance Act	13	393
Housing—Amendments to various legislative provisions mainly with respect to	25	933
Hunting and fishing rights in the James Bay and New Québec territories	See 1	1
Hydro-Québec	See 19	649
I		
Implementation of Complementary Agreements No. 22 and No. 27 to the James Bay and Northern Québec Agreement	1	1
Improving access to justice by broadening the range of legal services provided free of charge or at a moderate cost	26	951
Improving the performance of the Société de l'assurance automobile du Québec, better regulating the digital economy as regards e-commerce, remunerated passenger transportation and tourist accommodation and amending various legislative provisions	See 13	393
Increase the supply of primary care services and to improve the management of that supply—Act to	16	545
Increasing the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions	See 8	137
Indexation of several government tariffs—Limiting the	29	969
Individual and family assistance	See 22	759
Industrial accidents and occupational diseases	See 22	759
Institut de la statistique du Québec	See 14	435
	See 19	649
Institut de technologie agroalimentaire du Québec	See 19	649
Institut de tourisme et d'hôtellerie du Québec	See 19	649
Institut national d'excellence en santé et en services sociaux	See 19	649
Institut national de santé publique du Québec	See 19	649
Insurers	See 26	951
Integrity regime of enterprises and increasing the powers of the Autorité des marchés publics—Québec-sourced and responsible procurement by public bodies, reinforcing the	18	585
International Air Transport Association	31	1147
International financial centres	See 23	829
Interpretation	See 14	435
	See 22	759

Index

Subject	Chapter	Page
Investissement Québec	See 10	261
	See 19	649

J

James Bay and Northern Québec Agreement—Implementation of Complementary Agreements No. 22 and No. 27 to the	1	1
Justice by broadening the range of legal services provided free of charge or at a moderate cost—Improving access to.....	26	951

L

La Financière agricole du Québec	See 19	649
Labour relations, vocational training and workforce management in the construction industry	See 18	585
	See 19	649
	See 20	735
Labour standards.....	See 2	9
	See 17	555
	See 22	759
Land regime in the James Bay and New Québec territories.....	See 1	1
	See 10	261
Land use planning and development	See 8	137
	See 10	261
Laval, Ville de	32	1151
Legal aid and the provision of certain other legal services	See 22	759
Legal publicity of enterprises.....	See 14	435
Legal services provided free of charge or at a moderate cost —Improving access to justice by broadening the range of.....	26	951
Limiting oil and gas activities.....	See 10	261
Limiting the indexation of several government tariffs	29	969
Longueuil, Ville de.....	37	1175

M

Maintaining transitional measures necessary to protect the health of the population—Terminating the public health emergency while.....	15	541
Maison Larue located at 306 rue des Érables, Neuville —Alienations involving the	34	1161
Maison-Alcan and the Complexe-de-La-Maison-Alcan heritage site	33	1155
Maltreatment of seniors and other persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services —Strengthening the fight against	6	109
Measures enabling the enforcement of environmental and dam safety legislation.....	See 8	137

Index

Subject	Chapter	Page
Measures promoting work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in Parliamentary committees, to budgetary aspects and to other	28	963
Medical Act.....	See 16	545
Mental Health—National Day for the Promotion of Positive	7	133
Mining	See 8	137
Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail.....	See 22	759
Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.....	See 14	435
	See 19	649
Ministère de l'Immigration, de la Diversité et de l'Inclusion	See 14	435
Ministère de la Culture et des Communications	See 3	21
Ministère de la Famille, des Aînés et de la Condition féminine	See 22	759
Ministère de la Santé et des Services sociaux.....	See 11	303
Ministère des Affaires municipales, des Régions et de l'Occupation du territoire	See 25	933
Ministère des Finances	See 19	649
Ministère des Ressources naturelles et de la Faune	See 10	261
Ministère des Transports	See 13	393
Ministère du Développement durable, de l'Environnement et des Parcs.....	See 8	137
Mixed enterprise companies in the municipal sector.....	See 18	585
Modifying the organization and governance of the health and social services network, in particular by abolishing the regional agencies.....	See 11	303
Money-services businesses	See 3	21
Montréal Museum of Fine Arts.....	See 3	21
Municipal Code of Québec	See 18	585
	See 25	933
Municipal ethics and good conduct	See 18	585
Municipal powers	See 8	137
	See 20	735
Municipal taxation	See 3	21
Municipal territorial organization	See 14	435
Municipalité de Saint-Damien-de-Buckland	38	1181

N

National Assembly.....	See 27	959
	See 28	963
National Assembly as the sole oath required in order to sit in the Assembly—Recognizing the oath provided in the Act respecting the	30	977
National Assembly to establish the office of Commissioner for Respect—Amending the Act respecting the	27	959
National capital commission	See 19	649

Index

Subject	Chapter	Page
National Day for the Promotion of Positive Mental Health	7	133
National museums	See 19	649
National Student Ombudsman	17	555
Natural heritage conservation	See 8	137
	See 10	261
Notaries	See 26	951

O

Oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly —Recognizing the	30	977
Oath required in order to sit in the Assembly—Recognizing the oath provided in the Act respecting the National Assembly as the sole	30	977
Occupational health and safety	See 14	435
	See 19	649
Offences relating to alcoholic beverages	See 22	759
Off-highway vehicles	See 13	393
Office of Commissioner for Respect—Amending the Act respecting the National Assembly to establish the	27	959
Office Québec-Monde pour la jeunesse	See 19	649
Official and common language of Québec—French	14	435
Ombudsman, National Student	17	555
Organization and governance of the health and social services network, abolishing regional agencies	See 6	109
Owners, operators and drivers of heavy vehicles	See 13	393

P

Parental insurance	See 19	649
	See 22	759
Parliamentary committees, budgetary aspects and other measures promoting work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in	28	963
Parliamentary group, conduct of proceedings in the Assembly and in parliamentary committees, budgetary aspects and other measures promoting work-family balance—Act to ratify the Agreement relating to the concept of	28	963
Pension Plan of Management Personnel	See 14	435
	See 22	759
Pension Plan of Peace Officers in Correctional Services	See 22	759
Personality rights and civil status—Family law reform with regard to filiation and amending the Civil Code in relation to	22	759

Index

Subject	Chapter	Page
Persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services—Strengthening the fight against maltreatment of seniors and other	6	109
Pesticides	See 8	137
Pesticides and implementing certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles—Reinforcing the enforcement of environmental and dam safety legislation, ensuring the responsible management of	8	137
Petroleum exploration and production and the public financing of those activities—Ending.....	10	261
Petroleum resources	See 8	137
	See 10	261
Police	See 19	649
Positive Mental Health—National Day for the Promotion of.....	7	133
Power to require that an offender be connected to a device that allows the offender’s whereabouts to be known—Amending the Act respecting the Québec correctional system to provide for the.....	4	61
Powers of the Autorité des marchés publics—Québec-sourced and responsible procurement by public bodies, to reinforce the integrity regime of enterprises and to increase the	18	585
Pre-hospital emergency services	See 6	109
	See 19	649
Prescription drug insurance	See 22	759
Primary care services and to improve the management of that supply—Act to increase the supply of	16	545
Private education	See 17	555
Proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of	28	963
Procurement by public bodies, reinforcing the integrity regime of enterprises and increasing the powers of the Autorité des marchés publics—Québec-sourced and responsible	18	585
Professional Code.....	See 14	435
Professional status and conditions of engagement of performing, recording and film artists.....	See 20	735
Professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters	See 20	735
Professional status of artists—Harmonizing and modernizing rules relating to	20	735
Promotion of Positive Mental Health—National Day for the	7	133
Protection of trainees in the workplace	See 17	555
Protection of trainees in the workplace—Ensuring the	2	9

Index

Subject	Chapter	Page
Public bodies, reinforcing the integrity regime of enterprises and increasing the powers of the Autorité des marchés publics—Québec-sourced and responsible procurement by	18	585
Public financing of those activities—Ending petroleum exploration and production and the	10	261
Public health emergency while maintaining transitional measures necessary to protect the health of the population —Terminating the	15	541
Public infrastructure.....	See 19	649
Public transit authorities.....	See 18	585
	See 25	933

Q

Québec correctional system.....	See 4	61
	See 22	759
Québec Pension Plan	See 3	21
	See 22	759
	See 23	829
Québec sales tax.....	See 23	829
Québec sales tax and other provisions—Taxation Act, Act respecting the	23	829
Québec-sourced and responsible procurement by public bodies, reinforcing the integrity regime of enterprises and increasing the powers of the Autorité des marchés publics	18	585

R

Recognizing the oath provided in the Act respecting the National Assembly as the sole oath required in order to sit in the Assembly	30	977
Reduced Contribution Regulation	See 9	229
Régie de l'assurance maladie du Québec.....	See 16	545
	See 19	649
	See 23	829
Registry offices	See 29	969
Regulation defining what constitutes a school zone for the purpose of using a photo radar device or a red light camera system	See 13	393
Regulation of the Autorité des marchés publics under an Act respecting contracting by public bodies.....	See 18	585
Regulation of the financial sector	See 19	649
Regulation respecting applications for assistance for a class action	See 19	649
Regulation respecting benefits	See 3	21
Regulation respecting catastrophic injuries or sequelae	See 13	393
Regulation respecting certain service contracts of public bodies	See 18	585

Index

Subject	Chapter	Page
Regulation respecting certain supply contracts of public bodies	See 18	585
Regulation respecting change of name and of other particulars of civil status.....	See 22	759
Regulation respecting computation of the income replacement indemnity paid under the second and third paragraphs of section 40 of the Automobile Insurance Act	See 13	393
Regulation respecting construction contracts of public bodies	See 18	585
Regulation respecting contracting by public bodies in the field of information technologies	See 18	585
Regulation respecting road vehicle registration	See 13	393
Regulation respecting the application of the Act respecting private education	See 17	555
Regulation respecting the application of the Unclaimed Property Act	See 3	21
Regulation respecting the conditions and procedures for the use of photo radar devices and red light camera systems.....	See 13	393
Regulation respecting the contribution of motorists to public transit	See 13	393
Regulation respecting the environmental impact assessment and review of certain projects.....	See 10	261
Regulation respecting the exemption from the application of the first paragraph of section 72 of the Charter of the French language that may be granted to children staying in Québec temporarily	See 14	435
Regulation respecting the Québec sales tax	See 23	829
Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact.....	See 8	137
	See 10	261
Regulation respecting the reimbursement of certain expenses.....	See 13	393
Regulation respecting the reimbursement of property taxes of certified forest producers.....	See 3	21
Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace.....	See 14	435
Regulation respecting the Taxation Act.....	See 23	829
Regulation respecting towing and impounding charges for seized road vehicles	See 13	393
Regulation respecting wildlife habitats	See 10	261
Regulation to govern the establishment of school zones and define the school period	See 13	393
Reinforcing governance of state-owned enterprises and amending other legislative provisions	19	649

Index

Subject	Chapter	Page
Reinforcing the enforcement of environmental and dam safety legislation, ensuring the responsible management of pesticides and implementing certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles	8	137
Remittance of deposits of money to account co-holders who are spouses or former spouses	See 22	759
Réseau de transport métropolitain	See 3	21
Responsible management of pesticides and implementing certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles—Reinforcing the enforcement of environmental and dam safety legislation, ensuring the	8	137
Retraite Québec.....	See 19	649
Rules relating to the professional status of artists —Harmonizing and modernizing.....	20	735
S		
Saint-Damien-de-Buckland, Municipalité de	38	1181
School elections to elect certain members of the boards of directors of English-language school service centres	See 18	585
	See 22	759
Sectoral parameters of certain fiscal measures.....	See 23	829
Seniors and other persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services—Strengthening the fight against maltreatment of	6	109
Société d'habitation du Québec.....	See 19	649
	See 25	933
Société de développement des entreprises culturelles	See 19	649
Société de développement et de mise en valeur du Parc olympique.....	See 19	649
Société de financement des infrastructures locales du Québec.....	See 19	649
Société de l'assurance automobile du Québec.....	See 19	649
Société de la Place des Arts de Montréal.....	See 19	649
Société de télédiffusion du Québec.....	See 19	649
Société des alcools du Québec.....	See 3	21
	See 19	649
Société des établissements de plein air du Québec.....	See 19	649
Société des loteries du Québec.....	See 3	21
	See 19	649
Société des Traversiers du Québec.....	See 19	649
Société du Centre des congrès de Québec	See 19	649
Société du Grand Théâtre de Québec.....	See 19	649
Société du Palais des congrès de Montréal.....	See 19	649
Société du parc industriel et portuaire de Bécancour.....	See 19	649

Index

Subject	Chapter	Page
Société du Plan Nord.....	See 19	649
Société québécoise d'information juridique	See 19	649
Société québécoise de récupération et de recyclage	See 19	649
State-owned enterprises and amending other legislative provisions—Reinforcing governance of	19	649
Strengthening the fight against maltreatment of seniors and other persons of full age in vulnerable situations as well as the monitoring of the quality of health services and social services	6	109
Student Ombudsman, National	17	555
Supply of primary care services and to improve the management of that supply—Act to increase the	16	545
Sustainable forest development	See 3	21

T

Tariff of duties respecting the acts of civil status and change of name or of designation of sex	See 22	759
Tariffs—Limiting the indexation of several government	29	969
Tax administration	See 3	21
	See 10	261
	See 14	435
	See 18	585
	See 19	649
	See 23	829
Taxation	See 20	735
	See 23	829
Taxation Act, the Act respecting the Québec sales tax and other provisions	23	829
Terminating the public health emergency while maintaining transitional measures necessary to protect the health of the population	15	541
Terms and conditions for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs	See 8	137
Terrebonne, Ville de	36	1171
Threatened or vulnerable species	See 8	137
Trainees in the workplace—Ensuring the protection of	2	9
Transport	See 13	393
Tree protection	See 8	137

U

Unclaimed property	See 3	21
	See 23	829
University sector—Academic freedom in	21	753

Index

Subject	Chapter	Page

V

Victoriaville, Ville de	35	1167
Ville de Laval	32	1151
Ville de Longueuil.....	37	1175
Ville de Terrebonne	36	1171
Ville de Victoriaville	35	1167
Voting in the next general election in Québec—Fostering.....	24	925

W

Water Withdrawal and Protection Regulation	See 10	261
Watercourses	See 8	137
Work-family balance—Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in Parliamentary committees, to budgetary aspects and to other measures promoting	28	963

Y

Youth protection.....	11	303
	See 22	759
	See 26	951