



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 35
(2020, chapter 17)

**An Act to modernize certain rules
relating to land registration and to
facilitate the dissemination of
geospatial information**

**Introduced 19 September 2019
Passed in principle 22 September 2020
Passed 7 October 2020
Assented to 8 October 2020**

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EXPLANATORY NOTES

This Act introduces various measures to phase in a requirement that applications for registration in the land register be filed by a technological means.

The registry offices established in the different registration divisions are replaced by the Land Registry Office.

Measures are also introduced to limit the presence, in the land register, of certain personal information and of particulars relating to physical or psychological impairments. The Land Registrar must, on request, redact such information appearing in documents already published.

Lastly, amendments are also proposed to facilitate the dissemination of geospatial information.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec;
- Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- Act respecting the acquisition of farm land by non-residents (chapter A-4.1);
- Land Surveyors Act (chapter A-23);
- Building Act (chapter B-1.1);
- Unclaimed Property Act (chapter B-5.1);
- Act respecting registry offices (chapter B-9);
- Cadastre Act (chapter C-1);
- Charter of Ville de Longueuil (chapter C-11.3);
- Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);

- Charter of Ville de Québec, national capital of Québec (chapter C-11.5);
- Cities and Towns Act (chapter C-19);
- Code of Civil Procedure (chapter C-25.01);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Commission municipale (chapter C-35);
- Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- Natural Heritage Conservation Act (chapter C-61.01);
- Act respecting the conservation and development of wildlife (chapter C-61.1);
- Cooperatives Act (chapter C-67.2);
- Religious Corporations Act (chapter C-71);
- Public Curator Act (chapter C-81);
- Territorial Division Act (chapter D-11);
- Act respecting duties on transfers of immovables (chapter D-15.1);
- Land Transfer Duties Act (chapter D-17);
- Act respecting threatened or vulnerable species (chapter E-12.01);
- Expropriation Act (chapter E-24);
- Act respecting municipal taxation (chapter F-2.1);
- Public Infrastructure Act (chapter I-8.3);
- Education Act (chapter I-13.3);
- Disorderly Houses Act (chapter M-2);

- Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2);
- Act respecting the Ministère des Transports (chapter M-28);
- Pesticides Act (chapter P-9.3);
- Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- Act to promote the reform of the cadastre in Québec (chapter R-3.1);
- Act respecting the Régie des installations olympiques (chapter R-7);
- Watercourses Act (chapter R-13);
- Act respecting property tax refund (chapter R-20.1);
- Act respecting the Société d’habitation du Québec (chapter S-8);
- Act respecting the Société des établissements de plein air du Québec (chapter S-13.01);
- Act respecting public transit authorities (chapter S-30.01);
- Act respecting agricultural lands in the domain of the State (chapter T-7.1);
- Act respecting the lands in the domain of the State (chapter T-8.1);
- Act respecting land titles in certain electoral districts (chapter T-11);
- Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting land registration (chapter CCQ, r. 6);
- Regulation respecting standards of practice for location certificates (chapter A-23, r. 10);
- Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11);

- Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1);
- Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles et de la Faune (chapter M-25.2, r. 1);
- Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- Regulation respecting the alienation of agricultural lands in the domain of the State to certain occupants (chapter T-7.1, r. 1);
- Regulation respecting the alienation and leasing of agricultural lands in the domain of the State (chapter T-7.1, r. 2);
- Regulation respecting public blueberry fields (chapter T-7.1, r. 3).

Bill 35

AN ACT TO MODERNIZE CERTAIN RULES RELATING TO LAND REGISTRATION AND TO FACILITATE THE DISSEMINATION OF GEOSPATIAL INFORMATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE OF QUÉBEC

1. Article 2654 of the Civil Code of Québec is amended by replacing “registry office” in the first paragraph by “Personal and Movable Real Rights Registry Office”.

2. Article 2730 of the Code is amended

(1) by replacing the last sentence of the second paragraph by the following sentence: “The notice must be served on the debtor.”;

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

“The notice must be filed with a copy of the judgment, unless the purpose of the notice is to acquire a legal hypothec on immovable property following a judgment rendered in a family matter. In that case, the notice must instead reproduce the pertinent extract from the operative part of the judgment and, as the case may be, the pertinent extract from the agreement or draft agreement to which the operative part refers. In addition, the accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

3. Article 2971 of the Code is amended by replacing “in registry offices” by “by the registrars”.

4. Article 2971.1 of the Code is amended by replacing “in registry offices” by “by the registrars”.

5. Article 2978 of the Code is amended

(1) by replacing “registrar” in the first paragraph by “Land Registrar”;

(2) by striking out “de la publicité” in the third paragraph in the French text.

6. Article 2982 of the Code is amended

(1) by replacing “or, if the application is presented in paper form, at the registry office established for the registration division in which the immovable is situated” in the first paragraph by “on a technological medium”;

(2) in the third paragraph,

(a) by replacing “données relatives” in the French text by “renseignements relatifs”;

(b) by replacing “inscrites” in the French text by “inscrits”;

(c) by striking out the last sentence.

7. Article 2982.1 of the Code is replaced by the following article:

“2982.1. An application for registration in the land register made by presenting a document resulting from a transfer of information to a technological medium may not be accepted by the registrar unless the signature of the notary, advocate, land surveyor or bailiff who made the transfer is affixed in accordance with the regulations made under this Book.

Documentation attesting that the transfer was made in accordance with section 17 of the Act to establish a legal framework for information technology (chapter C-1.1) must be attached to the application for registration.”

8. Article 2995 of the Code is amended by inserting “notices required for the registration of a right, for the cancellation or reduction of an entry resulting from a judgment in a family matter or for the cancellation of a declaration of family residence,” after “movable hypothec,” in the second paragraph.

9. Article 2999 of the Code is amended by striking out “of birth and” in the first paragraph.

10. The Code is amended by inserting the following article after article 2999.1:

“2999.1.1. For land registration purposes, the registration of rights resulting from a judgment in a family matter is obtained by filing a notice with the Land Registrar.

The notice must indicate the right whose registration is required and contain the description of the immovable, the pertinent extract from the operative part of the judgment and, as the case may be, the pertinent extract from the agreement or draft agreement to which the operative part refers.

The accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

11. Article 3005 of the Code is amended by striking out “, and the date and place of birth of the persons named in the act,” in the second paragraph.

12. Article 3006.1 of the Code is amended, in the first paragraph,

(1) by replacing “For purposes of land registration, the registrar” by “The Land Registrar”;

(2) by striking out the last sentence.

13. The Code is amended by inserting the following article after article 3010:

“3010.1. In an application or its accompanying documents and on the written request of any person named in them or of his successors, the Land Registrar redacts that person’s name, the name of any other person and any particular relating to a physical or psychological impairment of those persons.

However, the name of a creditor, debtor or other holder of a right that is the subject of the application or any other particular required for publication purposes may not be redacted.”

14. Article 3011 of the Code is amended by replacing “in the Land Registry Office” by “by the Land Registrar”.

15. Article 3012 of the Code is amended by replacing the second and third paragraphs by the following paragraphs:

“Applications received in bulk are deemed presented simultaneously; however, they bear the date, hour and minute of receipt of the last application so received. If several applications are delivered to the Personal and Movable Real Rights Registry Office by the same mail delivery or are presented by the same bearer, they are also deemed presented simultaneously.

Applications delivered to the registry office outside the hours for presenting documents or when the office is closed are deemed presented at the time the office’s activities resume.”

16. Article 3019 of the Code is amended

(1) by replacing “a land registrar” in the first paragraph by “the Land Registrar”;

(2) by replacing “documents kept at the registry offices” in the second paragraph by “the documents kept by him for publication purposes”.

17. Article 3021 of the Code is amended, in the first paragraph,

(1) in subparagraph 1,

(a) by striking out “at the registry offices,”;

(b) by inserting “and required” after “transmitted to them”;

(2) by replacing “safe place other than the registry offices” and “a computer system” in subparagraph 4 by “separate safe place” and “a technological medium”, respectively.

18. Article 3021.1 of the Code is amended

(1) by striking out “in the registry offices or in any other place,”;

(2) by replacing “converted to electronic form” by “reproduced on a technological medium”.

19. Article 3025 of the Code is replaced by the following article:

“3025. Where required by the circumstances, the Land Registrar may change the business hours of the registry office or close the registry office temporarily.”

20. Article 3027 of the Code is amended by striking out the third paragraph.

21. Article 3045 of the Code is amended

(1) by replacing “registrar” in the first paragraph by “Land Registrar”;

(2) in the second paragraph,

(a) by replacing “what is shown” by “the information”;

(b) by replacing “the registrar” by “the Registrar”.

22. Articles 3055 and 3056 of the Code are repealed.

23. Article 3062 of the Code is amended by replacing the second paragraph by the following paragraph:

“Except where the spouses consent to the cancellation and where the application is based on a judgment, the application shall be accompanied, as the case may be, by a death certificate and a certified declaration of the liquidation of the succession or a copy of the joint notarial declaration of dissolution. An application that is based on a judgment is made by presenting a notice reproducing the pertinent extract from the operative part of the

judgment. The accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

24. Article 3072 of the Code is amended by replacing “a registration” by “an entry”.

25. Article 3073 of the Code is amended

(1) by replacing “a registration” in the first paragraph by “an entry”;

(2) by replacing “correction, reduction or cancellation of a registration” in the second paragraph by “cancellation of a registration or correction or reduction of an entry”.

26. The Code is amended by inserting the following article after article 3073:

“3073.1. For land registration purposes, an application based on a judgment in a family matter that orders the cancellation of a published right or the reduction of an entry is made by filing a notice with the Land Registrar.

The notice must contain the pertinent extract from the operative part of the judgment and, as the case may be, the pertinent extract from the agreement or draft agreement to which the operative part refers.

The accuracy of the content of the notice must be certified by a notary or an advocate. If the notice is notarial, the mere signature of the notary is sufficient certification.”

27. The Code is amended

(1) by replacing “registry office” by “Land Registry Office” in the following provisions:

(a) the second paragraph of article 1006;

(b) the first paragraph of article 1060;

(c) the second paragraph of article 1725;

(d) the second paragraph of article 2885;

(e) the first paragraph of article 2997;

(f) article 3029;

(2) by replacing “registrar” by “Land Registrar” in the following provisions:

(a) the first paragraph of article 2934.1;

(b) the first paragraph of article 3061;

(c) the first paragraph of article 3071;

(3) by replacing “a land registrar” by “the Land Registrar” in the following provisions:

(a) the second paragraph of article 3018;

(b) the first paragraph of article 3075.1.

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

28. Section 2 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) is amended by replacing “in registry offices” in paragraph 2 by “by the registrars”.

LAND SURVEYORS ACT

29. Section 62 of the Land Surveyors Act (chapter A-23) is amended by replacing “a registry office” in the first paragraph by “the Land Registry Office”.

BUILDING ACT

30. Section 126 of the Building Act (chapter B-1.1) is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office”;

(2) by replacing “registrar” in the second paragraph by “Land Registrar”.

ACT RESPECTING REGISTRY OFFICES

31. Section 1 of the Act respecting registry offices (chapter B-9) is amended, in the first paragraph,

(1) by striking out “and the registry offices established for the registration divisions in Québec”;

(2) by replacing “those registry offices” by “that registry office”.

32. Section 1.1 of the Act is amended by striking out “and the registry offices established for the registration divisions in Québec” in the first paragraph.

33. Section 2 of the Act is amended

(1) by striking out the last sentence of the first paragraph;

(2) by replacing “as the Registrar and act under the authority of the Registrar” in the second paragraph by “as the registrar concerned and act under the authority of that registrar”;

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

“The Minister may, in writing, delegate the power to appoint deputy registrars to the Registrar or to any public servant under the latter’s supervision.”

34. Section 7 of the Act is amended

(1) by replacing “a public servant designated” in the first paragraph by “a person designated”;

(2) in the third paragraph,

(a) by replacing “of registry offices” by “of the registry office”;

(b) by replacing “The public servant designated” by “The person designated”.

35. Section 10 of the Act is amended by replacing paragraphs 2 and 3 by the following paragraphs:

“(2) for consultations in connection with such immovable hypothecs at the Land Registry Office or for consultations in connection with such movable hypothecs made in person at the Personal and Movable Real Rights Registry Office;

“(3) for the issue by the registrar of certified statements, of extracts or of copies of applications for registration that relate to such hypothecs.”

36. Section 11 of the Act is amended by striking out “in which registry offices are established”.

37. Sections 1 to 4 of Schedule I to the Act are replaced by the following sections:

“**1.** The fee for filing an application for the registration of rights is \$70.

“**2.** Despite section 1, the fee for filing an application for the registration of rights that is in the form of a summary is \$70 per summarized document.

“**3.** The fee for filing an application for the cancellation of a registration or reduction of an entry—including the cancellation or reduction of the rights set out in the corresponding initial application for registration—is \$87, plus \$53 for every additional application.

“**4.** The fee for filing a prior notice of sale for non-payment of property taxes is \$69, plus \$10 per lot or part of a lot.”

38. Section 5 of Schedule I to the Act is amended by replacing “for the filing of” in the first paragraph by “for filing”.

39. Section 6 of Schedule I to the Act is amended

(1) by replacing “or reduction of the registration of a notice of address” in paragraph 1 by “of the registration of a notice of address or reduction of an entry”;

(2) by replacing all occurrences of “immovable taxes” by “property taxes”.

40. Section 9 of Schedule I to the Act is amended by replacing “at the registry office for a registration division, under section 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42),” in the second paragraph by “under section 114 of the Act to modernize certain rules relating to land registration and to facilitate the dissemination of geospatial information (2020, chapter 17)”.

41. Section 11 of Schedule I to the Act is repealed.

42. Sections 14 and 15 of Schedule I to the Act are replaced by the following sections:

“**14.** No fee is payable for consulting registers, plans and other documents at the Land Registry Office for the purpose of preparing cadastres under the Act to promote the reform of the cadastre in Québec (chapter R-3.1) or the Act respecting land titles in certain electoral districts (chapter T-11).”

“**15.** The fee for consulting registers, plans and other documents kept on a technological medium is \$1 per lot, document, name, registration division or other keyword search, according to the document or register consulted.”

43. Section 16 of Schedule I to the Act is repealed.

44. The Act is amended by replacing “registrar” by “Land Registrar” in the following provisions:

(1) the first paragraph of section 12;

(2) the first paragraph of section 12.2, wherever it appears;

(3) the second paragraph of section 13.

CADASTRE ACT

45. Section 4.4 of the Cadastre Act (chapter C-1) is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office,”;

(2) by replacing “registrar” in the second paragraph by “Land Registrar”.

46. Section 5 of the Act is amended by replacing “Every registrar” by “The Land Registrar”.

47. Section 19 of the Act is amended by replacing “registrar” in the second paragraph by “Land Registrar”.

48. The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the first paragraph of section 4.5;
- (2) the introductory clause of section 4.6;
- (3) section 6, wherever it appears;
- (4) section 21.6.

CHARTER OF VILLE DE LONGUEUIL

49. Section 35 of Schedule C to the Charter of Ville de Longueuil (chapter C-11.3) is amended by replacing “registry office of the land division where the land concerned in located” in subparagraph 2 of the third paragraph by “Land Registry Office”.

50. Section 36 of Schedule C to the Charter is amended by replacing “record that plan by filing two copies with the registry office and the registrar” in the third paragraph by “file that plan with the Land Registry Office and the Land Registrar”.

51. Section 37 of Schedule C to the Charter is amended by replacing “registry office” by “Land Registry Office”.

52. Section 41 of Schedule C to the Charter is amended by replacing “registrar” in the last paragraph by “Land Registrar”.

CHARTER OF VILLE DE MONTRÉAL, METROPOLIS OF QUÉBEC

53. Section 143 of Schedule C to the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4) is amended by replacing “register that plan by filing two copies with the registry office of the registration division of the immovable affected and the registrar” in the second paragraph by “file that plan with the Land Registry Office and the Land Registrar”.

54. Section 241 of Schedule C to the Charter is amended by replacing “registry office” in the second and third paragraphs by “Land Registry Office”.

55. Schedule C to the Charter is amended by replacing “registrar” by “Land Registrar” in the following provisions:

- (1) the second paragraph of section 89;
- (2) the first paragraph of section 150;
- (3) section 182;
- (4) the third paragraph of section 190;
- (5) the second paragraph of section 192;
- (6) the second paragraph of section 193.

CHARTER OF VILLE DE QUÉBEC, NATIONAL CAPITAL OF QUÉBEC

56. Section 56 of Schedule C to the Charter of Ville de Québec, national capital of Québec (chapter C-11.5) is amended by replacing “registry office. The registrar” in the third paragraph of subsection 2 by “Land Registry Office. The Land Registrar”.

57. Section 91 of Schedule C to the Charter is amended by replacing all occurrences of “registry office” and “registrar” by “Land Registry Office” and “Land Registrar”, respectively.

58. Section 95 of Schedule C to the Charter is amended by replacing “registry office” in the second paragraph by “Land Registry Office”.

59. Section 176 of Schedule C to the Charter is amended, in the second paragraph,

(1) by replacing “officier de la publicité des droits” in the French text by “Officier de la publicité foncière”;

(2) by replacing “registrar of real rights” by “Land Registrar”.

CITIES AND TOWNS ACT

60. Section 514 of the Cities and Towns Act (chapter C-19) is amended

(1) by striking out both occurrences of “by registered mail”;

(2) by replacing all occurrences of “registrar” by “Land Registrar”.

61. Section 523 of the Act is amended

(1) by replacing both occurrences of “registrar” in the second paragraph by “Land Registrar”;

(2) by replacing “registry office” in the fourth paragraph by “Land Registry Office”.

CODE OF CIVIL PROCEDURE

62. Article 15 of the Code of Civil Procedure (chapter C-25.01) is amended by adding the following sentence at the end of the second paragraph: “However, the information necessary to ensure the publication of rights resulting from such judgments may be published in the land register or in the register of personal and movable real rights in accordance with the rules of the Civil Code.”

63. Article 139 of the Code is amended by replacing “land registrar, the personal and movable real rights registrar” in the third paragraph by “Land Registrar, the Personal and Movable Real Rights Registrar”.

64. Article 410 of the Code is amended

(1) by replacing both occurrences of “land registrar” by “Land Registrar”;

(2) by replacing “notifying” in the second paragraph by “presenting”.

65. Article 468 of the Code is amended by replacing “registrar” in the first paragraph by “Land Registrar”.

66. Article 705 of the Code is amended, in the second paragraph,

(1) by replacing “registrar” by “Land Registrar”;

(2) by replacing “on receiving notification” by “on presentation”.

MUNICIPAL CODE OF QUÉBEC

67. Article 1027 of the Municipal Code of Québec (chapter C-27.1) is amended

(1) by striking out both occurrences of “by registered mail”;

(2) by replacing all occurrences of “registrar” by “Land Registrar”.

68. Article 1032 of the Code is amended

(1) by replacing both occurrences of “registrar” in the third paragraph by “Land Registrar”;

(2) by replacing “registry office” in the fifth paragraph by “Land Registry Office”.

ACT RESPECTING THE COMMISSION MUNICIPALE

69. Section 61 of the Act respecting the Commission municipale (chapter C-35) is amended by replacing “registry office” and “registrar’s” in the second paragraph by “Land Registry Office” and “Land Registrar’s”, respectively.

70. Section 64 of the Act is amended

- (1) by striking out “, by registered mail,” in the second paragraph;
- (2) by replacing all occurrences of “registrar” by “Land Registrar”.

71. Section 72 of the Act is amended by replacing “registrar, by registered mail,” by “Land Registrar”.

ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

72. Section 128.5 of the Act respecting the conservation and development of wildlife (chapter C-61.1) is amended by replacing “registry office of the registration division of the territory included on the chart” in paragraph 4 by “Land Registry Office”.

73. The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the fourth paragraph of section 104;
- (2) the third paragraph of section 111;
- (3) the third paragraph of section 122;
- (4) the second paragraph of section 171.3.

TERRITORIAL DIVISION ACT

74. Section 11 of the Territorial Division Act (chapter D-11) is amended by striking out any reference to an office.

ACT RESPECTING DUTIES ON TRANSFERS OF IMMOVABLES

75. Section 9 of the Act respecting duties on transfers of immovables (chapter D-15.1) is amended by inserting “and may, in the case of anonymized land registration information, be disseminated by the minister responsible for natural resources” at the end of the third paragraph.

76. The Act is amended by replacing “registrar” by “Land Registrar” in the following provisions:

- (1) the first and second paragraphs of section 9.2;
- (2) the first and third paragraphs of section 10, wherever it appears;
- (3) paragraph *a* of section 23.

LAND TRANSFER DUTIES ACT

77. Section 10 of the Land Transfer Duties Act (chapter D-17) is amended

- (1) by replacing “registrar” in the first paragraph by “Land Registrar”;
- (2) by replacing “registrar” in the second paragraph by “Land Registrar”;
- (3) in the third paragraph,
 - (a) by replacing “The registrar” by “The Land Registrar”;
 - (b) by striking out “or of another registrar”.

78. Section 47 of the Act is amended by replacing “registrars” in paragraph *c* by “the Land Registrar”.

79. The Act is amended by replacing “registrar” by “Land Registrar” in the following provisions:

- (1) the first paragraph of section 9;
- (2) paragraph *a* of section 13;
- (3) sections 20 and 21.

ACT RESPECTING THREATENED OR VULNERABLE SPECIES

80. Section 15 of the Act respecting threatened or vulnerable species (chapter E-12.01) is amended by replacing “the registry office of the registration division of the territory included on the chart” in paragraph 4 by “the Land Registry Office”.

81. Section 41 of the Act is amended by replacing “registry office” in the second paragraph by “Land Registry Office”.

ACT RESPECTING MUNICIPAL TAXATION

82. Section 263 of the Act respecting municipal taxation (chapter F-2.1) is amended by inserting the following subparagraph after subparagraph 9.1 of the first paragraph:

“(9.2) designate the ministers who or the government bodies, within the meaning of section 2 of the Financial Administration Act (chapter A-6.001), that may obtain a copy of or an extract from any property assessment roll in force or any other information contained in the geographic information system provided for by the regulation made under subparagraph 1; determine the information that may be so obtained; indicate from whom the information is obtainable and the conditions on which it may be sent; prescribe how a minister or body may use or disseminate the information;”.

83. The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the second paragraph of section 36;
- (2) the first paragraph of section 38;
- (3) the first paragraph of section 39;
- (4) the first paragraph of section 212;
- (5) section 521.

EDUCATION ACT

84. Section 477.1.5 of the Education Act (chapter I-13.3) is amended by replacing “registrar of the registration division in which the immovable is situated” by “Land Registrar”.

85. The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) section 121;
- (2) the first paragraph of section 317.2;
- (3) the third paragraph of section 716.

ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE

86. Section 12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended

(1) by inserting “or free of charge” after “in return for payment” in paragraph 8.2 and by replacing “paragraph” in that paragraph by “subparagraph”;

(2) by striking out “and the registry offices established for the registration divisions in Québec” in paragraph 17.1;

(3) by replacing “paragraphs 17.3, 17.4 and paragraph 3 of section 12.2” in paragraph 17.6 by “subparagraphs 17.3 and 17.4”;

(4) by striking out “in the field of land surveying and” in paragraph 17.7 and by replacing “paragraph” in that paragraph by “subparagraph”;

(5) by inserting the following paragraphs after paragraph 17.7:

“(17.7.1) providing, on request and in return for payment or free of charge, specialized goods and services in the field specified in paragraph 3 of section 12.2;

“(17.7.2) supplying, on request and in return for payment or free of charge, information in the fields of cadastres, land registration and land surveying as well as in the field specified in paragraph 3 of section 12.2;”;

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

“The departments and the government bodies governed by section 2 of the Financial Administration Act (chapter A-6.001) as well as Hydro-Québec must, on the Minister’s request, gratuitously send the Minister the information necessary for the exercise of the Minister’s powers and functions in the fields referred to in subparagraphs 8 to 8.2 of the first paragraph.”

87. Section 17.4 of the Act is amended, in the first paragraph,

(1) by replacing “paragraphs” by “subparagraphs”;

(2) by inserting “, 17.7.1, 17.7.2” after “17.7”;

(3) by inserting “of the first paragraph” after “17.8”.

88. Section 17.18 of the Act is amended by replacing “registrar” in the second paragraph by “Land Registrar”.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

89. Section 11.1.2 of the Act respecting the Ministère des Transports (chapter M-28) is amended by replacing “registry office and the registrar” in the second paragraph by “Land Registry Office and the Land Registrar”.

ACT RESPECTING THE PRESERVATION OF AGRICULTURAL LAND AND AGRICULTURAL ACTIVITIES

90. Section 105.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) is amended

(1) by replacing “registry office” in the first and second paragraphs by “Land Registry Office”;

(2) by replacing “registrar” in the third paragraph by “Land Registrar”.

ACT TO PROMOTE THE REFORM OF THE CADASTRE IN QUÉBEC

91. Section 8.1 of the Act to promote the reform of the cadastre in Québec (chapter R-3.1) is amended

(1) by replacing “Registrars are required” in the introductory clause of the first paragraph by “The Land Registrar is required”;

(2) by replacing “registrars” in the fourth paragraph by “the Land Registrar”.

92. Section 8.3 of the Act is amended by replacing “a registry office” by “the Land Registry Office”.

93. Section 10.1 of the Act is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office”;

(2) by striking out “; it shall be posted at the registry office of the registration division concerned, by the registrar” in the second paragraph.

94. Section 16 of the Act is amended

(1) by replacing “registry office” in the first paragraph by “Land Registry Office”;

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

“The prohibition period shall be stated in the land file established for each lot contemplated in the notice.”

95. Section 19.1 of the Act is amended by replacing “registrar” in the first paragraph by “Land Registrar”.

96. The Act is amended by replacing “registry office” by “Land Registry Office” in the following provisions:

- (1) the second paragraph of section 18;
- (2) section 20.

WATERCOURSES ACT

97. Form 2 of the Watercourses Act (chapter R-13) is amended by replacing “registry office of the registration division of (*name of registration division concerned*)” in the third paragraph by “Land Registry Office”.

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

98. Section 154 of the Act respecting public transit authorities (chapter S-30.01) is amended by replacing “registry office and the registrar” in the second paragraph by “Land Registry Office and the Land Registrar”.

99. Section 156 of the Act is amended by replacing “registrar of the registration division concerned” in the second paragraph by “Land Registrar”.

ACT TO AMEND THE CIVIL CODE AND OTHER LEGISLATIVE PROVISIONS RELATING TO LAND REGISTRATION

100. Section 245 of the Act to amend the Civil Code and other legislative provisions relating to land registration (2000, chapter 42) is repealed.

101. Section 250 of the Act is amended by striking out “in which the registry offices mentioned in that section are established”.

REGULATION RESPECTING LAND REGISTRATION

102. Section 35 of the Regulation respecting land registration (chapter CCQ, r. 6) is replaced by the following section:

“35. Applications for the registration of an authentic copy of an original title issued by the Registrar of Québec or Bibliothèque et Archives nationales du Québec or of a certified true copy of an Order in Council in accordance with section 3 of the Act respecting the Ministère du Conseil exécutif (chapter M-30) are made by presenting that copy or the document resulting from the transfer of the information contained in the copy to a technological medium.

Applications for registration referred to in this section shall not be subject to any other form rule provided for in this division.”

103. Section 37 of the Regulation is amended

(1) by replacing “extract of that act or an authentic copy thereof” in the first paragraph by “authentic extract, an authentic copy, a copy certified by the public registrar who is its depositary or the document resulting from the transfer of the information contained in the act to a technological medium”;

(2) in the second paragraph,

(a) by replacing “the form of a notarial act *en brevet* or a private writing shall be made by presenting one original of that act or writing or of” by “any other form shall be made by presenting the act or”;

(b) by replacing “an information technology-based” by “a technological”.

104. Section 37.1 of the Regulation is amended

(1) by replacing “a notarial act *en brevet* or a private writing” and “an information technology-based” in the first paragraph by “an act, extract, summary or notice and, as the case may be, the information contained in an accompanying document,” and “a technological”, respectively;

(2) by replacing “or advocate” in the second paragraph by “, advocate, land surveyor or bailiff”.

105. Section 39 of the Regulation is replaced by the following section:

“**39.** The summaries shall be presented with an authentic extract from, an authentic copy of or a copy certified by the public registrar who is their depositary of the summarized acts, if the latter are authentic acts other than notarial acts *en brevet*. In any other case, they shall be presented with the summarized documents or with the documents resulting from the transfer of the information contained in the summarized documents to a technological medium.”

106. The Regulation is amended by inserting the following section after section 42:

“**42.1.** In addition to the particulars required under the third paragraph of article 2730, article 2999.1.1, the second paragraph of article 3062 and article 3073.1 of the Civil Code, the notices referred to in those articles shall specify the judgment date, the court that rendered the judgment and the judicial district in which the judgment was rendered.

The notice referred to in article 2999.1.1 of that Code shall also, as the case may be, specify the term of the rights whose registration is required.”

107. The Regulation is amended by inserting the following section after section 53:

“53.0.1. Unless otherwise provided by law or regulation, applications and the accompanying documents may not include the date or place of birth of a person, a social insurance, health insurance, passport, driver’s licence or credit card number or the number of an account held at a financial institution.

This section does not apply to acts of civil status required for publication purposes.”

108. Section 75 of the Regulation is replaced by the following section:

“75. The Land Registry Office

(1) is open every day, but only for consultation purposes on Saturdays and Sundays; and

(2) is closed on holidays within the meaning of subparagraphs *b* to *j* of paragraph 23 of section 61 of the Interpretation Act (chapter I-16), 26 December and 2 January as well as any day to which such a day is postponed or advanced pursuant to the collective agreements in force for government employees.

The days on which the Land Registry Office is closed and any changes to its business hours shall be published on the website of the Ministère des Ressources naturelles et de la Faune.”

109. Section 78 of the Regulation is amended by replacing “8:00 a.m. and 11:00 p.m., except on Saturdays where it is allowed between at least 8:00 a.m. and 5:00 p.m.” by “6:00 a.m. and 12:00 a.m.”.

REGULATION RESPECTING STANDARDS OF PRACTICE FOR STAKING AND LAYOUT

110. Section 11 of the Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11) is amended, in paragraph 1,

(1) by replacing “bureau de la publicité des droits” in the French text by “Bureau de la publicité foncière”;

(2) by replacing “bureau de la publicité des droits” by “Land Registry Office”.

OTHER AMENDING PROVISIONS

111. The expression “registry office” is replaced by “Land Registry Office” in the following provisions:

(1) subparagraph 4 of the second paragraph of section 16 and paragraph 4 of section 30 of the Natural Heritage Conservation Act (chapter C-61.01);

- (2) section 221.2.7 of the Cooperatives Act (chapter C-67.2);
- (3) section 17 of the Religious Corporations Act (chapter C-71);
- (4) section 8 and subsection 1 of section 20 of the Disorderly Houses Act (chapter M-2);
- (5) the second paragraph of section 25 of the Pesticides Act (chapter P-9.3);
- (6) the first paragraph of section 24, the third paragraph of section 35, the second paragraph of section 36, the third paragraph of section 37, the first paragraph of section 67, section 69 and subparagraph *a* of the fourth paragraph of section 100.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- (7) the first paragraph of section 5 of the Act respecting property tax refund (chapter R-20.1);
- (8) the fourth paragraph of section 58 and the second paragraph of section 68.4 of the Act respecting the Société d'habitation du Québec (chapter S-8);
- (9) the first paragraph of sections 43.1 and 43.8 of the Act respecting agricultural lands in the domain of the State (chapter T-7.1);
- (10) the second paragraph of section 19 and the third and sixth paragraphs of section 45.5 of the Act respecting the lands in the domain of the State (chapter T-8.1);
- (11) subparagraphs 2 and 22 of the first paragraph of section 9 and subparagraph 2 of the first paragraph of section 10 of the Regulation respecting standards of practice for location certificates (chapter A-23, r. 10);
- (12) paragraph 1 of section 4 of the Regulation respecting standards of practice for staking and layout (chapter A-23, r. 11);
- (13) subparagraph 3 of the first paragraph of sections 40 and 55 of the Regulation respecting mineral substances other than petroleum, natural gas and brine (chapter M-13.1, r. 2);
- (14) the second paragraph of sections 9 and 37 and the third paragraph of section 38 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1).

112. The expression “registrar” is replaced by “Land Registrar” in the following provisions:

- (1) sections 23 and 24 of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1);

- (2) subsection 4 of section 53 of the Land Surveyors Act (chapter A-23);
- (3) the first paragraph of section 17 of the Unclaimed Property Act (chapter B-5.1);
- (4) section 522 of the Cities and Towns Act (chapter C-19), wherever it appears;
- (5) articles 1042 and 1057 of the Municipal Code of Québec (chapter C-27.1), wherever it appears;
- (6) the first paragraph of section 78 of the Act respecting the Commission municipale (chapter C-35);
- (7) the first paragraph of section 31 of the Public Curator Act (chapter C-81);
- (8) the first and fourth paragraphs of section 53.15, the second paragraph of section 55.2 and the first paragraph of section 84 of the Expropriation Act (chapter E-24);
- (9) the fourth paragraph of section 44, section 56 and the first paragraph of section 153 of the Public Infrastructure Act (chapter I-8.3);
- (10) the first paragraph of sections 10 and 21 of the Disorderly Houses Act (chapter M-2);
- (11) the third paragraph of section 11.5.1 of the Act respecting the Ministère des Transports (chapter M-28);
- (12) sections 52 and 68 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);
- (13) the first paragraph of section 17 of the Act respecting the Régie des installations olympiques (chapter R-7);
- (14) section 25 of the Act respecting the Société des établissements de plein air du Québec (chapter S-13.01);
- (15) section 28, the third paragraph of section 40.1, the second paragraph of section 72 and the second paragraph of section 72.1 of the Act respecting the lands in the domain of the State (chapter T-8.1);
- (16) section 6, section 7, wherever it appears, and the second, third and fourth paragraphs of section 8 of the Act respecting land titles in certain electoral districts (chapter T-11);
- (17) section 14 of the Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1);

(18) paragraph 2 of section 59 of the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles et de la Faune (chapter M-25.2, r. 1).

113. The expression “office of the registration division concerned” or “registry office of the registration division concerned”, as applicable, is replaced by “Land Registry Office” in the following provisions:

(1) section 228 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);

(2) section 215 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);

(3) paragraph 1 of sections 35 and 60 of the Watercourses Act (chapter R-13);

(4) the third paragraph of section 18 of the Regulation respecting the alienation of agricultural lands in the domain of the State to certain occupants (chapter T-7.1, r. 1);

(5) the first paragraph of section 25 of the Regulation respecting the alienation and leasing of agricultural lands in the domain of the State (chapter T-7.1, r. 2);

(6) the first paragraph of section 19 of the Regulation respecting public blueberry fields (chapter T-7.1, r. 3).

TRANSITIONAL AND FINAL PROVISIONS

114. The Land Registrar is the depositary of the following registers and documents: the register of farm and forest pledges, the register of commercial pledges, the register of procès-verbaux, deeds of agreement or by-laws relating to roads, bridges and watercourses, the list referred to in paragraph 2 of article 2161 of the Civil Code of Lower Canada, as it read on 31 December 1993, the register of addresses and the list of memorials of presentation.

115. The Land Registrar is bound to keep all documents published before 8 November 2021 at the registry offices established for the registration divisions.

116. Any document published before 8 November 2021 in a registry office established for a registration division is deemed to have been published in the Land Registry Office.

117. The publication of a judgment in a family matter between 31 December 2015 and 1 February 2021 and in accordance with the rules of the Civil Code applicable to the publication of rights complies with article 15 of the Code of Civil Procedure (chapter C-25.01).

118. The Land Registrar must redact the information prohibited by section 53.0.1 of the Regulation respecting land registration (chapter CCQ, r. 6), enacted by section 107, contained in a document kept by the Registrar, at the written request of any person the information relates to or their successors.

119. An application made by filing an act dated before 1 February 2021 may not be refused at the registry on the ground that the act contains information prohibited by section 53.0.1 of the Regulation respecting land registration, enacted by section 107.

120. The fees provided for in section 37 are adjusted by operation of law on 1 April 2021 and published in accordance with section 17 of Schedule I to the Act respecting registry offices (chapter B-9).

121. Applications for registration in the land register may be filed in paper form until 5 November 2021.

Such applications are subject to the rules relating to publication in paper form provided for in Book Nine of the Civil Code and in the Regulation respecting land registration, as they read on 31 January 2021.

122. From 1 February 2021 to 7 November 2021, section 75 of the Regulation respecting land registration is to be read as follows:

“75. Registry offices and the Land Registry Office

(1) are open every day, except Saturdays and Sundays. However, the Land Registry Office is open Saturdays and Sundays, but only for consultation purposes; and

(2) are closed on holidays within the meaning of subparagraphs *b* to *j* of paragraph 23 of section 61 of the Interpretation Act (chapter I-16), 26 December and 2 January as well as any day to which such a day is postponed or advanced pursuant to the collective agreements in force for government employees.

The days on which the registry offices and the Land Registry Office are closed and any changes to their business hours shall be published on the website of the Ministère des Ressources naturelles et de la Faune.”

123. The provisions of this Act come into force on 1 February 2021, except

(1) sections 1, 5, 6, 12, 14 to 16, 18, 20, 21 and 27 to 32, paragraph 1 of section 33, subparagraph *a* of paragraph 2 of section 34, sections 35 to 38, 40 to 61 and 63, paragraph 1 of section 64, section 65, paragraph 1 of section 66, sections 67 to 74, 76 to 81, 83 to 85, 88 to 101 and 110 to 116, which come into force on 8 November 2021;

(2) section 13, subparagraph *b* of paragraph 1 of section 17 and section 118, which come into force on 21 March 2022; and

(3) sections 19, 24 and 25, paragraphs 2 and 3 of section 33, paragraph 1 and subparagraph *b* of paragraph 2 of section 34, section 39, paragraph 2 of sections 64 and 66, paragraph 1 of section 87 and sections 108, 109 and 122, which come into force on 8 October 2020.

