



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 1
(2022, chapter 29)

**An Act to limit the indexation of
several government tariffs**

**Introduced 1 December 2022
Passed in principle 8 December 2022
Passed 9 December 2022
Assented to 9 December 2022**

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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.

LEGISLATION AMENDED BY THIS ACT:

- Financial Administration Act (chapter A-6.001);
- Act respecting registry offices (chapter B-9).

Bill 1

AN ACT TO LIMIT THE INDEXATION OF SEVERAL GOVERNMENT TARIFFS

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).