



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-THIRD LEGISLATURE

Bill 82
(2025, chapter 26)

**An Act respecting the national digital
identity and amending
other provisions**

**Introduced 21 November 2024
Passed in principle 4 February 2025
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Assented to 28 October 2025**

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EXPLANATORY NOTES

This Act confers on the Minister of Cybersecurity and Digital Technology responsibility for the governance and centralized management of the national digital identity, which is a set of means at the disposal of the State to enable every person to have secure access to government electronic delivery of services as well as a high level of trust during their interactions with public bodies and in the community, in particular by means of government digital attestations. It also gives the Minister responsibility for providing public bodies with national digital identity services. The Act assigns to the Minister the function of acting as an official source of government digital data for the needs of the national digital identity and establishes the national digital identity register, which is a government digital data filing and communication system under the responsibility of the Minister. The Act provides that the Minister consults the population for the purpose of drafting the first regulation to specify the government digital data having biometric characteristics or containing biometric measurements that may be used in connection with the national digital identity.

The Act specifies that the Minister is to collaborate in the implementation of the multi-service window governed by the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail.

The Act gives the Minister responsibility for developing and submitting to the Government an overall vision of the telecommunications infrastructures and services considered useful or essential for conducting the affairs of the State. It also confers on the Minister responsibility for developing and operating, for non-commercial purposes, a network of connectivity infrastructures in connection with the telecommunications services the Minister provides. The Act provides that the authorization of the Conseil du trésor is not required for contracts for the leasing of immovables in the field of telecommunications entered into by the Minister.

The Act also grants the Minister the power to make available certain specialized technology goods and services in addition to cloud offerings.

In addition, the Act provides that public bodies are required to call on the Minister's services to carry out cybersecurity activities, and also to notify the Minister where an information resource or information held is the subject of a breach of confidentiality, availability or integrity and where the breach presents a risk of serious injury. It grants the Government the power to make the latter requirement applicable to any person or entity that owns or operates an essential system or infrastructure determined by the Government.

The Act provides that an official source of government digital data must ensure the coherence and quality of the data concerned. It specifies that all public bodies must collect such data from that source, use them and communicate them to the source, and grants the Government the power to exempt a public body from those requirements.

The Act provides that the Minister may develop means to reinforce digital sovereignty in the governance and management of information resources, in particular as regards government digital data that contain sensitive information. In order to ensure adequate monitoring of an information resource project, the Act confers on the chief information officer the power to give a public body any opinion the officer considers appropriate concerning the acquisition strategy relating to such a project, and specifies that the officer may require from such a body any information relating to that acquisition strategy.

The Act introduces the possibility, for the chief information officer, to delegate or subdelegate the exercise of any of the officer's functions, powers or responsibilities. It repeals the provisions of the Act to establish a legal framework for information technology that concern the harmonization committee. It provides that the certification of a certification service provider must be issued by the Minister rather than the Conseil du trésor.

The Act amends the Courts of Justice Act to authorize the Minister of Justice to modify, by regulation, a rule set out in the Code of Civil Procedure or the Code of Penal Procedure or introduce a new rule or to prescribe any other standard necessary, in any matter, in order to carry out a pilot project with a view to providing digital judicial services.

Lastly, the Act makes consequential amendments and contains transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Tax Administration Act (chapter A-6.002);
- Act to establish a legal framework for information technology (chapter C-1.1);
- Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03);
- 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 Cybersécurité et du Numérique (chapter M-17.1.1);
- Courts of Justice Act (chapter T-16).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting land registration (chapter CCQ, r. 6);
- Regulation respecting contracting by public bodies in the field of information technologies (chapter C-65.1, r. 5.1);
- Regulation respecting government contracts for the leasing of immovable property (chapter C-65.1, r. 7).

Bill 82

AN ACT RESPECTING THE NATIONAL DIGITAL IDENTITY AND AMENDING OTHER PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE MINISTÈRE DE LA CYBERSÉCURITÉ ET
DU NUMÉRIQUE

1. Section 4 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1) is amended

(1) by replacing “common technology infrastructure services” in the first paragraph by “information resource services, including common technology infrastructure”;

(2) by replacing “offer of common technology infrastructure services and support system services provided” in the third paragraph by “information resource services offered”.

2. Section 5 of the Act is amended by replacing “common technology infrastructure services and support system” in paragraph 1 by “information resource.”

3. The Act is amended by inserting the following sections after section 5.1:

“5.2. The Minister develops and submits to the Government an overall vision of the telecommunications infrastructures and services considered useful or essential for conducting the affairs of the State. The Minister advises the Government on any matter concerning such infrastructures and services. In addition, the Minister coordinates the actions of public bodies with respect to the telecommunications infrastructures they hold or use, so as to ensure government-wide integrated governance of those infrastructures.

As government reference, the Minister may give a public body any opinion the Minister considers appropriate in order to promote the mutualization and optimization of telecommunications infrastructures and of the related telecommunications services.

A project of a public body aimed at developing a telecommunications network or improving an existing network, including the acquisition, development or replacement of any related asset, constitutes an information resource project

within the meaning of the first paragraph of section 16.3 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03).

Public bodies are required to use the telecommunications services determined by the Minister in the Minister's information resource offering in accordance with the third paragraph of section 4.

“5.3. The Minister develops and operates, for non-commercial purposes, a network of connectivity infrastructures in connection with the telecommunications services the Minister provides.

The Minister has all the powers necessary to acquire, offer for rent or alienate any property for the development or operation of such a network.

Any person designated by the Minister may, at any reasonable time, access any immovable to carry out inventories, surveys, examinations, analyses or other preparatory work for the purposes of the development and operation of the network, subject to making reparation for any injury that may be caused.

The responsibilities and powers conferred by this section must be exercised in keeping with the authorizations provided for in the rules made under section 16.2 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03).

For the purposes of this Act, “connectivity infrastructure” means any infrastructure that enables remote communication. It may be an infrastructure that uses wired or wireless data transmission, such as fibre optics, antennas, telecommunications towers, satellites, computers or computer systems.”

4. Section 6 of the Act is amended

(1) in the first paragraph,

(a) by inserting “and specialized technology” after “as cloud”;

(b) by inserting “and specialized technology” after “making cloud”;

(2) by inserting “and specialized technology” after “cloud” in the second paragraph;

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

“For the purposes of this section, “specialized technology” means technological goods or services relating to

(1) integrated management software;

(2) cybersecurity;

- (3) foundations used as technology infrastructures; or
- (4) legacy systems of the mainframe application platform.”

5. Section 7 of the Act is amended

(1) by replacing “4 and 5.1” by “4, 5.1, 5.2 and 10.5”;

(2) by replacing “designated by the Government” by “designated by the Minister”.

6. The Act is amended by inserting the following chapter after Chapter I:

“CHAPTER I.1

“NATIONAL DIGITAL IDENTITY

“10.2. The national digital identity represents all the means at the disposal of the State to guarantee every person secure access to government electronic delivery of services and enable every person to have a high level of trust during their interactions with public bodies.

The national digital identity also enables each person who uses it to carry out interactions in the community, in particular by means of government digital attestations controlled by the person using an application where the attestations are safely stored.

Within the meaning of this Act, “government digital attestation” means a technology-based document enabling the authenticity or veracity of information or a fact relating to a person to be established.

“10.3. No public body may impose the use of the national digital identity on a person in order to provide the person with government delivery of services.

“10.4. The Minister assumes responsibility for the governance and centralized management of the national digital identity so as to offer a government-wide vision with respect to digital identity, in line with the digital transformation of the public administration and with public bodies’ digital transformation initiatives.

For those purposes, the Minister may

(1) define, implement and apply a governance framework for personal information whose collection, communication and use are necessary to identify and authenticate persons; and

(2) put in place processes to verify the coherence and quality of such information.

“10.5. The Minister provides public bodies with the national digital identity services determined by the Minister in the information resource service offering in accordance with the third paragraph of section 4.

A public body is required to use the services referred to in the first paragraph on the conditions determined by the Minister. The Government may, however, exempt a public body from that requirement.

“10.6. The Minister acts, by virtue of office, as an official source of government digital data for the purposes set out in this chapter. In exercising that function, the Minister collects, uses or communicates government digital data or collects information, including personal information, from any person, where necessary.

The Government specifies the public bodies that must collect such data from the Minister acting as an official source of government digital data, and use them, or that must communicate such data to the Minister. The Government may, for the same purposes, entrust a public body with any function or transfer part of a function from one public body to another.

Sections 12.16 to 12.19 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (G-1.03) apply to the Minister acting as an official source of government digital data, with the necessary modifications.

Within the meaning of this chapter, government digital data are

- (1) the name and the date and place of birth of a natural person, as well as the name of the person’s parents;
- (2) the name and contact information of a legal person or a partnership; and
- (3) any other information determined by the Government.

“10.7. A national digital identity register is established under the Minister’s responsibility. The register constitutes a government digital data filing and communication system.

The register must enable the following, among other things:

- (1) safekeeping, on behalf of a public body, of all or part of such data;
- (2) communication of such data between public bodies;
- (3) access to such data;
- (4) traceability of every access to the register by a person, whether to file such data in the register, to use the data or to be given communication of them; and

(5) any other functionality determined by regulation of the Minister.

The Minister must not use such data for the purpose of profiling persons.

“Profiling” means the collection and use of personal information to assess certain characteristics of a natural person, in particular for the purpose of analyzing that person’s work performance, economic situation, health, personal preferences, interests or behaviour.

“10.8. The Government may determine the objectives and targets that public bodies must meet for the needs of the national digital identity and that may concern, in particular, access by citizens to simplified, integrated and quality services, the desired rate of use by citizens with regard to services relating to that identity or, in their generality, information resource projects related to that identity.

The Government may also determine the terms and conditions of an agreement that a public body may enter into in order to make the national digital identity interoperable with the infrastructures and systems of any other person or entity at the local, regional, national or international level, including the condition that the agreement must be entered into jointly by the public body and the Minister.

“10.9. The Government may, by regulation,

(1) determine the terms governing the keeping of the national digital identity register;

(2) determine the quality standards for government digital data and, if applicable, special protection standards;

(3) specify the government digital data, having biometric characteristics or containing biometric measurements, that may be used, in the cases and on the conditions it determines; and

(4) prescribe any other measure necessary for the application of this chapter.

“10.10. The Minister may, by regulation, prescribe rules relating to the identification and authentication of persons.”

ACT RESPECTING THE GOVERNANCE AND MANAGEMENT OF THE INFORMATION RESOURCES OF PUBLIC BODIES AND GOVERNMENT ENTERPRISES

7. Section 5 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended by adding the following paragraph at the end:

“In addition, the Government may provide that section 12.5.3 applies to any person or entity that owns or operates an essential system or infrastructure

determined by the Government, in order to increase the effectiveness of the fight against cyber attacks and cyber threats in Québec.”

8. Section 7.1 of the Act is amended by striking out the second paragraph.

9. The Act is amended by inserting the following section after section 7.1:

“7.2. The chief information officer may delegate, in writing, a function, a power or a responsibility provided for in or arising from this Act to a person under the officer’s direction. The chief information officer may, in the instrument of delegation, authorize the subdelegation of any of the functions, powers or responsibilities the chief information officer specifies.”

10. Section 12.5.1 of the Act is amended by adding the following paragraph at the end:

“A public body whose information officer is designated in accordance with the second paragraph of section 8 and within which no administrative unit specialized in information security is maintained must call on the services offered by the Minister to carry out its cybersecurity activities. However, the public body need not use the services offered by the Minister if such services are provided by another public body under an agreement authorized by the Minister.”

11. The Act is amended by inserting the following section after section 12.5.2:

“12.5.3. A public body that becomes aware that an information resource or information under its responsibility is the subject of a breach of confidentiality, availability or integrity, and that the breach presents a risk of serious injury, must promptly notify the Minister.

A regulation of the Minister may determine the cases and circumstances in which a breach presents a risk of serious injury, or the criteria for determining whether a breach presents such a risk.”

12. Section 12.6 of the Act is amended by inserting the following paragraph after paragraph 4.1:

“(4.2) conducting, according to the terms and conditions determined by the Minister, analyses concerning the security provided by an information asset or an information resource service, used or to be used in a public body’s systems and infrastructures, and providing the latter with an opinion concerning the estimated security level;”.

13. Section 12.10 of the Act is amended by striking out subparagraph g of subparagraph 2 of the second paragraph.

14. Section 12.14 of the Act is amended

(1) by adding the following sentence at the end of the second paragraph: “An official source of government digital data must ensure the coherence and quality of the data concerned, and public bodies are required to collect such data from that source and use them or to communicate them to the source.”;

(2) by replacing the last sentence of the third paragraph by the following sentence: “It may exempt a public body or category of public bodies from the obligation to collect data from an official source of government digital data, to use them or to communicate them to that source.”;

(3) by striking out the fourth and fifth paragraphs.

15. Section 12.20 of the Act is amended by replacing “acts as an official source of reference data and must, as such,” in the second paragraph by “must”.

16. The Act is amended by inserting the following section after section 16.3:

“16.3.1. To ensure adequate monitoring of an information resource project, the chief information officer may give a public body any opinion the officer considers appropriate concerning the acquisition strategy relating to such a project. The officer may also require from such a body any information relating to that acquisition strategy.”

17. The Act is amended by inserting the following section after section 19.1:

“19.2. The Minister may develop means to reinforce digital sovereignty in the governance and management of information resources, in particular as regards government digital data that contain sensitive personal information within the meaning of the third paragraph of section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).”

18. Section 20 of the Act is amended by striking out the third paragraph.

TAX ADMINISTRATION ACT

19. 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.13) the Minister of Cybersecurity and Digital Technology, solely to the extent that the information is necessary for the purposes provided for in Chapter I.1 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1).”

20. Section 69.1.1 of the Act is amended

(1) in the first paragraph,

(a) by replacing the introductory clause by the following:

“69.1.1. For the purposes of subparagraphs z.10 and z.13 of the second paragraph of section 69.1, the public body or the Minister of Cybersecurity and Digital Technology, as the case may be, must, prior to the communication,”;

(b) by replacing “of the second paragraph of section 69.1 and have the rules approved by” in subparagraph *b* by “or z.13 of the second paragraph of section 69.1, as the case may be, and send the rules to”;

(2) in the second paragraph,

(a) by inserting “or the Minister of Cybersecurity and Digital Technology” after “public body”;

(b) by replacing “subparagraph z.10 of the second paragraph of section 69.1” by “subparagraph z.10 or z.13 of the second paragraph of section 69.1, as the case may be,”;

(3) in the third paragraph,

(a) by replacing “public body’s personnel members” by “personnel members of the public body or of the Ministère de la Cybersécurité et du Numérique”;

(b) by striking out the last sentence;

(4) in the fourth paragraph,

(a) by inserting “or the Minister of Cybersecurity and Digital Technology” after “The body”;

(b) by replacing “of the second paragraph of section 69.1” by “or z.13 of the second paragraph of section 69.1, as the case may be”.

21. Section 69.8 of the Act is amended by replacing “subparagraph z.10” in the introductory clause of the first paragraph by “subparagraphs z.10 and z.13”.

ACT TO ESTABLISH A LEGAL FRAMEWORK FOR INFORMATION TECHNOLOGY

22. Section 1 of the Act to establish a legal framework for information technology (chapter C-1.1) is amended by striking out paragraph 5.

23. Section 6 of the Act is amended by replacing “security measures” in the third paragraph by “physical, logical or operational security measures and document management measures”.

24. Section 8 of the Act is amended by replacing “norms or standards approved by a recognized body referred to in section 68” in the first paragraph by “generally accepted norms or standards”.

25. Section 12 of the Act is amended by replacing “norms and standards approved by a recognized body referred to in section 68” in the second paragraph by “generally accepted norms or standards”.

26. Section 15 of the Act is amended by replacing “the norms or standards approved by a recognized body referred to in section 68” in the second paragraph by “generally accepted norms or standards”.

27. Section 50 of the Act is amended by replacing “the norms or standards approved by a recognized body referred to in section 68” in the first paragraph by “generally accepted norms or standards”.

28. Division I of Chapter IV of the Act, comprising sections 63 to 68, is repealed.

29. The Act is amended by striking out the following after section 68:

“DIVISION II

“REGULATORY POWERS OF THE GOVERNMENT”.

30. Section 69 of the Act is amended by striking out “In addition to such substitute standards as may be prescribed under section 67,” in the introductory clause.

ACT RESPECTING THE MINISTÈRE DE L’EMPLOI ET DE LA SOLIDARITÉ SOCIALE AND THE COMMISSION DES PARTENAIRES DU MARCHÉ DU TRAVAIL

31. Section 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 “and with the collaboration of the Minister of Cybersecurity and Digital Technology in relation to the national digital identity, where applicable,” after “To do so,” in the introductory clause of the third paragraph.

COURTS OF JUSTICE ACT

32. The Courts of Justice Act (chapter T-16) is amended by inserting the following chapter after section 223.6:

“CHAPTER I.1

“PILOT PROJECT TO PROVIDE DIGITAL JUDICIAL SERVICES

“**223.6.1.** The Minister of Justice may, by regulation, modify a rule set out in the Code of Civil Procedure (chapter C-25.01) or the Code of Penal Procedure (chapter C-25.1) or introduce a new one or prescribe any other standard necessary, in any matter, in order to carry out a pilot project with a view to providing digital judicial services.

The regulation may set out, in particular,

(1) the cases in which and conditions on which the exclusive use of a technological means is required; and

(2) the powers that may be exercised by a judge, a justice of the peace, a clerk or a special clerk with respect to the use of a technological means referred to in subparagraph 1.

The rules and standards prescribed under the first paragraph may differ according to the class of users of a technological means referred to in those rules or standards.

The Minister shall set the term of the pilot project, which must not exceed three years. The Minister may, however, before the expiry of the term, extend it by up to three years.”

REGULATION RESPECTING LAND REGISTRATION

33. Section 83 of the Regulation respecting land registration (chapter CCQ, r. 6) is amended by replacing both occurrences of “Conseil du trésor” by “Minister of Cybersecurity and Digital Technology”.

34. Section 89 of the Regulation is amended by replacing “Conseil du trésor” by “Minister of Cybersecurity and Digital Technology”.

35. The Schedule to the Regulation is amended by replacing “Conseil du trésor” by “Minister of Cybersecurity and Digital Technology”.

REGULATION RESPECTING CONTRACTING BY PUBLIC BODIES IN THE FIELD OF INFORMATION TECHNOLOGIES

36. The heading of Division I of Chapter V of the Regulation respecting contracting by public bodies in the field of information technologies (chapter C-65.1, r. 5.1) is amended by inserting “OR SPECIALIZED TECHNOLOGY” after “CLOUD”.

37. Section 48 of the Regulation is amended by inserting “or specialized technology” after “cloud” in the introductory clause of the first paragraph.

REGULATION RESPECTING GOVERNMENT CONTRACTS FOR THE LEASING OF IMMOVABLE PROPERTY

38. Section 1 of the Regulation respecting government contracts for the leasing of immovable property (chapter C-65.1, r. 7) is amended by inserting “or to leasing contracts in the field of telecommunications entered into or to be entered into by the Minister of Cybersecurity and Digital Technology” at the end of the second paragraph.

TRANSITIONAL AND FINAL PROVISIONS

39. Order in Council 1084-2024 dated 10 July 2024 is deemed to have been made under the second paragraph of section 10.5 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1), enacted by section 6 of this Act.

40. Order in Council 870-2022 dated 25 May 2022 is deemed to have been made in accordance with section 10.6 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1), enacted by section 6 of this Act.

41. The government identity attributes register referred to in Order in Council 870-2022 dated 25 May 2022 becomes the national digital identity register referred to in section 10.7 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1), enacted by section 6 of this Act.

42. The Règles relatives à l’assurance de l’identité numérique (French only) made by Order 2022-05 dated 26 August 2022 and amended by Order 2024-03 dated 6 July 2024 are deemed to have been made under section 10.10 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1), enacted by section 6 of this Act.

43. The contracts for the leasing of immovables in the field of telecommunications entered into by the Minister of Cybersecurity and Digital Technology or by Infrastructures technologiques Québec and covered by the Regulation respecting government contracts for the leasing of immovable property (chapter C-65.1, r. 7), insofar as they have not been authorized by the Conseil du trésor, as provided for in section 10 of the Regulation, are validated.

44. For the drafting of the first regulation made under paragraph 3 of section 10.9 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1), enacted by section 6 of this Act, the Minister consults the population by any means the Minister considers appropriate.

45. Any agreement regarding services similar to those offered by the Minister of Cybersecurity and Digital Technology to carry out cybersecurity activities, entered into before 28 October 2025 between public bodies, is deemed to have been authorized by the Minister in accordance with the second paragraph of section 12.5.1 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03), enacted by section 10 of this Act.

46. The continuation of the pilot project relating to digital transformation of the administration of justice, established by the Regulation respecting the Pilot project relating to digital transformation of the administration of justice (chapter C-25.01, r. 6.3), is authorized, despite section 1 of that Regulation and article 28 of the Code of Civil Procedure (chapter C-25.01), until the date of coming into force of the first regulation made under section 223.6.1 of the Courts of Justice Act (chapter T-16).

47. The provisions of this Act come into force on 28 October 2025, except

(1) those of section 3 insofar as it enacts the fourth paragraph of section 5.2 of the Act respecting the Ministère de la Cybersécurité et du Numérique (chapter M-17.1.1), which come into force on the date set by the Government; and

(2) those of sections 7 and 11, which come into force on the date of coming into force of the first regulation made under the second paragraph of section 12.5.3 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03), enacted by section 11 of this Act.